



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

**Tiered Environment Review  
for Activity/Project that is  
Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**Project Information**

**Project Name:** FY22-CDBG-Minor-Home-Repair-Grant-

**HEROS Number:** 900000010271875

**State / Local Identifier:**

**Project Location:** Corpus Christi, TX 78401

**Additional Location Information:**

N/A

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

The Minor Home Repair Grant Program assists 35 homeowners with a grant to provide repairs involving the roof, plumbing, electrical, heating, minor structural repairs, and accessible ramps. The applicant must be at least 62 years old or disabled. The applicant must meet the very low-income limits (50% AMI).

**Level of Environment Review Determination:**

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:  
58.35(a)(3)

**Funding Information**

Grant Number	HUD Program	Program Name	Funding Amount
B-22-MC-480502	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	

**Estimated Total HUD Funded Amount:** \$2,680,058.00

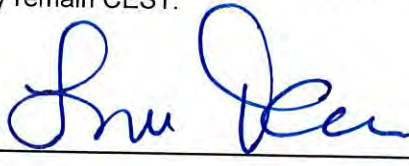
**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$875,000.00

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]:** Consult the completed environmental review record for information on the 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

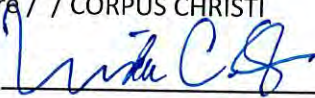
contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified.

**Determination:**

- Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA) ; OR
- There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Preparer Signature:  Date: 8/12/22

Name / Title/ Organization: Leticia Kanmora / / CORPUS CHRISTI

Responsible Entity Agency Official Signature:  Date: 8.12.22

Name/ Title: Linda Stewart, Director

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



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**Project Information**

**Project Name:** FY22-CDBG-Minor-Home-Repair-Grant-

**HEROS  
Number:** 900000010271875

**Responsible Entity  
(RE):** CORPUS CHRISTI, PO Box 9277 Corpus Christi TX, 78469

**State / Local  
Identifier:**

**RE Preparer:** Leticia Kanmore

**Certifying  
Officer:** Linda Stewart

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

**Point of Contact:**

**Consultant (if  
applicable):**

**Point of Contact:**

**Project  
Location:** Corpus Christi, TX 78401

**Additional Location Information:**  
N/A

**Direct Comments  
to:**

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

The Minor Home Repair Grant Program assists 35 homeowners with a grant to provide repairs involving the roof, plumbing, electrical, heating, minor structural repairs, and accessible ramps. The applicant must be at least 62 years old or disabled. The applicant must meet the very low-income limits (50% AMI).

**Maps, photographs, and other documentation of project location and description:**

**Approximate size of the project area:** more than 1 square mile

**Length of time covered by this review:** 5 Years

**Maximum number of dwelling units or lots addressed by this tiered review:**  
35

**Level of Environmental Review Determination:**

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)

**Determination:**

	Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
✓	There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

**Approval Documents:**

**7015.15 certified by Certifying Officer on:**

**7015.16 certified by Authorizing Officer on:**

**Funding Information**

Grant Number	HUD Program	Program Name
B-22-MC-480502	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

**Estimated Total HUD Funded Amount:** \$2,680,058.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$875,000.00

**Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Was compliance achieved at the broad level of review?	Describe here compliance determinations made at the broad level and source documentation.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
Airport Hazards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Coastal Barrier Resources Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The City of Corpus Christi is not located within a designated Coastal Barrier. See attached Texas Coastal Barrier Map.
Flood Insurance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
Air Quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The City of Corpus Christi is not in a non-attainment county in Texas. See map of non-attainment counties in Texas.
Coastal Zone Management Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nature of project does not consist of new construction, land conversion, major rehabilitation or substantial improvements to the properties therefore compliance and consultation with GLO is not required. See attached memo.
Contamination and Toxic Substances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Endangered Species Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	By its nature, minor home improvements do not have the potential to affect endangered species.
Explosive and Flammable Hazards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Farmlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rehabilitation of existing homes has no potential to convert farmland, and the activity is therefore in compliance with the FPPA.
Floodplain Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Historic Preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Noise Abatement and Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Sole Source Aquifers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are not any sole source aquifers in the City of Corpus Christi. See

		attached location of Sole Source Aquifers in the State of Texas.
Wetlands Protection	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Wild and Scenic Rivers Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are no wild and scenic rivers within the City of Corpus Christi. See attached map.
<b>ENVIRONMENTAL JUSTICE</b>		
Environmental Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Supporting documentation**

[Non-attainment counties as of 2021aug13.pdf](#)

[TX CBRS map.pdf](#)

[MHR Memo.pdf](#)

[EndangeredSpeciesReport as of 2021jun22.pdf](#)

[Sole Source Aquifer MOU.pdf](#)

[Wild and Scenic Rivers.pdf](#)

**Written Strategies**

The following strategies provide the policy, standard, or process to be followed in the site-specific review for each law, authority, and factor that will require completion of a site-specific review.

1	Airport Hazards
	Compliance will be completed once property is identified. A map identifying property is not located in an Airport Clear Zone will be provided as documentation.
2	Flood Insurance
	This will be completed once property is identified. A flood map will be provided for each property.
3	Contamination and Toxic Substances
	Compliance will be completed once property is identified. NEPAssist report will be attached along with site observation.
4	Explosive and Flammable Hazards
	The nature and location of these projects will not include a hazardous facility, rehab or renovation that will result in an increase in the number of people congregating or living there, nor increase residential density, nor will the project be converting the use of a building making vacant building habitable. See attached memo.
5	Floodplain Management
	Nature of the project is "minor" rehab program, which means projects should fall below the "substantial improvement" threshold for single family rehabilitation. If projects will not include substantial improvement, it is exempt from the 8-step decision-making process per 24 CFR 55.12(b)(2), and you can resolved this factor at broad level.
6	Historic Preservation
	Compliance and consultation with SHPO will be completed once property is identified.
7	Noise Abatement and Control

	Nature of project will not require Noise Abatement and control. Property advisors will notate whether there are any major noise sources in the vicinity and if there are major noise sources present, encourage incorporation of noise mitigation measures (e.g. weather-stripping, window and door upgrades, insulation) into the project where feasible.
<b>8</b>	Wetlands Protection
	Minor home rehabilitation does not have the potential to affect wetlands, this factor can be ruled out at the broad level.
<b>9</b>	Environmental Justice
	The activities described herein do not have the disproportionate impact on low- income persons or minorities. These activities are designed to enhance affordable housing opportunities for low and moderate income persons and no further review of this matter is required. See attached memo.

**Supporting documentation**

[MHR Memo\(1\).pdf](#)

[\\_opt idis heros upload 900000010209131\\_Tier II Checklist.doc](#)

**APPENDIX A: Site Specific Reviews**

<b>state</b>	<b>st_abbr</b>	<b>countyname</b>	<b>pollutant</b>	<b>revoked_naaqs</b>
TEXAS	TX	Anderson County	Sulfur Dioxide (2010)	
TEXAS	TX	Bexar County	8-Hour Ozone (2015)	
TEXAS	TX	Brazoria County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Brazoria County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Brazoria County	8-Hour Ozone (2008)	
TEXAS	TX	Brazoria County	8-Hour Ozone (2015)	
TEXAS	TX	Chambers County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Chambers County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Chambers County	8-Hour Ozone (2008)	
TEXAS	TX	Chambers County	8-Hour Ozone (2015)	
TEXAS	TX	Collin County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Collin County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Collin County	8-Hour Ozone (2008)	
TEXAS	TX	Collin County	8-Hour Ozone (2015)	
TEXAS	TX	Collin County	Lead (1978)	
TEXAS	TX	Collin County	Lead (2008)	
TEXAS	TX	Dallas County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Dallas County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Dallas County	8-Hour Ozone (2008)	
TEXAS	TX	Dallas County	8-Hour Ozone (2015)	
TEXAS	TX	Denton County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Denton County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Denton County	8-Hour Ozone (2008)	
TEXAS	TX	Denton County	8-Hour Ozone (2015)	
TEXAS	TX	El Paso County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	El Paso County	Carbon Monoxide (1971)	
TEXAS	TX	El Paso County	PM-10 (1987)	
TEXAS	TX	Ellis County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Ellis County	8-Hour Ozone (2008)	
TEXAS	TX	Ellis County	8-Hour Ozone (2015)	
TEXAS	TX	Fort Bend County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Fort Bend County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Fort Bend County	8-Hour Ozone (2008)	
TEXAS	TX	Fort Bend County	8-Hour Ozone (2015)	
TEXAS	TX	Freestone County	Sulfur Dioxide (2010)	
TEXAS	TX	Galveston County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Galveston County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Galveston County	8-Hour Ozone (2008)	
TEXAS	TX	Galveston County	8-Hour Ozone (2015)	
TEXAS	TX	Hardin County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Hardin County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Harris County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Harris County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Harris County	8-Hour Ozone (2008)	
TEXAS	TX	Harris County	8-Hour Ozone (2015)	
TEXAS	TX	Howard County	Sulfur Dioxide (2010)	
TEXAS	TX	Hutchinson County	Sulfur Dioxide (2010)	
TEXAS	TX	Jefferson County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Jefferson County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Johnson County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Johnson County	8-Hour Ozone (2008)	



TEXAS	TX	Johnson County	8-Hour Ozone (2015)	
TEXAS	TX	Kaufman County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Kaufman County	8-Hour Ozone (2008)	
TEXAS	TX	Kaufman County	8-Hour Ozone (2015)	
TEXAS	TX	Liberty County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Liberty County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Liberty County	8-Hour Ozone (2008)	
TEXAS	TX	Montgomery County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Montgomery County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Montgomery County	8-Hour Ozone (2008)	
TEXAS	TX	Montgomery County	8-Hour Ozone (2015)	
TEXAS	TX	Navarro County	Sulfur Dioxide (2010)	
TEXAS	TX	Orange County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Orange County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Panola County	Sulfur Dioxide (2010)	
TEXAS	TX	Parker County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Parker County	8-Hour Ozone (2008)	
TEXAS	TX	Parker County	8-Hour Ozone (2015)	
TEXAS	TX	Rockwall County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Rockwall County	8-Hour Ozone (2008)	
TEXAS	TX	Rusk County	Sulfur Dioxide (2010)	
TEXAS	TX	Tarrant County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Tarrant County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Tarrant County	8-Hour Ozone (2008)	
TEXAS	TX	Tarrant County	8-Hour Ozone (2015)	
TEXAS	TX	Titus County	Sulfur Dioxide (2010)	
TEXAS	TX	Victoria County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Waller County	1-Hour Ozone (1979)	Revoked
TEXAS	TX	Waller County	8-Hour Ozone (1997)	Revoked
TEXAS	TX	Waller County	8-Hour Ozone (2008)	
TEXAS	TX	Wise County	8-Hour Ozone (2008)	
TEXAS	TX	Wise County	8-Hour Ozone (2015)	

[https://www3.epa.gov/airquality/greenbook/anayo\\_tx.html](https://www3.epa.gov/airquality/greenbook/anayo_tx.html)

area_name	split	yr1992	yr1993
Freestone and Anderson Counties, TX	FALSE		
San Antonio, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE	92	93
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE	92	93
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Dallas-Fort Worth, TX	FALSE	92	93
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
Collin Co, TX	FALSE	92	93
Frisco, TX	FALSE		
Dallas-Fort Worth, TX	FALSE	92	93
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE	92	93
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
El Paso, TX	FALSE	92	93
El Paso, TX	FALSE	92	93
El Paso Co, TX	FALSE	92	93
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE	92	93
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Freestone and Anderson Counties, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE	92	93
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Beaumont-Port Arthur, TX	FALSE	92	93
Beaumont-Port Arthur, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE	92	93
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Houston-Galveston-Brazoria, TX	FALSE		
Howard County, TX	FALSE		
Hutchinson County, TX	FALSE		
Beaumont-Port Arthur, TX	FALSE	92	93
Beaumont-Port Arthur, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		
Dallas-Fort Worth, TX	FALSE		

Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Houston-Galveston-Brazoria, TX	FALSE	92 93
Houston-Galveston-Brazoria, TX	FALSE	
Houston-Galveston-Brazoria, TX	FALSE	
Houston-Galveston-Brazoria, TX	FALSE	92 93
Houston-Galveston-Brazoria, TX	FALSE	
Houston-Galveston-Brazoria, TX	FALSE	
Houston-Galveston-Brazoria, TX	FALSE	
Navarro County, TX	FALSE	
Beaumont-Port Arthur, TX	FALSE	92 93
Beaumont-Port Arthur, TX	FALSE	
Rusk and Panola Counties, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Rusk and Panola Counties, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	92 93
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Titus County, TX	FALSE	
Victoria, TX	FALSE	92 93
Houston-Galveston-Brazoria, TX	FALSE	92 93
Houston-Galveston-Brazoria, TX	FALSE	
Houston-Galveston-Brazoria, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	
Dallas-Fort Worth, TX	FALSE	

yr1994 yr1995 yr1996 yr1997 yr1998 yr1999 yr2000 yr2001 yr2002 yr2003 yr2004 yr2005 yr2006

94 95 96 97 98 99 00 01 02 03 04  
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yr2007 yr2008 yr2009 yr2010 yr2011 yr2012 yr2013 yr2014 yr2015 yr2016 yr2017 yr2018 yr2019

17 18 19  
18 19

07 08 09 10 11 12 13 14 15 16 17 18 19  
12 13 14 18 19

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07 08 09 10 11 12 13 14 15 16 17 18 19  
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12 13 14 18 19

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07 08 09 10 11 12 13 14 15 16 17 18 19  
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17 18 19

07 08 09 10 11 12 13 14 15 16 17 18 19  
12 13 14 18 19

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07 08 09 10 11 12 13 14 15 16 17 18 19  
12 13 14 18 19

07 07 08 08 09 09 10 11 12 12 13 13 14 14 15 16 17 18 19



yr2020	yr2021	effec_rede	nonattain	class	part	population	fips_state	fips_cnty
20	21	-	-	Yes	P	7 48		001
20	21	-	-	Yes	W	1714773 48		029
		-	-	Yes	W	313166 48		039
		-	-	Yes	W	313166 48		039
20	21	-	-	Yes	W	313166 48		039
20	21	-	-	Yes	W	313166 48		039
		-	-	Yes	W	35096 48		071
		-	-	Yes	W	35096 48		071
20	21	-	-	Yes	W	35096 48		071
20	21	-	-	Yes	W	35096 48		071
		-	-	Yes	W	782341 48		085
		-	-	Yes	W	782341 48		085
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20	21	-	-	Yes	W	782341 48		085
		12/13/1999			P	782353 48		085
		9/27/2017			P	3670 48		085
		-	-	Yes	W	2368139 48		113
		-	-	Yes	W	2368139 48		113
20	21	-	-	Yes	W	2368139 48		113
20	21	-	-	Yes	W	2368139 48		113
		-	-	Yes	W	662614 48		121
		-	-	Yes	W	662614 48		121
20	21	-	-	Yes	W	662614 48		121
20	21	-	-	Yes	W	662614 48		121
		-	-	Yes	W	662614 48		121
		-	-	Yes	W	800647 48		141
20	21	10/3/2008		Moderate <= 12.7ppm	P	73100 48		141
		-	-	Yes	P	649121 48		141
		-	-	Yes	W	149610 48		139
20	21	-	-	Yes	W	149610 48		139
20	21	-	-	Yes	W	149610 48		139
		-	-	Yes	W	149610 48		139
		-	-	Yes	W	585375 48		157
		-	-	Yes	W	585375 48		157
20	21	-	-	Yes	W	585375 48		157
20	21	-	-	Yes	W	585375 48		157
20	21	-	-	Yes	W	585375 48		157
		-	-	Yes	P	4087 48		161
		-	-	Yes	W	291309 48		167
		-	-	Yes	W	291309 48		167
20	21	-	-	Yes	W	291309 48		167
20	21	-	-	Yes	W	291309 48		167
		-	-	Yes	W	291309 48		167
		-	-	Yes	W	291309 48		167
		11/19/2010		Moderate	W	54635 48		199
		-	-	Yes	W	54635 48		199
		-	-	Yes	W	4092459 48		201
		-	-	Yes	W	4092459 48		201
20	21	-	-	Yes	W	4092459 48		201
20	21	-	-	Yes	W	4092459 48		201
		-	-	Yes	W	4092459 48		201
		-	-	Yes	P	281 48		227
		-	-	Yes	P	14593 48		233
		-	-	Yes	W	252273 48		245
		11/19/2010		Moderate	W	252273 48		245
		-	-	Yes	W	252273 48		245
		-	-	Yes	W	150934 48		251
20	21	-	-	Yes	W	150934 48		251



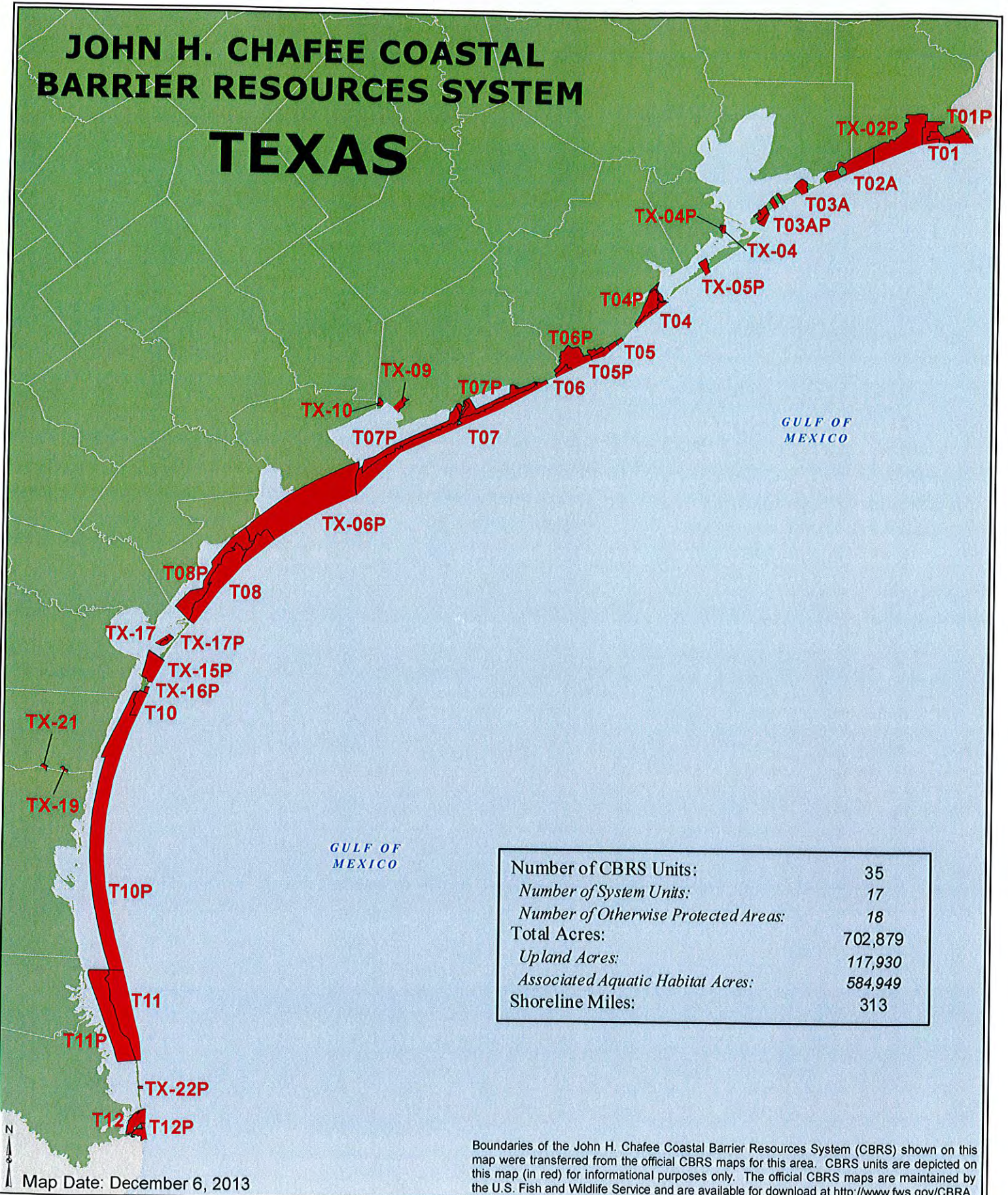
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		- -	Yes	Severe-17	W	75643 48	291
		- -	Yes	Severe 15	W	75643 48	291
20	21	- -	Yes	Serious	W	75643 48	291
		- -	Yes	Severe-17	W	455746 48	339
		- -	Yes	Severe 15	W	455746 48	339
20	21	- -	Yes	Serious	W	455746 48	339
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20	21	- -	Yes	Marginal	W	116927 48	367
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c	Ozone_8-hr.1997.Houston	7/31/2021
d	Ozone_8-hr.2008.Houston	7/31/2021
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D	Ozone_1-hr.1990.Dallas	7/31/2021
d	Ozone_8-hr.1997.Dallas	7/31/2021
d	Ozone_8-hr.2008.Dallas	7/31/2021
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D	Ozone_1-hr.1990.El_Paso	7/31/2021
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f	Ozone_8-hr.2015.Dallas	7/31/2021
B	Ozone_1-hr.1990.Houston	7/31/2021
c	Ozone_8-hr.1997.Houston	7/31/2021
d	Ozone_8-hr.2008.Houston	7/31/2021
f	Ozone_8-hr.2015.Houston	7/31/2021
A	SO2.2010.Freestone_Anderson_Cos	7/31/2021
B	Ozone_1-hr.1990.Houston	7/31/2021
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c	Ozone_8-hr.1997.Houston	7/31/2021
d	Ozone_8-hr.2008.Houston	7/31/2021
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d	Ozone_8-hr.1997.Dallas	7/31/2021
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f	Ozone_8-hr.2015.Dallas	7/31/2021
d	Ozone_8-hr.1997.Dallas	7/31/2021
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d	Ozone_8-hr.2008.Houston	7/31/2021
B	Ozone_1-hr.1990.Houston	7/31/2021
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f	Ozone_8-hr.2015.Dallas	7/31/2021
d	Ozone_8-hr.1997.Dallas	7/31/2021
d	Ozone_8-hr.2008.Dallas	7/31/2021
A	SO2.2010.Rusk_Panola_Cos	7/31/2021
D	Ozone_1-hr.1990.Dallas	7/31/2021
d	Ozone_8-hr.1997.Dallas	7/31/2021
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d	Ozone_8-hr.2008.Dallas	7/31/2021
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# JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM

## TEXAS



GULF OF MEXICO

GULF OF MEXICO

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>.

Map Date: December 6, 2013



## ENVIRONMENTAL DETERMINATION DOCUMENTATION- Minor Home Repair-Rehab

### **Coastal Zone Management**

HUD Guidance:

Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

All minor home repair and home repair properties are located in the CZ but because the project description does not consist of new construction, land conversion, major rehabilitation or substantial improvements to the properties, coordination with the Texas State Coastal Zone Management Program is not required.

### **Endangered Species**

HUD Guidance:

Does the project involve any activities that have the potential to affect species or habitats?

Project activities have no potential to affect threatened or endangered species, demolition and reconstruction of a home on the same site footprint in a developed urban area generally falls into the category of activities that do not have the potential to affect endangered species.

### **Explosive and Flammable Facilities**

HUD Guidance:

Does the project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No, the nature and location of these projects will not include a hazardous facility, rehab or renovation that will result in an increase in the number of people congregating or living there, nor increase residential density, nor will the project be converting the use of a building or making vacant building habitable.

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, the scope of project is Minor Home Repair on a residential home.

### **Floodplain Management**

HUD Guidance:

Do any of the exceptions at 55.12(c) apply?

The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(10), special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

### **Noise Abatement and Control**

HUD Guidance:

HUD's noise standards may be found in 24 CFR Part 51, Subpart B. For proposed new construction in high noise areas, the project must incorporate noise mitigation features. Consideration of noise applies to the acquisition of undeveloped land and existing development as well.

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. Site visit by City staff did not reveal any major noise sources in the vicinity.

### **Wetlands Protection**

HUD Guidance:

Does an exception apply?

Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?

Minor home rehabilitation does not have the potential to affect wetlands.

### **Environmental Justice**

HUD Guidance:

Does the project create adverse environmental impacts?

The activities described herein do not have a disproportionate impact on low income persons or minorities. These activities are designed to enhance affordable housing opportunities for low and moderate income persons and no further review of his matter is required

Last Update: 6/22/2021

## NUECES COUNTY

### AMPHIBIANS

**black-spotted newt**

*Notophthalmus meridionalis*

Terrestrial and aquatic: Terrestrial habitats used by adults are typically poorly drained clay soils that allow for the formation of ephemeral wetlands. A wide variety of vegetation associations are known to be used, such as thorn scrub and pasture. Aquatic habitats used for reproduction are a variety of ephemeral and permanent water bodies.

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

**sheep frog**

*Hypopachus variolosus*

Terrestrial and aquatic: Predominantly grassland and savanna; largely fossorial in areas with moist microclimates.

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

**South Texas siren (Large Form)** *Siren sp. 1*

Aquatic: Mainly found in bodies of quiet water, permanent or temporary, with or without submergent vegetation. Wet or sometimes wet areas, such as arroyos, canals, ditches, or even shallow depressions; aestivates in the ground during dry periods, but does require some moisture to remain.

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

**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

### 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*

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

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## NUECES COUNTY

### BIRDS

**Botteri's sparrow** *Peucaea botterii*

Two allopatric subspecies occur in Texas. The arizonae subspecies found in the Trans Pecos is considered to be a vagrant because there is just one record from Presidio County in 1997. The other subspecies, texana, can be found regularly in sacahuista habitat (or cordgrass flats) in counties that along the lower coastline like Kenedy, Willacy, and Cameron counties, but also rarely in Kleberg and Brooks counties. This migratory species does not overwinter in Texas. Breeding birds return in spring and sit fairly visibly on (low) commanding perches like fence posts or mesquite limbs where males sing vigorously throughout summer.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3B

**Franklin's gull** *Leucophaeus pipixcan*

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

**lark bunting** *Calamospiza melanocorys*

According to Partners in Flight's Landbird Conservation Plan (2016), this species has a continental decline of 86%. Overall, it's a generalist in most short grassland settings including ones with some brushy component plus certain agricultural lands that include grain sorghum. Short grasses include sideoats and blue grammas, sand dropseed, prairie junegrass (Koeleria), buffalograss also with patches of bluestem and other mid-grass species. This bunting will frequent smaller patches of grasses or disturbed patches of grasses including rural yards. It also uses weedy fields surrounding playas. This species avoids urban areas and cotton fields.

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

**mountain plover** *Charadrius montanus*

Breeding: nests on high plains or shortgrass prairie, on ground in shallow depression; nonbreeding: shortgrass plains and bare, dirt (plowed) fields; primarily insectivorous

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

**northern aplomado falcon** *Falco femoralis septentrionalis*

Open country, especially savanna and open woodland, and sometimes in very barren areas; grassy plains and valleys with scattered mesquite, yucca, and cactus; nests in old stick nests of other bird species

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G4T2T3	State Rank: S1

**piping plover** *Charadrius melodus*

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## NUECES COUNTY

### BIRDS

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

**reddish egret** *Egretta rufescens*

Resident of the Texas Gulf Coast; brackish marshes and shallow salt ponds and tidal flats; nests on ground or in trees or bushes, on dry coastal islands in brushy thickets of yucca and prickly pear

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S2B

**rufa red knot** *Calidris canutus rufa*

Red knots migrate long distances in flocks northward through the contiguous United States mainly April-June, southward July-October. A small plump-bodied, short-necked shorebird that in breeding plumage, typically held from May through August, is a distinctive and unique pottery orange color. Its bill is dark, straight and, relative to other shorebirds, short-to-medium in length. After molting in late summer, this species is in a drab gray-and-white non-breeding plumage, typically held from September through April. In the non-breeding plumage, the knot might be confused with the omnipresent Sanderling. During this plumage, look for the knot's prominent pale eyebrow and whitish flanks with dark barring. The Red Knot prefers the shoreline of coast and bays and also uses mudflats during rare inland encounters. Primary prey items include coquina clam (*Donax* spp.) on beaches and dwarf surf clam (*Mulinia lateralis*) in bays, at least in the Laguna Madre. Wintering Range includes Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Jefferson, Kennedy, Kleberg, Matagorda, Nueces, San Patricio, and Willacy. Habitat: Primarily seacoasts on tidal flats and beaches, herbaceous wetland, and Tidal flat/shore.

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

**sooty tern** *Onychoprion fuscatus*

Primarily an offshore bird; does nest on sandy beaches and islands, breeding April-July.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S1B

**swallow-tailed kite** *Elanoides forficatus*

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

**tropical parula** *Setophaga pitiayumi*

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## NUECES COUNTY

### BIRDS

Semi-tropical evergreen woodland along rivers and resacas. Texas ebony, anacua and other trees with epiphytic plants hanging from them. Dense or open woods, undergrowth, brush, and trees along edges of rivers and resacas; breeding April to July.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3B

**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*

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

**white-tailed hawk** *Buteo albicaudatus*

Near coast on prairies, cordgrass flats, and scrub-live oak; further inland on prairies, mesquite and oak savannas, and mixed savanna-chaparral; breeding March-May

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4G5	State Rank: S4B

**whooping crane** *Grus americana*

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: S1N

**wood stork** *Mycteria americana*

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

### FISH

**american eel** *Anguilla rostrata*

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## NUECES COUNTY

### FISH

Originally found in all river systems from the Red River to the Rio Grande. Aquatic habitats include large rivers, streams, tributaries, coastal watersheds, estuaries, bays, and oceans. Spawns in Sargasso Sea, larva move to coastal waters, metamorphose, and begin upstream movements. Females tend to move further upstream than males (who are often found in brackish estuaries). American Eel are habitat generalists and may be found in a broad range of habitat conditions including slow- and fast-flowing waters over many substrate types. Extirpation in upstream drainages attributed to reservoirs that impede upstream migration.

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

**fat snook** *Centropomus parallelus*

Occupies freshwater, estuarine, and marine areas near mangroves, rocky overhangs or protected riverbanks, but is most commonly found inshore (freshwater). Spawning occurs from March-August in freshwater. After hatching, larvae disperse with the currents to estuarine areas (Gilmore et al. 1983, McMichael and Parsons 1989). Juveniles migrate from freshwater to estuarine areas based on flow and salinity regimes.

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

**Oceanic Whitetip Shark** *Carcharhinus longimanus*

Habitat description is not available at this time.

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

**opossum pipefish** *Microphis brachyurus*

Adults are only found in low salinity waters of estuaries or freshwater tributaries within 30 miles of the coast (Gilmore 1992), where they also give birth. Young move or are carried into more saline waters off the coast after birth. Newly released larvae must have conditions near 18 ppt salinity for at least two weeks after birth to survive, indicating a physiology adapted for downstream transport to estuarine and marine environments (Frias-Torres 2002). Juvenile migration toward the ocean depends on water flow regimes, salinity, and vegetation for cover and capturing prey (Frias-Torres 2002). Seawalls, docks, and riprap construction destroy habitat and poor water quality and alteration of flow regimes may prevent migration (NMFS 2009).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4G5	State Rank: S3N

**Shortfin Mako Shark** *Isurus oxyrinchus*

Habitat description is not available at this time.

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

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## NUECES COUNTY

### FISH

#### snook

*Centropomus undecimalis*

Juvenile common snook are generally restricted to the protection of riverine, salt marshes, seagrass beds, and estuary environments. These environments offer shallow water and an overhanging vegetative shoreline. Juvenile common snook can survive in waters with lower oxygen levels than adults. Adult common snook inhabit many fresh, estuarine, and marine environments including mangrove forests, beaches, river mouths, nearshore reefs, salt marshes, sea grass meadows, and near structure (pilings, artificial reefs, etc.). Adult common snook appear to be less sensitive to cold water temperatures than larvae or small juveniles. The lower lethal limit of water temperature is 48.2°-57.2° F (9°-14° C) for juveniles and 42.8°-53.6° F (6°-12° C) for adults (Hill 2005, Press 2010).

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

#### southern flounder

*Paralichthys lethostigma*

This is an estuarine-dependent species that inhabits riverine, estuarine and coastal waters, and prefers muddy, sandy, or silty substrates (Reagan and Wingo 1985). Individuals can tolerate wide temperature (~5-35°C) and salinity ranges (0-60 ppt). Southern Flounder spawn in offshore waters of the Gulf of Mexico from October to February (Reagan and Wingo 1985). The oceanic larval stage is pelagic and lasts 30–60 days. Metamorphosing individuals enter estuaries and migrate towards low-salinity headwaters, where settlement occurs (Burke et al. 1991, Walsh et al. 1999). The young fish enter the bays during late winter and early spring, occupying seagrass; some may move further into coastal rivers and bayous. Juveniles remain in estuaries until the onset of sexual maturation (approximately two years), at which time they migrate out of estuaries to join adults on the inner continental shelf. Adult southern flounder leave the bays during the fall for spawning in the Gulf of Mexico. They spawn for the first time when two years old at depths of 50 to 100 feet. Although most of the adults leave the bays and enter the Gulf for spawning during the winter, some remain behind and spend winter in the bays. Those in the Gulf will reenter the bays in the spring. The spring influx is gradual and does not occur with large concentrations that characterize the fall emigration.

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

### 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

#### Comanche harvester ant

*Pogonomyrmex comanche*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G2G3	State Rank: S2

#### Gladiator short-winged katydid

*Dichopetala gladiator*

Habitat description is not available at this time.

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

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## NUECES COUNTY

### INSECTS

#### Gulf Dune Grasshopper

*Trimerotropis schaefferi*

Coastal dunes and areas behind the dunes.

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G2G3

State Rank: S2?

#### Manfreda giant-skipper

*Stallingsia maculosus*

Most skippers are small and stout-bodied; name derives from fast, erratic flight; at rest most skippers hold front and hind wings at different angles; skipper larvae are smooth, with the head and neck constricted; skipper larvae usually feed inside a leaf shelter and pupate in a cocoon made of leaves fastened together with silk

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G1

State Rank: S1

### MAMMALS

#### barrier island Texas pocket gopher *Geomys personatus personatus*

Limited information available. Likely found in sandy soils.

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G4TNR

State Rank: SNR

#### 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

#### blue whale

*Balaenoptera musculus*

Inhabits tropical, subtropical, temperate, and subpolar waters worldwide, but are infrequently sighted in the Gulf of Mexico. They migrate seasonally between summer feeding grounds and winter breeding grounds, but specifics vary. Commonly observed at the surface in open ocean.

Federal Status: LE

State Status: E

SGCN: N

Endemic: N

Global Rank: G3G4

State Rank: SH

#### 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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## NUECES 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

#### Gulf of Mexico Bryde's Whale

*Balaenoptera edeni*

Habitat description is not available at this time.

Federal Status: LE	State Status: E	SGCN: N
Endemic: N	Global Rank: G4	State Rank: SNR

#### 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: S4

#### humpback whale

*Megaptera novaeangliae*

Inhabits tropical, subtropical, temperate, and subpolar waters world wide. Migrate up to 5,000 miles between colder water (feeding grounds) and warmer water (calving grounds) each year. They will use both open ocean and coastal waters, sometimes including inshore areas such as bays, and are often found near the surface; however, this species is rare in the Gulf of Mexico. The northwest Atlantic/Gulf of Mexico distinct population segment is not considered at risk of extinction and is not listed as Endangered on the Endangered Species Act.

Federal Status: LE	State Status:	SGCN: N
Endemic: N	Global Rank: G4	State Rank: SNR

#### 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

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## NUECES COUNTY

### MAMMALS

**maritime pocket gopher** *Geomys personatus maritimus*

Fossorial, in deep sandy soils; feeds mostly from within burrow on roots and other plant parts, especially grasses; ecologically important as prey species and in influencing soils, microtopography, habitat heterogeneity, and plant diversity

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G4T2	State Rank: S2

**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

**North Atlantic right whale** *Eubalaena glacialis*

Inhabits subtropical and temperate waters in the northern Atlantic. Commonly found in coastal waters or close to the continental shelf near the surface. They migrate from feeding grounds in cooler waters (Canada and New England) to warmer waters of the southeast US (South Carolina, Georgia, and Florida) to give birth in the fall/winter - both areas are identified as critical habitat by NOAA-NMFS. Nursery areas are in shallow, coastal waters. This species is very rare in the Gulf of Mexico and the few reported sightings are likely vagrants (Ward-Geiger et al 2011).

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

**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

**ocelot** *Leopardus pardalis*

Restricted to mesquite-thorn scrub and live-oak mottes; avoids open areas. Dense mixed brush below four feet; thorny shrublands; dense chaparral thickets; breeds and raises young June-November.

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S1

**Padre Island kangaroo rat** *Dipodomys compactus compactus*

Dunes and open sandy areas near the coast.

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G4T3	State Rank: S3

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## NUECES COUNTY

### MAMMALS

**Sei Whale** *Balaenoptera borealis*

Habitat description is not available at this time.

Federal Status: LE	State Status: E	SGCN: N
Endemic: N	Global Rank: G3	State Rank: SNR

**southern yellow bat** *Lasiurus ega*

Relict palm grove is only known Texas habitat. Neotropical species roosting in palms, forages over water; insectivorous; breeding in late winter. Roosts in dead palm fronds in ornamental palms in urban areas.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3S4

**sperm whale** *Physeter macrocephalus*

Inhabits tropical, subtropical, and temperate waters world wide, avoiding icy waters. Distribution is highly dependent on their food source (squids, sharks, skates, and fish), breeding, and composition of the pod. In general, this species migrates from north to south in the winter and south to north in the summer; however, individuals in tropical and temperate waters don't seem to migrate at all. Routinely dive to catch their prey (2,000-10,000 feet) and generally occupies water at least 3,300 feet deep near ocean trenches.

Federal Status: LE	State Status: E	SGCN: N
Endemic: N	Global Rank: G3G4	State Rank: S1

**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: G2G3	State Rank: S3S4

**West Indian manatee** *Trichechus manatus*

Large rivers, brackish water bays, coastal waters. Warm waters of the tropics, in rivers and brackish bays but may also survive in salt water habitats. Very sensitive to cold water temperatures. Rarely occurring as far north as Texas. Gulf and bay system; opportunistic, aquatic herbivore.

Federal Status: LT	State Status: T	SGCN: Y
Endemic: N	Global Rank: G2G3	State Rank: S1

**western hog-nosed skunk** *Conepatus leuconotus*

Habitats include woodlands, grasslands & deserts, to 7200 feet, most common in rugged, rocky canyon country; little is known about the habitat of the ssp. telmalestes

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

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## NUECES COUNTY

### MAMMALS

**white-nosed coati**

*Nasua narica*

Woodlands, riparian corridors and canyons. Most individuals in Texas probably transients from Mexico; diurnal and crepuscular; very sociable; forages on ground and in trees; omnivorous; may be susceptible to hunting, trapping, and pet trade

Federal Status:

State Status: T

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S1

### MOLLUSKS

**No accepted common name**

*Millerelix gracilis*

Habitat description is not available at this time.

Federal Status:

State Status:

SGCN: Y

Endemic:

Global Rank: G2G3

State Rank: S2?

### REPTILES

**Atlantic hawksbill sea turtle**

*Eretmochelys imbricata*

Inhabit tropical and subtropical waters worldwide, in the Gulf of Mexico, especially Texas. Hatchling and juveniles are found in open, pelagic ocean and closely associated with floating lgaec/seagrass mats. Juveniles then migrate to shallower, coastal areas, mainly coral reefs and rocky areas, but also in bays and estuaries near mangroves when reefs are absent; seldom in water lmore than 65 feet deep. They feed on sponges, jellyfish, sea urchins, molluscs, and crustaceans. Nesting occurs from April to November high up on the beach where there is vegetation for cover and little or no sand. Some migrate, but others stay close to foraging areas - females are philopatric.

Federal Status: LE

State Status: E

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S2

**green sea turtle**

*Chelonia mydas*

Inhabits tropical, subtropical, and temperate waters worldwide, including the Gulf of Mexico. Adults and juveniles occupy inshore and nearshore areas, including bays and lagoons with reefs and seagrass. They migrate from feeding grounds (open ocean) to nesting grounds (beaches/barrier islands) and some nesting does occur in Texas (April to September). Adults are herbivorous feeding on sea grass and seaweed; juveniles are omnivorous feeding initially on marine invertebrates, then increasingly on sea grasses and seaweeds.

Federal Status: LT

State Status: T

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S3B, S3N

**Kemp's Ridley sea turtle**

*Lepidochelys kempii*

Inhabits tropical, subtropical, and temperate waters of the northwestern Atlantic Ocean and Gulf of Mexico. Adults are found in coastal waters with muddy or sandy bottoms. Some males migrate between feeding grounds and breeding grounds, but some don't. Females migrate between feeding and nesting areas, often returning to the same destinations. Nesting in Texas occurs on a smaller scale compared to other areas (i.e. Mexico). Hatchlings are quickly swept out to open water and are rarely found nearshore. Similarly, juveniles often congregate near floating algae/seagrass mats offshore, and move into nearshore, coastal, neritic areas after 1-2 years and remain until they reach maturity. They feed primarily on crabs, but also snails, clams, other crustaceans and plants, juveniles feed on sargassum and its associated fauna; nests April through August.

Federal Status: LE

State Status: E

SGCN: Y

Endemic: N

Global Rank: G1

State Rank: S3

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## NUECES COUNTY

### REPTILES

**leatherback sea turtle**

*Dermochelys coriacea*

Inhabit tropical, subtropical, and temperate waters worldwide, including the Gulf of Mexico. Nesting is not common in Texas (March to July). Most pelagic of the sea turtles with the longest migration (>10,000 miles) between nesting and foraging sites. Are able to dive to depths of 4,000 feet. They are omnivorous, showing a preference for jellyfish.

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G2	State Rank: SIS2

**loggerhead sea turtle**

*Caretta caretta*

Inhabits tropical, subtropical, and temperate waters worldwide, including the Gulf of Mexico. They migrate from feeding grounds to nesting beaches/barrier islands and some nesting does occur in Texas (April to September). Beaches that are narrow, steeply sloped, with coarse-grain sand are preferred for nesting. Newly hatched individuals depend on floating algae/seaweed for protection and foraging, which eventually transport them offshore and into open ocean. Juveniles and young adults spend their lives in open ocean, offshore before migrating to coastal areas to breed and nest. Foraging areas for adults include shallow continental shelf waters.

Federal Status: LT	State Status: T	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S4

**Mexican blackhead snake**

*Tantilla atriceps*

Terrestrial: Shrubland savanna.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S1

**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

**Tamaulipan spot-tailed earless lizard**

*Holbrookia subcaudalis*

Terrestrial: Habitats include moderately open prairie-brushland regions, particularly fairly flat areas free of vegetation or other obstructions (e.g., open meadows, old and new fields, graded roadways, cleared and disturbed areas, prairie savanna, and active agriculture including row crops); also, oak-juniper woodlands and mesquite-prickly pear associations (Axtell 1968, Bartlett and Bartlett 1999).

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

**Texas diamondback terrapin**

*Malaclemys terrapin littoralis*

Coastal marshes, tidal flats, coves, estuaries, and lagoons behind barrier beaches; brackish and salt water; burrows into mud when inactive. Bay islands are important habitats. Nests on oyster shell beaches.

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G4T3Q	State Rank: S2

**Texas horned lizard**

*Phrynosoma cornutum*

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## NUECES COUNTY

### REPTILES

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

**Texas indigo snake** *Drymarchon melanurus erebennus*

Terrestrial: Thornbush-chaparral woodland of south Texas, in particular dense riparian corridors. Can do well in suburban and irrigated croplands. Requires moist microhabitats, such as rodent burrows, for shelter.

Federal Status: State Status: SGCN: Y  
Endemic: N Global Rank: G5T4 State Rank: S4

**Texas scarlet snake** *Cemophora lineri*

Terrestrial: Prefers well drained soils with a variety of forest, grassland, and scrub habitats.

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

**Texas tortoise** *Gopherus berlandieri*

Terrestrial: Open scrub woods, arid brush, lomas, grass-cactus association; often in areas with sandy well-drained soils. When inactive occupies shallow depressions dug at base of bush or cactus; sometimes in underground burrow or under object. Eggs are laid in nests dug in soil near or under bushes.

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

**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 hognose snake** *Heterodon nasicus*

Terrestrial: Shortgrass or mixed grass prairie, with gravel or sandy soils. Often found associated with draws, floodplains, and more mesic habitats within the arid landscape. Frequently occurs in shrub encroached grasslands.

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

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## NUECÈS COUNTY

### REPTILES

#### western massasauga

*Sistrurus tergeminus*

Terrestrial: Shortgrass or mixed grass prairie, with gravel or sandy soils. Often found associated with draws, floodplains, and more mesic habitats within the arid landscape. Frequently occurs in shrub encroached grasslands.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G3G4

State Rank: S3S4

### PLANTS

#### black lace cactus

*Echinocereus reichenbachii* var. *albertii*

Grasslands, thorn shrublands, mesquite woodlands on sandy, somewhat saline soils on coastal prairie, most frequently in naturally open areas sparsely covered with brush of a low stature not resulting from disturbance or along creeks in ecotonal areas between this upland type and lower areas dominated by halophytic grasses and forbs; flowering April-June

Federal Status: LE

State Status: E

SGCN: Y

Endemic: Y

Global Rank: G5T1Q

State Rank: S1

#### Buckley's spiderwort

*Tradescantia buckleyi*

Occurs on sandy loam or clay soils in grasslands or shrublands underlain by the Beaumont Formation.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S3

#### Cory's croton

*Croton coryi*

Grasslands and woodland openings on barrier islands and coastal sands of South Texas, inland on South Texas Sand Sheet; Annual; Flowering July-Oct; Fruiting July-Nov

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G3

State Rank: S3

#### crestless onion

*Allium canadense* var. *ecristatum*

Occurs on poorly drained sites on sandy substrates within coastal prairies of the Coastal Bend area (Carr 2015).

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G5T3

State Rank: S3

#### Drummond's rushpea

*Hoffmannseggia drummondii*

Open areas on sandy clay; Perennial

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S3

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## NUECES COUNTY

### PLANTS

<b>Elmendorf's onion</b>	<i>Allium elmendorfit</i>	
Grassland openings in oak woodlands on deep, loose, well-drained sands; in Coastal Bend, on Pleistocene barrier island ridges and Holocene Sand Sheet that support live oak woodlands; to the north it occurs in post oak-black hickory-live oak woodlands over Queen City and similar Eocene formations; one anomalous specimen found on Llano Uplift in wet pockets of granitic loam; Perennial; Flowering March-April, May		
Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G2	State Rank: S2
<b>Greenman's bluet</b>	<i>Houstonia parviflora</i>	
Grass pastures. Feb- Apr. (Correll and Johnston 1970).		
Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3	State Rank: S3
<b>Jones' nailwort</b>	<i>Paronychia jonesii</i>	
Occurs in early successional open areas on deep well-drained sand; Biennial Annual; Flowering March-Nov; Fruiting April-Nov		
Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3G4	State Rank: S3S4
<b>Jones's rainlily</b>	<i>Cooperia jonesii</i>	
Hardpan swales and other seasonally moist low areas (Jones 1977). Flowering mid summer--early fall (Jul--Oct) (Flagg, Smith & Flory 2002).		
Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3Q	State Rank: S3
<b>large selenia</b>	<i>Selenia grandis</i>	
Occurs in seasonally wet clayey soils in open areas; Annual; Flowering Jan-April; Fruiting Feb-April		
Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3	State Rank: S3
<b>lila de los llanos</b>	<i>Echeandia chandleri</i>	
Most commonly encountered among shrubs or in grassy openings in subtropical thorn shrublands on somewhat saline clays of lomas along Gulf Coast near mouth of Rio Grande; also observed in a few upland coastal prairie remnants on clay soils over the Beaumont Formation at inland sites well to the north and along railroad right-of-ways and cemeteries; flowering (May-) September-December, fruiting October-December		
Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G2G3	State Rank: S2S3
<b>Mexican mud-plantain</b>	<i>Heteranthera mexicana</i>	
Wet clayey soils of resacas and ephemeral wetlands in South Texas and along margins of playas in the Panhandle; flowering June-December, only after sufficient rainfall		
Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G2G3	State Rank: S1

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## NUECES COUNTY

### PLANTS

#### plains gumweed

*Grindelia oolepis*

Coastal prairies on heavy clay (blackland) soils, often in depressional areas, sometimes persisting in areas where management (mowing) may maintain or mimic natural prairie disturbance regimes; crawfish lands; on nearly level Victoria clay, Edroy clay, claypan, possibly Greta within Orelia fine sandy loam over the Beaumont Formation, and Harlingen clay; roadsides, railroad rights-of-ways, vacant lots in urban areas, cemeteries; flowering April-December

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

#### sand Brazos mint

*Brazoria arenaria*

Sandy areas in South Texas; Annual; Flowering/Fruiting March-April

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

#### slender rush-pea

*Hoffmannseggia tenella*

Coastal prairie grasslands on level uplands and on gentle slopes along drainages, usually in areas of shorter or sparse vegetation; soils often described as Blackland clay, but at some of these sites soils are coarser textured and lighter in color than the typical heavy clay of the coastal prairies; flowering April-November

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

#### South Texas ambrosia

*Ambrosia cheiranthifolia*

Grasslands and mesquite-dominated shrublands on various soils ranging from heavy clays to lighter textured sandy loams, mostly over the Beaumont Formation on the Coastal Plain; in modified unplowed sites such as railroad and highway right-of-ways, cemeteries, mowed fields, erosional areas along small creeks; Perennial; Flowering July-November

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G2	State Rank: S1

#### South Texas spikedge

*Eleocharis austrotexana*

Occurring in miscellaneous wetlands at scattered locations on the coastal plain; Perennial; Flowering/Fruiting Sept

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

#### Texas peachbush

*Prunus texana*

Occurs at scattered sites in various well drained sandy situations; deep sand, plains and sand hills, grasslands, oak woods, 0-200 m elevation; Perennial; Flowering Feb-Mar; Fruiting Apr-Jun

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

#### 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.*

## NUECES COUNTY

### PLANTS

**Texas stonecrop**

*Lenophyllum texanum*

Found in shrublands on clay dunes (lomas) at the mouth of the Rio Grande and on xeric calcareous rock outcrops at scattered inland sites; Perennial; Flowering/Fruiting Nov-Feb

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S3

**Texas windmill grass**

*Chloris texensis*

Sandy to sandy loam soils in relatively bare areas in coastal prairie grassland remnants, often on roadsides where regular mowing may mimic natural prairie fire regimes; flowering in fall

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G2

State Rank: S2

**Tharp's dropseed**

*Sporobolus tharpii*

Occurs on barrier islands, shores of lagoons and bays protected by the barrier islands, and on shores of a few near-coastal ponds. Plants occur at the bases of dunes, in interdune swales and sandflats, and on upper beaches. The substrate is of Holocene age.

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G3

State Rank: S3

**Tharp's rhododon**

*Rhododon angulatus*

Deep, loose sands in sparsely vegetated areas on stabilized dunes of Pleistocene barrier islands; flowering (May-) June-September, sometimes later with appropriate rainfall

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G1Q

State Rank: S1

**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

**velvet spurge**

*Euphorbia innocua*

Open or brushy areas on coastal sands and the South Texas Sand Sheet; Perennial; Flowering Sept-April; Fruiting Nov-July

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G3

State Rank: S3

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## NUECES COUNTY

### PLANTS

**Welder machaeranthera**

*Psilactis heterocarpa*

Grasslands , varying from midgrass coastal prairies, and open mesquite-huisache woodlands on nearly level, gray to dark gray clayey to silty soils; known locations mapped on Victoria clay, Edroy clay, Dacosta sandy clay loam over Beaumont and Lissie formations; flowering September-November

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G2G3

State Rank: S2S3

**Wright's trichocoronis**

*Trichocoronis wrightii* var. *wrightii*

Most records from Texas are historical, perhaps indicating a decline as a result of alteration of wetland habitats; Annual; Flowering Feb-Oct; Fruiting Feb-Sept

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G4T3

State Rank: S2

#### DISCLAIMER

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**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REGION VI, FORT WORTH,  
TEXAS  
AND  
THE ENVIRONMENTAL PROTECTION AGENCY, REGION 6, DALLAS, TEXAS**

This memorandum of understanding ("MOU") is intended to memorialize an understanding between the Environmental Protection Agency ("EPA") and the Department of Housing and Urban Development ("HUD") concerning the review of proposed federal financially assisted projects located in whole or in part in the designated sole source aquifers in EPA Region 6 (Arkansas, Louisiana, New Mexico, Oklahoma and Texas) (including any recharge zone, streamflow source area, or artesian zone, where designated), which are described and depicted on the maps in Attachment A (hereinafter "Aquifers"). This MOU is a voluntary agreement that expresses the good-faith intentions of HUD and EPA, is not intended to be legally binding, does not create any contractual obligations, and is not enforceable by any party. This MOU does not obligate and will not result in an exchange of funds, personnel, property, services, or any kind of financial commitment.

This memorandum outlines the agreed-upon procedures for determining which projects located within Aquifers should be forwarded to EPA for evaluation or formal review. It also outlines the procedures to be followed and the general criteria EPA will use in such evaluations or formal reviews.

**Background**

Pursuant to Section 1424(e) of the Safe Drinking Water Act (PL 93-523, 42 U.S.C. § 300h-3(e)), EPA has determined that the Aquifers are sole or principal sources of drinking water. As such, no commitment for Federal financial assistance may be entered into for any project which EPA determines may contaminate the Aquifers so as to create a significant hazard to public health. "Federal financial assistance," in 40 CFR §149.101(g), is defined in part as "any financial benefits provided directly as aid to a project ... in any form including contracts, grants, and loan guarantees."

HUD administers funds under programs subject to the Department's National Environmental Policy Act (NEPA) implementing regulations in 24 CFR Part 50 (Part 50), Protection and Enhancement of Environmental Quality. HUD is the responsible Federal official for NEPA purposes for these regulations. 24 CFR 50.4(d) of these regulations requires compliance with Section 1424(e) of the Safe Drinking Water Act and 40 CFR Part 149.

HUD regulations at 24 C.F.R. Part 58 ("Part 58"), Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities, allow the assumption of authority to perform the environmental reviews by Responsible Entities (REs), which are units of general local government, such as a town, city, or county, or a tribe, or state. The RE is responsible for the scope and content of the review and making the environmental finding. The certifying officer

of the RE, usually the mayor or governor, signs the review and takes legal responsibility for the review. Part 58 applies when legislation for a program allows States, tribes, and/or local governments to assume environmental review authority (See 24 C.F.R. 58.1(b) for a list of programs authorized under Part 58). Local governments must assume environmental review responsibility for grants made directly to the local government when legislation permits. They are encouraged to be responsible for the environmental review in cases where the grants are made to other entities, such as nonprofit organizations and public housing authorities. 24 C.F.R. § 58.5(d) of these regulations requires compliance with Section 1424(e) of the Safe Drinking Water Act.

### **Goals**

The goals of this MOU are to (1) ensure that each project receiving federal financial assistance is designed to prevent the introduction of contaminants into the Aquifers in quantities that may create a significant hazard to public health, interfere with the public welfare, or otherwise contaminate the Aquifer to a level which would require additional treatment facilities by a public water system in order to meet the National Primary Drinking Water Regulations, and to (2) formalize the process by which review of federal financially assisted projects is to be coordinated between the EPA and HUD.

### **HUD Responsibilities**

HUD will review projects requesting Federal Financial Assistance that are subject to the Part 50 regulation to assure that each project located in whole or in part in the Aquifers, as defined in **Attachment A**, is referred to the EPA Ground Water/UIC Section for evaluation and comment, as follows:

EPA and HUD agree that projects of the type listed in **Attachment B** (attached hereto and incorporated herein) would not normally affect water quality in the Aquifers, and generally need not be referred to EPA for evaluation and comment prior to funding.

HUD agrees to refer to EPA for evaluation and/or formal review the types of projects listed in **Attachment C** (attached hereto and incorporated herein). For any of the proposed projects which are of the types listed in Attachment C, HUD will ensure that the following information is submitted to EPA:

1. A copy of the relevant project application documents, such as plans and specifications (if appropriate).
2. Project location and its relationship to the Aquifers.
3. Description and objective of project or activity, including project design, materials to be used, and any alteration of natural topography.
4. Names/addresses/telephone numbers of any city or county, state or other

Federal Agency's personnel that are involved.

5. Responses to the "Sole Source Aquifer Project Review Information" questions in Attachment D (attached hereto and incorporated herein).

Materials furnished to EPA by HUD under this MOU will be addressed to the attention of the Sole Source Aquifer Program Coordinator, Safe Drinking Water Branch (6WDDG) in EPA's Region 6 Office, 1201 Elm Street, Suite 500, Dallas, Texas 75270.

HUD will contact the Region 6 Sole Source Aquifer Program Coordinator to allow the EPA to determine whether a review is required for any projects receiving Federal financial-assistance which are located in whole or in part in a SSA and/or its recharge zone and are not of a type not listed in either Attachment B or Attachment C.

### **Projects Subject to Part 58**

For projects located in whole or in part within any of the Aquifers depicted in **Attachment A**, it is agreed that projects of the types listed in **Attachment B** would not normally affect water quality in the Aquifer, and generally need not be referred to EPA for review prior to funding.

HUD will inform its Part 58 REs in SSA areas of the exclusions in Attachment B and the requirement to seek EPA's review for the projects of the types listed in Attachment C which are located in whole or in part within a SSA or its recharge zone. For projects listed in Attachment C, REs will submit the same materials to EPA that are listed in the section entitled HUD Responsibilities. HUD will also inform its Part 58 REs of the requirement to contact the Region 6 Sole Source Aquifer Program Coordinator to allow the EPA to determine whether a review is required for any projects receiving Federal financial-assistance which are located in whole or in part in a SSA and/or its recharge zone and are not of a type not listed in either Attachment B or Attachment C.

### **EPA Responsibilities and Interagency Communication**

EPA intends to evaluate and respond to all projects submitted by HUD for formal review or evaluation purposes within forty-five (45) calendar days. EPA reserves the right to seek additional information during the forty-five day review period, and may request, in writing, additional information and additional time for completing its review. However, if EPA is unable to complete its review within that timeframe, no assumption of a determination of a lack of impacts can be made. EPA acknowledges its approval is not required by law before HUD proceeds with funding.

If HUD does not receive a response within thirty (30) calendar days of submitting the project to EPA, HUD may send written notice to the designated EPA liaison officer (or its successor) explaining that HUD has not received a response and call the EPA liaison officer to alert them of the impending deadline.

If no response is received within forty-five (45) days of the initial request for consultation, HUD or a RE may advance the project after notifying in writing the EPA liaison officer that the formal review period has concluded. HUD will not commit funds to a project before notifying EPA that the formal review period has concluded. Although comments from EPA will be accepted at any time, HUD or the RE will consider to the maximum extent practicable those comments that are submitted after the review period has concluded, and will accept EPA's final determination (which will be announced after consultation with HUD or the RE) if received prior to HUD's commitment of funds.

HUD and EPA will each assign a liaison officer to serve as a central contact point and to be responsible for maintaining communications as to procedures and activities of their respective Agency. The liaison officers are:

HUD: Regional Environmental Officer  
Fort Worth, Texas

EPA: Sole Source Aquifer Program Coordinator  
Dallas, Texas

The liaison officers accompanied by appropriate staff will hold meetings as needed to discuss matters of concern related to the Aquifers and this MOU. Liaison officers will work together to prioritize and expeditiously resolve outstanding questions, evaluations, and reviews.

#### **Expenses and No Financial Commitment**

EPA and HUD will each bear its own expenses in connection with the preparation, negotiation, and execution of this MOU, and neither party shall be liable to the other party for such expenses. This MOU does not obligate funds, personnel, services, or other resources of any party. Each party acts as an independent party with respect to the performance of duties under this MOU and is not an employee or agent of another party to the MOU.

#### **Publicity**

The parties will coordinate all press releases, websites, or other public facing documents with regard to this MOU. Neither party may engage in any such publicity regarding the MOU unless the parties consult in advance on the form, timing, and contents of the publicity.

#### **Modification and Duration**

This MOU is to take effect upon signature and remain in effect indefinitely and may be modified at any time through the mutual written consent of EPA and HUD. Additionally, either party may terminate its participation in this MOU at any time by providing written notice to the other, at least thirty (30) days in advance of the desired termination date.

### **Compliance with Applicable Laws**

It is understood and agreed by EPA and HUD, that changes in local, state and federal rules, regulations or laws applicable hereto, may occur during the term of this MOU and that any such changes are automatically incorporated as of the effective date of the rule, regulation or law into this MOU without written amendment hereto. EPA and HUD expressly agree to comply with all applicable federal, state, and local laws.

This MOU is a voluntary agreement that expresses the good-faith intentions of HUD and EPA, is not intended to be legally binding, does not create any contractual obligations, and is not enforceable by any party. This MOU does not create any claim, remedy, right, or benefit, substantive or procedural, enforceable by law or equity, by persons who are not a party to this agreement, against HUD or EPA, their officers or employees, or any other person. Other than the explicit provisions regarding Responsible Entities, this MOU does not apply to any person outside of HUD and EPA. This MOU only applies to the Sole Source Aquifer program requirements.

### **Counterparts and Electronic/Facsimile Signatures**


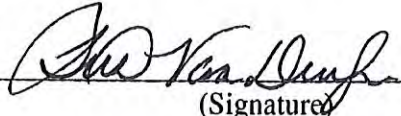
This Agreement may be executed in two or more counterparts, which together shall constitute a single agreement. This Agreement may be executed and transmitted to any other party by facsimile, which facsimile shall be deemed to be, and utilized in all respects as, an original, wet-inked manually executed document.

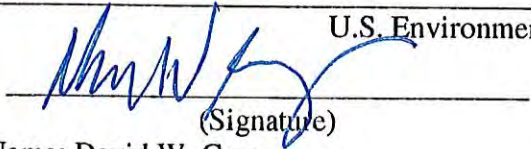
### **Entire MOU**

This MOU constitutes the complete and entire MOU between the EPA and HUD regarding sole source aquifers within EPA Region 6 and replaces all prior agreements or understandings between HUD and EPA regarding sole source aquifers within EPA Region 6. HUD and EPA ARE NOT BOUND BY ANY STATEMENT, PROMISE, CONDITION OR STIPULATION NOT SPECIFICALLY SET FORTH IN THIS MOU. No representative of HUD or EPA has the authority to make any oral statements that modify or change the terms and conditions of this MOU.

**(The rest of this page is intentionally left blank; signatures appear on the following page.)**

**Signature Page for Region VI HUD and Region 6 EPA Sole Source Aquifer MOU**

U.S. Department of Housing and Urban Development	
 _____ (Signature)	 _____ (Signature)
Name: Danielle Schopp Title: Departmental Environmental Clearance Officer Date:	Name: Beth Van Duyne Title: Region VI Administrator Date:

U.S. Environmental Protection Agency	
 _____ (Signature)	
Name: David W. Gray Title: Acting Region 6 Administrator Date:	

## **ATTACHMENT A - DESIGNATED SOLE SOURCE AQUIFERS IN EPA REGION 6**

Specific project locations can be checked for whether they are within the SSA area by using the EPA's interactive map at this link:

<https://www.epa.gov/dwssa>

**ARKANSAS** NONE

**LOUISIANA**

1. Chicot Aquifer System of Southwest Louisiana. Designated sole source aquifer May 27, 1988.
2. Southern Hills Aquifer System. Designated sole source aquifer June 10, 1988.

**NEW MEXICO**

1. Espanola Aquifer System. Designated sole source aquifer January 22, 2008.

**OKLAHOMA**

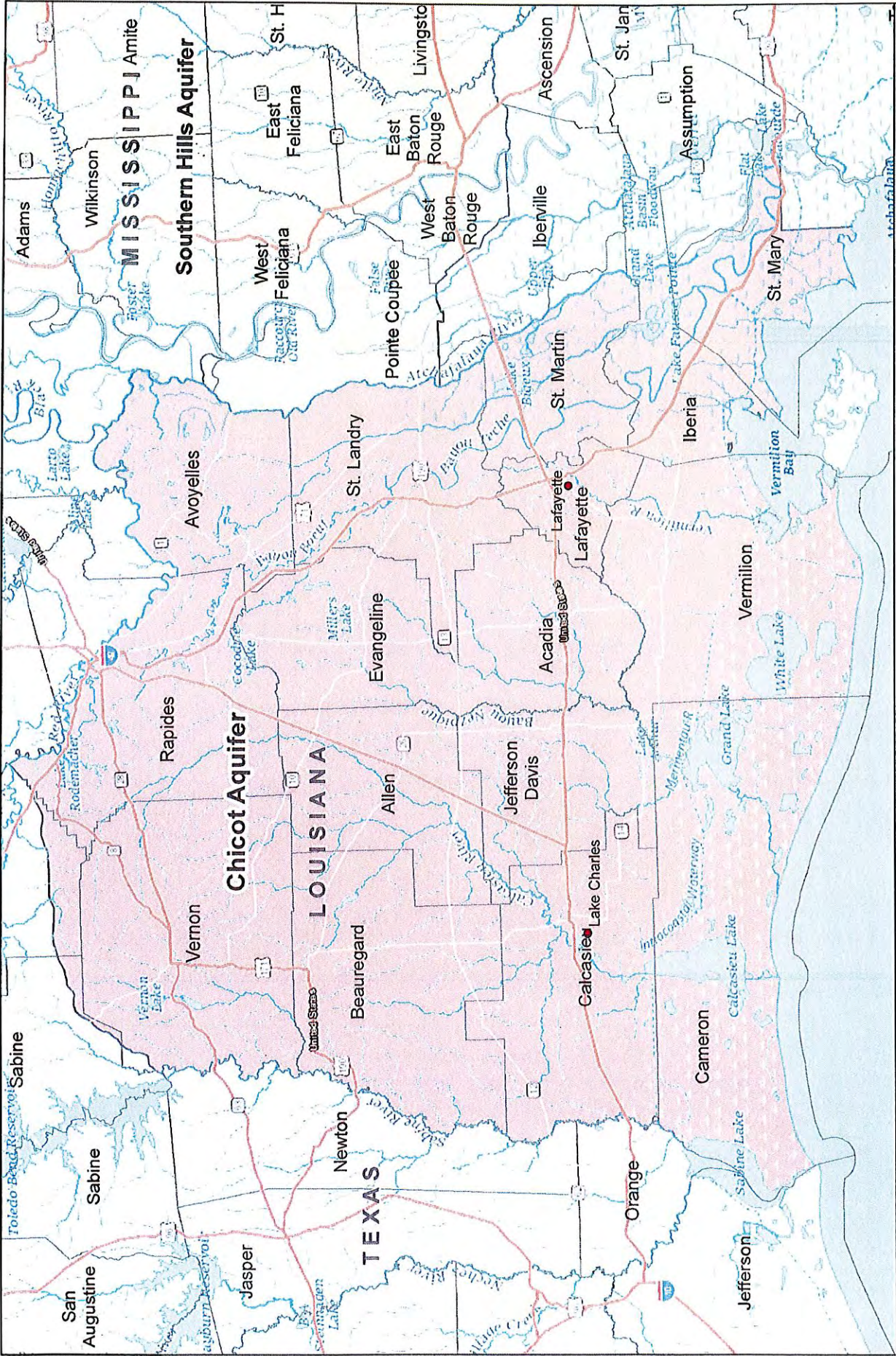
1. Arbuckle-Simpson Aquifer of South Central Oklahoma. Designated sole source aquifer September 13, 1989.

**TEXAS**

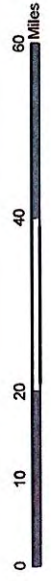
1. Edwards Underground Reservoir in an area in or near San Antonio, Texas. Designated sole source aquifer December 10, 1975.
2. A portion of the Austin area Edwards Aquifer in parts of Hays and Travis Counties, Texas. Designated sole source aquifer May 27, 1988.

Following are current Region VI sole source aquifer maps as of May 2019. Ongoing accuracy and validity can be verified using the link above or subsequent link to EPA's sole source aquifer GIS layer.

*[maps in high res pdf; to be inserted here in final pdf version of MOU after signature]*

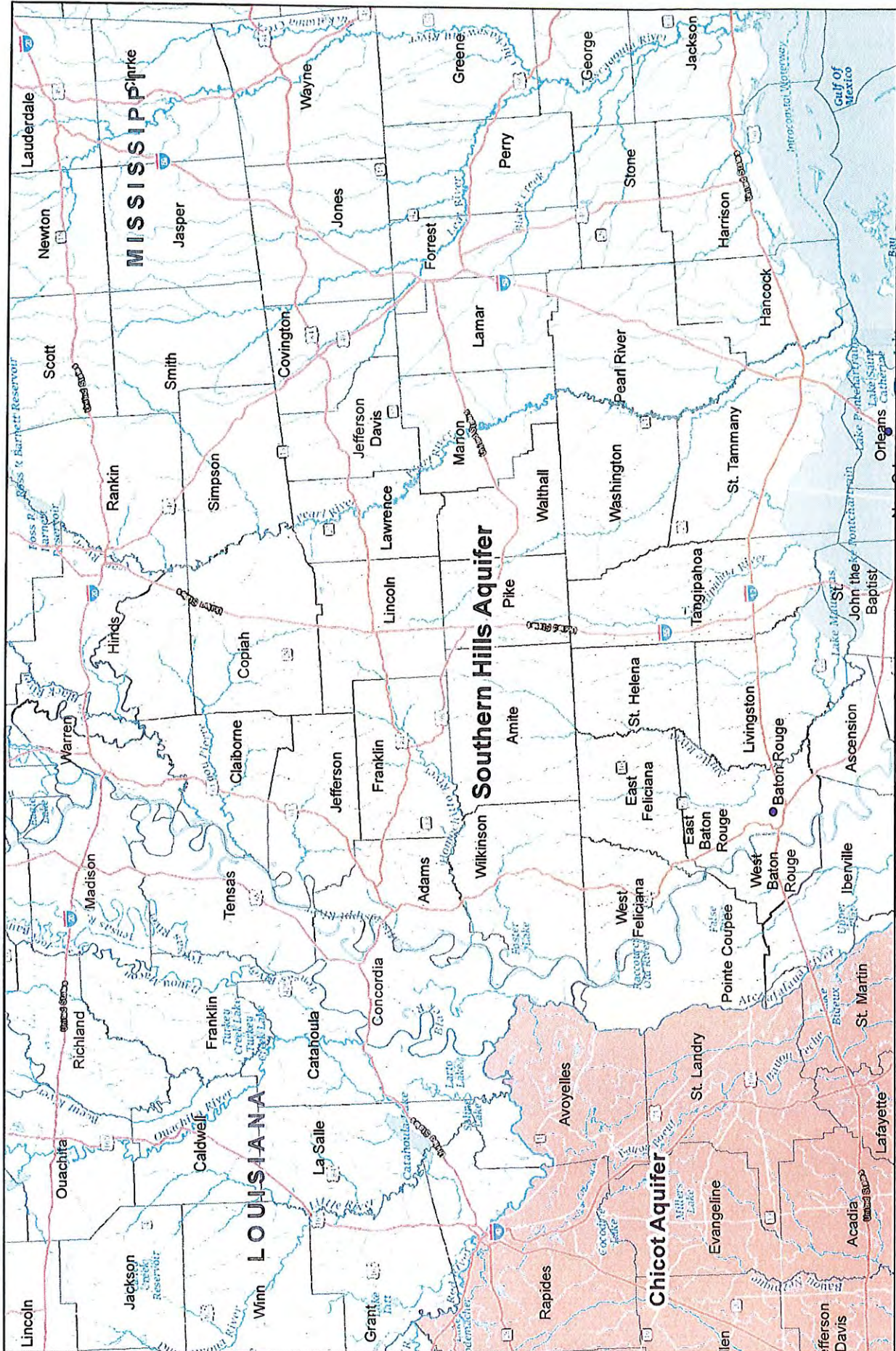


Dallas, TX  
February 15, 2019

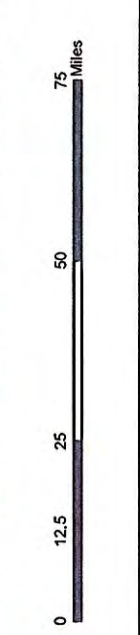


**Sole Source Aquifers**  
**Chicot Aquifer**

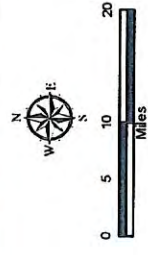




Dallas, TX  
February 15, 2019

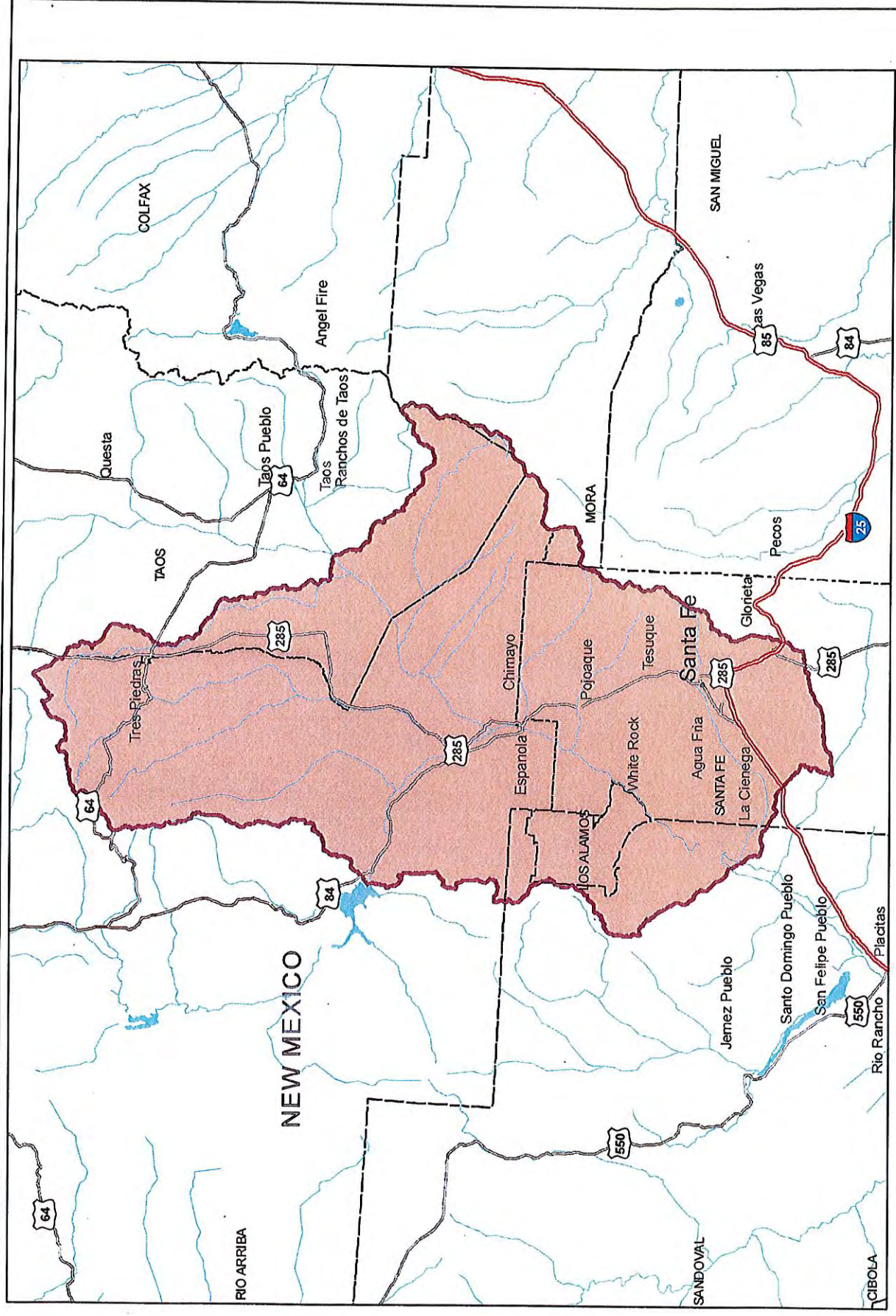


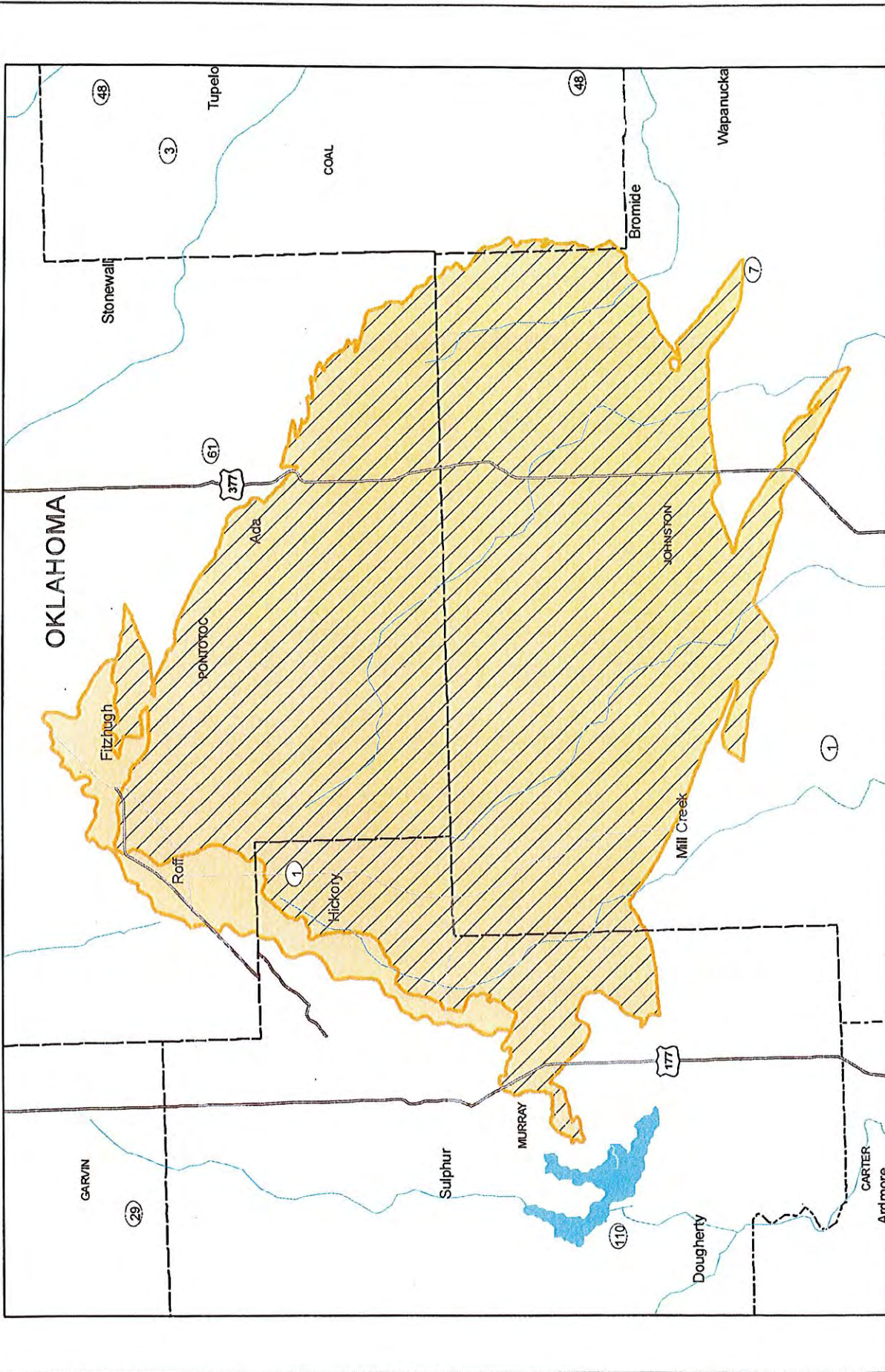
**Sole Source Aquifers**  
**Southern Hills Aquifer**



# Sole Source Aquifers

## Española Basin Aquifer System

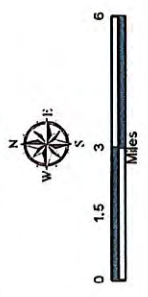


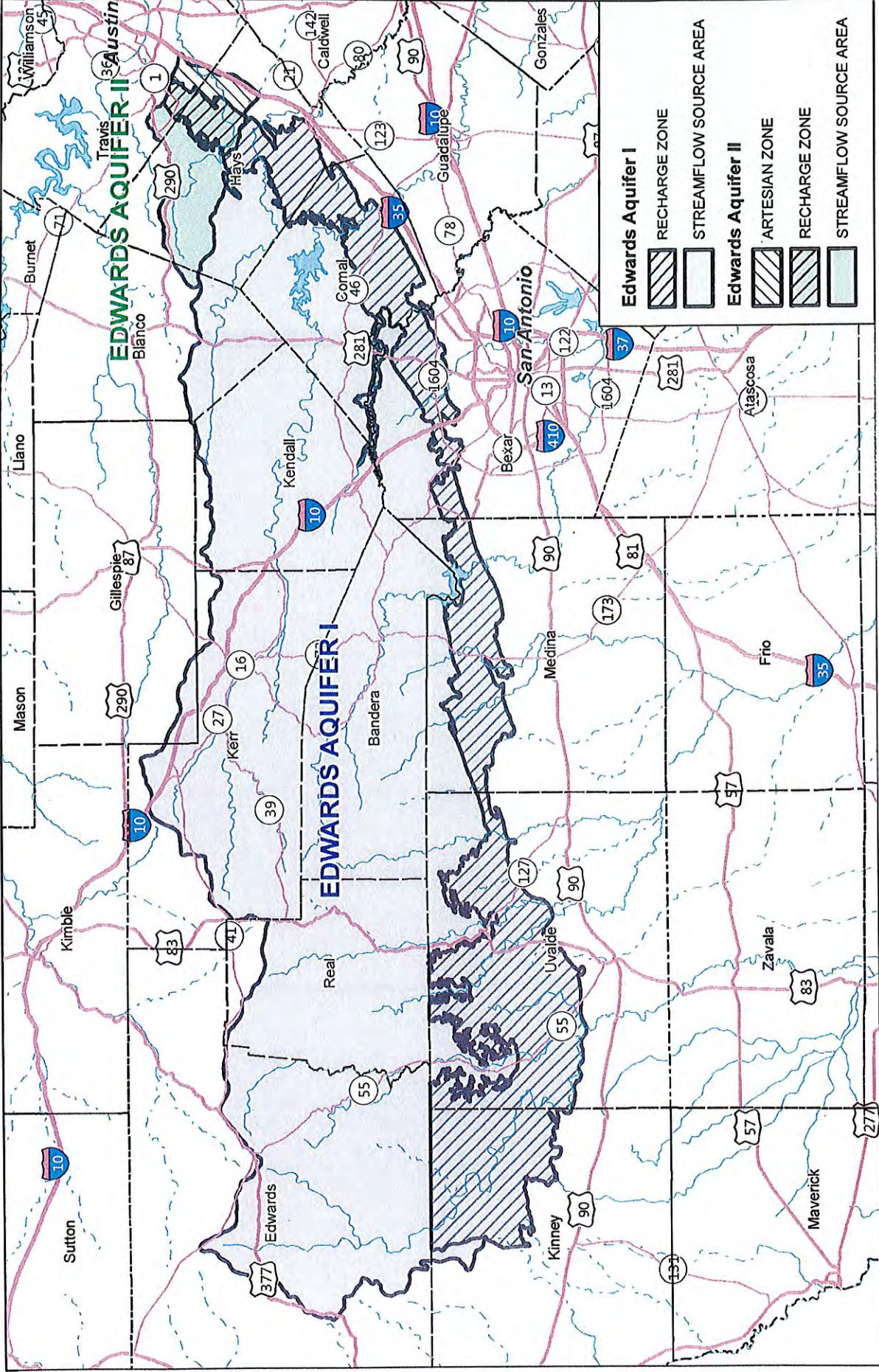


COUNTY  
 ARBUCKLE-SIMPSON AQUIFER  
 RECHARGE ZONE  
 STREAMFLOW SOURCE AREA

# Sole Source Aquifers

## Arbutle-Simpson Aquifer

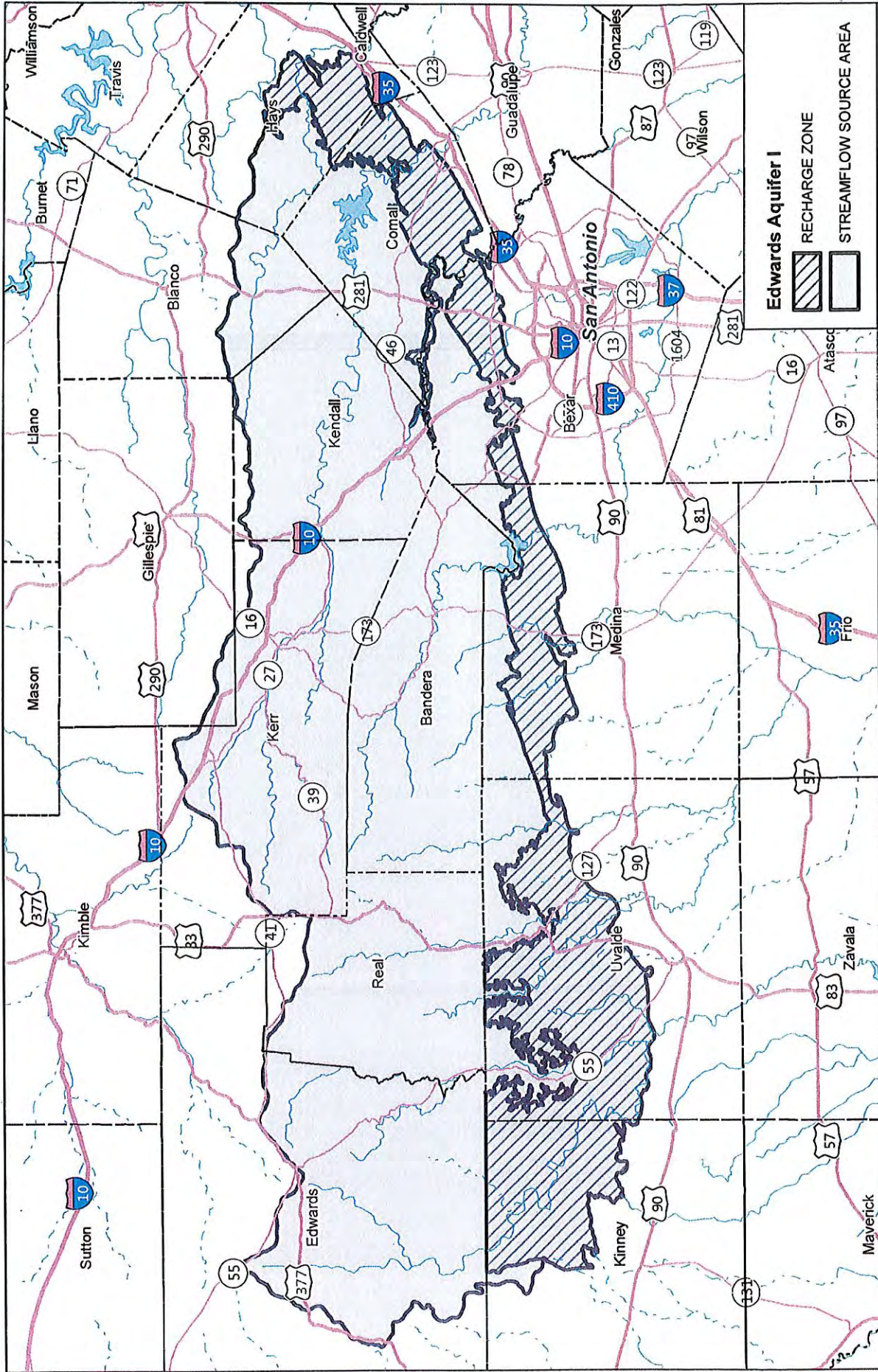




# Sole Source Aquifers Edwards Aquifer I and II

Dallas, TX  
February 13, 2018

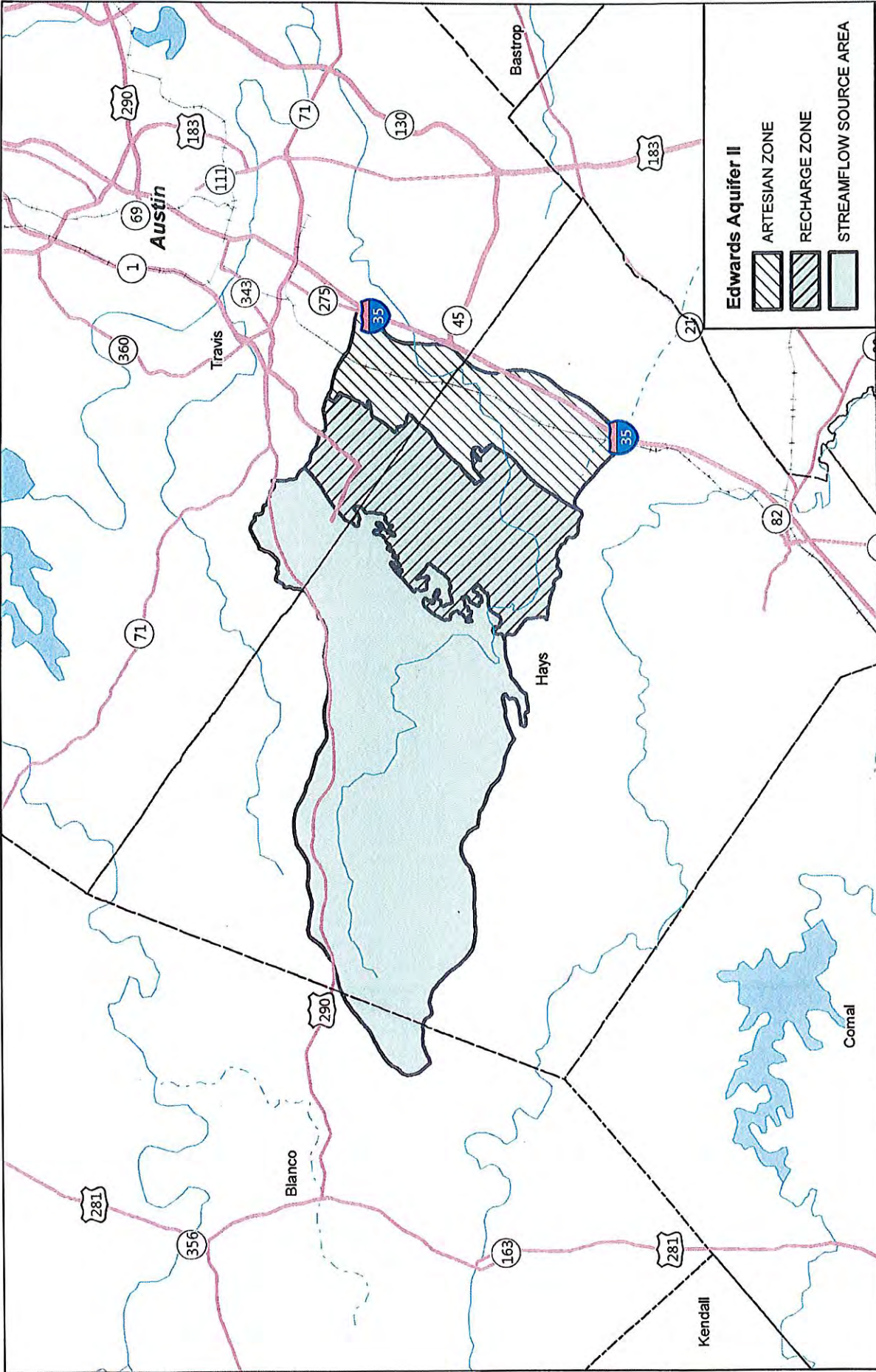




# Edwards Aquifer I

Dallas, TX  
February 13, 2018





**Edwards Aquifer II**

-  ARTESIAN ZONE
-  RECHARGE ZONE
-  STREAMFLOW SOURCE AREA



Dallas, TX  
February 13, 2018



# Edwards Aquifer II

**ATTACHMENT B - PROJECTS GENERALLY ASSUMED NOT TO AFFECT WATER QUALITY WHICH DO NOT REQUIRE REFERRAL TO EPA FOR REVIEW**

Listed below are the types of projects which are generally assumed not to affect water quality, and which will NOT normally be referred to EPA, unless such project also involves activities listed in Attachment C, or unless EPA has notified HUD's Fort Worth Regional Environmental Officer in writing that EPA has determined that additional review of a project is necessary.

1. All projects whose legal boundaries of the subject property are located wholly outside the Aquifers.
2. New construction, acquisition, or rehabilitation of residential housing that involves no more than four dwelling units.
3. Construction of (or additions to) residential, commercial, industrial projects, public facilities or land developments that will be served by a municipally or publicly owned and operated sewage treatment plant which is operating within the capacity for which it was designed and is not subject to any local, State or EPA imposed moratorium.
4. Rehabilitation or modernization of residential structures, commercial, industrial or publicly owned buildings that are served by a municipally or publicly owned sanitary sewer system operating in compliance with its authorized permit.
5. Acquisition of or financial assistance including refinancing, provision of mortgage insurance, and rental assistance on existing projects, properties, buildings or developments where no alterations, additions or expansion is to take place, and all expenses listed as operating costs in 24 CFR 50.19(b)(13) and 24 CFR 58.35(b)(3).
6. Funding of public services, planning activities, technical assistance, training, payment/repayment or reimbursement of either loans or interest.
7. Activities that exceed 200 surface parking spaces but include concrete/lime surfacing rather than asphalt and comply with storm water permitting requirements.
8. Sites for which consultation with US Fish & Wildlife Service under the Endangered Species Act, Section 7, has yielded mitigation measures to avoid impacts to karst-dwelling species.
9. Sites that have achieved compliance with an MS4 Storm Water Pollution Prevention Plan permit or other authorization managed by San Antonio Water System, Edward Aquifer Authority, City of San Marcos, or other body with oversight authority for the aquifer.

## **ATTACHMENT C - PROJECTS REQUIRING REFERRAL TO EPA FOR REVIEW**

- A. The following projects located in whole or in part within the Aquifers will be referred to the EPA for formal review/comment prior to any commitment of Federal Financial Assistance, unless listed in Attachment B:
1. Construction or rehabilitation of residential (with the exception of single one-to-four family structures excluded under Attachment B), commercial or industrial projects, public facilities, or land developments whose sanitation facilities will consist of individual disposal systems such as cesspools, septic tanks with leach fields or seepage areas, pit toilets, or privately-owned sewerage systems including those owned by a homeowner's association.
  2. Any project or activity for an existing or proposed industrial or recreational facility that manufactures, stores, transports, spreads or disposes of toxic, noxious or hazardous chemicals or radioactive materials, including insecticides, fungicides, and fertilizers.
  3. Any activity where due diligence has indicated the potential for a release of toxic or hazardous substances to the site, pending further investigation; where further investigation including sampling and testing has confirmed the presence of toxic or hazardous substances; or where the site is proposed for or undergoing a cleanup or remediation action with a local, state, tribal or federal agency.
  4. Acquisition, disposition, rehabilitation or new construction of a site intended as a sanitary landfill or other waste storage, transfer, disposal or treatment facility.
  5. Acquisition, disposition, rehabilitation, or new construction of any facility or operation which disposes of its waste water into dry wells, retention ponds, or methods other than a treatment plant.
  6. Acquisition, disposition, rehabilitation or new construction of parking facilities exceeding 200 vehicles with the use of asphalt paving.
  7. Acquisition, disposition, rehabilitation or new construction of storm water drainage facilities that might contaminate an SSA, significant modifications of existing wetlands or sinkholes, or significant modifications or new construction of shallow injection wells (i.e., dry wells, French drains, sumps and drain fields).
  8. Any project or activity involved in agricultural activities or related operations employed in the production, raising, processing and marketing of crops or livestock.
  9. Any project or activity which will result in placement of hazardous materials, e.g., pesticides, into direct contact with ground water or at depths below ten feet, except when in accordance with manufacturer's instructions and approved uses,



or under a workplan with the approval of a regulatory authority.

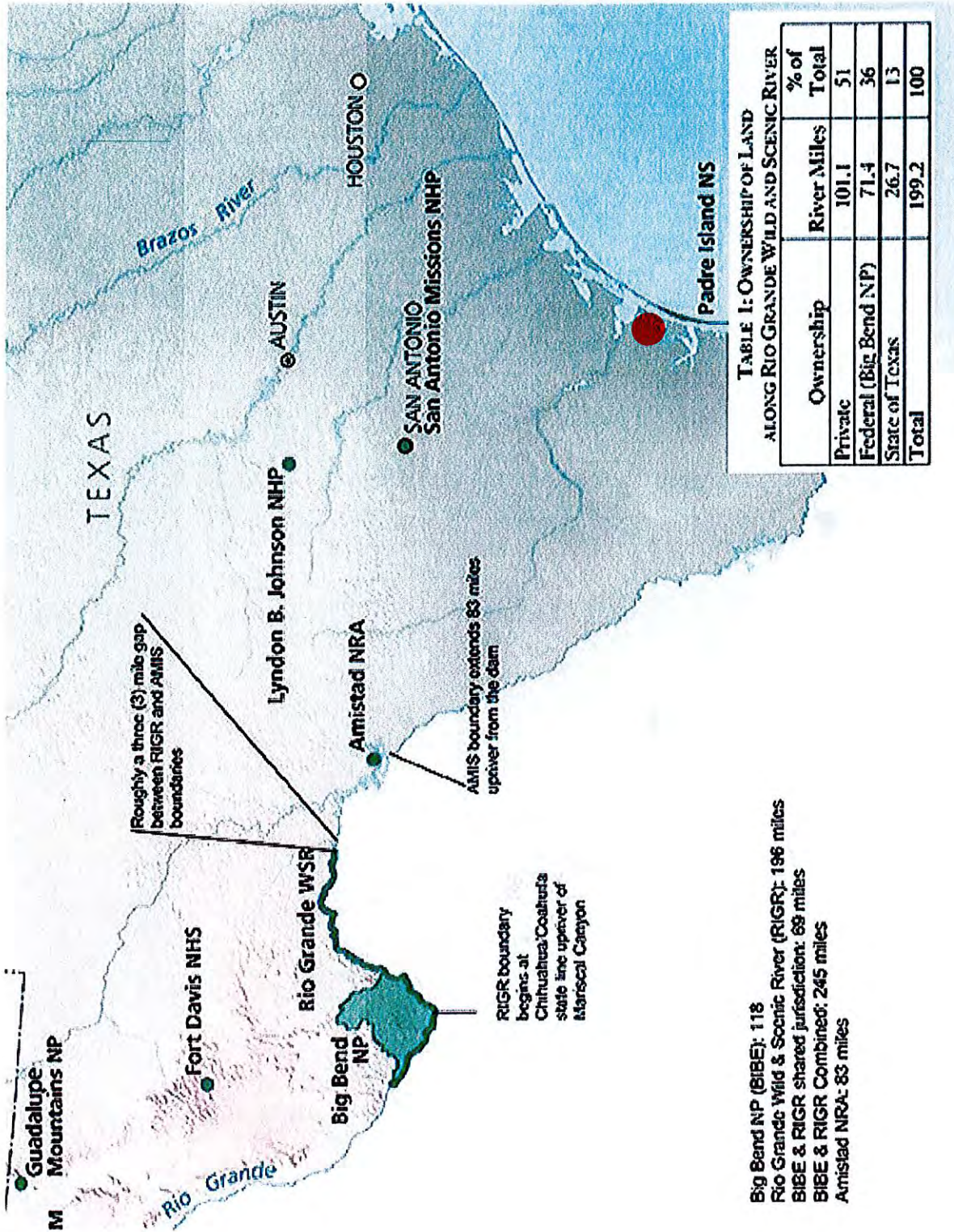
10. Any other project or activity which HUD determines could be a potential source of contamination to the Aquifers.
- B. The following projects located in whole or in part within the Aquifers will be referred to EPA for evaluation and possible formal review prior to any commitment of Federal Financial Assistance, unless listed in Attachment B:
1. Projects for which a NEPA Environmental Impact Statement (EIS) is required.
  2. Projects that involve the storage or handling of hazardous or toxic materials.
  3. Projects that involve significant domestic waste.
- C. Any project located in whole or in part within the Aquifers for which EPA makes a written request for information will be referred to EPA for evaluation and possible formal review prior to any commitment of Federal Financial Assistance.

## ATTACHMENT D - SOLE SOURCE AQUIFER PROJECT REVIEW INFORMATION

HUD or the RE will provide the information below at the time of submittal of the project to EPA in order to assist the EPA's Sole Source Aquifer Program in timely evaluating whether proposed projects have the potential to contaminate an SSA. EPA may request additional information as necessary.

1. Confirm an SSA project review is needed.
  - a. Is any portion of the project or the property(ies) involved located within a designated SSA project review area? A searchable interactive map of designated SSA project review areas is available at <https://www.epa.gov/dwssa>. **If the answer to this question is no, EPA does not need to review the project under the SSA program.**
  - b. What Federal funding source is being sought or proposed? **If no Federal financial assistance is sought or proposed, EPA does not need to review the project under the SSA program.**
2. Provide the physical location, or locations, to review. Include the nearest cross street for each location(s), latitude/longitude (preferably in decimal degrees) of the project location(s), a plat, a readable street/aerial map, and the name of the SSA(s) within which the project is located. In addition, if there is a "Start Point" to "Finish Point" (e.g., a road project) for the project, include the latitude/longitude for these locations. Descriptions and/or maps with the information below would be helpful if available and applicable.
  - a. What is known about local hydrogeology in the project review area (e.g., soil types, depth to groundwater, groundwater flow direction)?
  - b. Are there any known wells in the project review area (including groundwater wells; shallow injection wells; and oil, geothermal, and mineral exploration wells) and how close are they to the project?
  - c. Are there any wetlands within the project review area? If applicable, describe any discharge to, loss of, or creation of wetlands by the project.
3. Provide project description, including, but not limited to, answers to the applicable questions below.
  - a. Will the project result in any increase of impervious surface (e.g., concrete, asphalt)? If so, what is the area (e.g., square feet or acres)?
  - b. What is the depth of excavation?
  - c. Will any wells be installed or modified as part of the project (of any use type, including groundwater wells' shallow injection wells; and oil, geothermal, and mineral exploration wells)? For new/proposed wells, indicate depth of wells, depth of casing, casing diameter, and, for water wells, the anticipated average and maximum water demand from the wells during normal operation (gallons per minute).
  - d. Are there any deep pilings or foundations (e.g., greater than 10 feet below land surface) that will be installed, modified, or disturbed during the project?

4. Describe storm water management for the project area.
  - a. Will the project require the use of shallow injection wells (i.e., dry wells, French drains, sumps, and drain fields)? **If the answer to this question is yes, please provide EPA with an explanation as to why these shallow injection wells are required.**
  - b. How will storm water be managed on this site during construction and after the project is complete, including treatment if applicable?
5. Describe chemical use and storage associated with the project.
  - a. Will quantities of hazardous chemicals or petroleum above routine household quantities be used or stored in the project review area?
  - b. Are there any aboveground storage tanks or underground storage tanks present or to be installed? Fuel tanks are often involved in projects that include generators and/or pump stations. If applicable, include details of such tanks, including spill containment and spill response plans.
6. Describe waste management related to the project, including, but not limited to, answers to the applicable questions below.
  - a. Will any liquid or solid waste be generated during construction (e.g., construction/drilling fluids, excavation dewatering fluids, or demolition debris)? If so, how will it be managed?
  - b. How will liquid or solid waste be managed after project completion, other than routine quantities of household wastes to a permitted sanitary landfill or publicly-owned treatment works (e.g., describe any on-site treatment/disposal, industrial wastewater, or other waste generation)? If applicable, provide details about any individual disposal systems such as cesspools, septic tanks with leach fields or seepage areas, pit toilets, or privately-owned sewerage systems, including those owned by a homeowners' association.
  - c. Are there any known brownfield or hazardous waste sites in close proximity to the project review area (e.g., sites listed on the EPA National Priorities List [i.e., Superfund sites], state-designated brownfield or clean-up sites)? Do any such contaminated sites have underground contamination plumes, monitoring wells, or soil contamination that may be disturbed by the project? Include details such as the name(s) and location(s) of the brownfield or hazardous waste site(s).
  - d. For agricultural projects involving animals, how will animal wastes be managed?
7. Provide any other available information (examples below) that could be helpful in determining if this project may potentially create a significant hazard to public health through contamination of a SSA.
  - a. Are Best Management Practices ("BMPs") planned to address any possible risks or concerns? If so, which BMPs will be used?
  - b. Does the project include any improvements that may be beneficial to any SSA, such as improvements to the publicly-owned treatment works?
  - c. Are any previous environmental assessments available regarding the project or project area?



Big Bend NP (BIBE): 118  
 Rio Grande Wild & Scenic River (RIGR): 196 miles  
 BIBE & RIGR shared jurisdiction: 69 miles  
 BIBE & RIGR Combined: 245 miles  
 Amistad NRA: 83 miles

Roughly a three (3) mile gap between RIGR and AMIS boundaries

AMIS boundary extends 63 miles upriver from the dam

RIGR boundary begins at Chihuahua-Coahuila state line upriver of Mariscal Canyon

**TIER II SITE-SPECIFIC CHECKLIST**  
(Includes all Section 58.5 and 58.6 compliance factors)

Completion of this site-specific clearance constitutes Tier II of a tiered environmental review and includes an analysis of each compliance factor that could not be resolved by the target area (Tier I) review. Compliance factors relevant to this Tier II checklist must be identified in the Tiered Review Strategy for this grant. Submission of completed forms must be provided upon request from HCD/HUD. A copy of the completed Checklist and all supporting documentation must be retained in the project file.

Select the factors identified in the Tiered Review Strategy as needing site-specific clearance by checking the box in the margin before each environmental factor.

**SITE LOCATION MAP** Go to [www.epa.gov/nepa/nepassist](http://www.epa.gov/nepa/nepassist)

**SEC. 58.6 COMPLIANCE FACTORS:**

**AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES DISCLOSURES** [24 CFR 51, Subpart D] [24 CFR Part 51.303(a)(3)] The only civil airports in Corpus Christi that meet HUD's service threshold for compliance are: CCIA. Military airports include Cabaniss Field NOLF, Waldron Field NALF and Naval Air Station. Go to [www.epa.gov/nepa/nepassist](http://www.epa.gov/nepa/nepassist)

1. Is the project located within 2,500 feet of a CCIA airport meeting HUD's service threshold or 15,000 feet of a military airport?

- No. Compliance established.  
 Yes. Proceed to question #2

2. Is the project located within an Accident Potential Zone (APZ) or Runway Protection Zone/Clear Zone (RPZ/CZ) at the nearest airport?

- No. Compliance established.  
 Yes. Proceed to question #3

3. Does the project involve new construction, substantial rehabilitation, acquisition of undeveloped land, or activities that would significantly prolong the physical or economic life of existing facilities that will be frequently used or occupied by people?

- Yes. **HUD assistance may not be used for this project.**  
 No. Continue with next question.

**FLOOD DISASTER PROTECTION ACT** [Flood Disaster Protection Act of 1973, as amended (42 USC 4001-4128)] Go to <https://msc.fema.gov/portal/search> and <https://www.arcgis.com/home/webmap/viewer.html?webmap=ec73a2cb49204196a9351b7558ec9eba&extent=-98.015,27.4644,-97.0008,28.0453>

1. Is the project located in a FEMA notification of Special Flood Hazards?

- No. Compliance established;  
 Yes. **HUD assistance may not be used for this project/**Requires that homeowners purchase flood insurance for buildings located in Special Flood Hazard Areas (SFHA), when Federal or Federally-regulated financial assistance is used to acquire, improve, or construct a building. Flood insurance on the property must be monitored and enforced by the grantee throughout the life of the improvement or the life of the financial interest, whichever is less. Maintenance of flood insurance should be a condition of the loan agreement.

NOTE: Grantees choosing to assist projects requiring flood insurance must develop written procedures for monitoring insurance requirements. These procedures would require annual documentation/verification of the community's participation in FEMA's National Floodplain Insurance Program and payment of the property owner's flood insurance premium. Grantees are responsible for ensuring compliance with the insurance requirement.

**SECTION 58.5 COMPLIANCE FACTORS:**

**TOXIC/HAZARDOUS/RADIOACTIVE MATERIALS, CONTAMINATION, CHEMICALS OR GASES**

1. Are there visible dumps, landfills, industrial sites or other locations containing or releasing toxic/hazardous/radioactive/materials, chemicals or hazardous wastes on or near the subject site?

Yes.  No. Document the source information used to make this determination:

2. Does this project site contain an underground storage tank (which is not a residential fuel tank)?

Yes.  No. Document the source information used to make this determination:

3. Do federal, state or local environmental records sources reveal on or nearby sites that may pose threats to the subject site occupants/ health or safety?

Yes.  No. Document the source information used to make this determination:

4. **Determination:** Is the subject property free of hazardous materials, contamination, toxic chemicals, gases and radioactive substances which could affect the health or safety of occupants or conflict with the intended use of the property? Check "yes" only if all answers to 1-3 above are "no."

Yes.

No. Proceed with #5.

5. Sites known or suspected to be contaminated by toxic chemicals or radioactive materials include but are not limited to sites: (i) listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; (ii) located within 3,000 feet of a toxic or solid waste landfill site; or (iii) with an underground storage tank. For any of these conditions, the grantee must provide an ASTM Phase I report. Any additional studies that may be required to make a determination must be completed. All ASTM Phase I and Phase II reports must be submitted for review by MSHDA's Environmental Officer.

6. Determination must be made whether nearby toxic, hazardous or radioactive substances could affect the health and safety of project occupants.

7. Provide HCD with proposed measures to mitigate the adverse environmental condition (e.g., shielding, removing or encapsulating the toxic substances) according to the requirements of the appropriate federal, state or local oversight agency; OR reject the subject proposal. Attach all pertinent documentation.

**NOISE ABATEMENT AND CONTROL**

Is the project located within 1000 ft. of a busy road or highway, 3000 ft. of a railroad, 5 miles of a civil airport or 15 miles of a military airfield?  No. STOP here; compliance established.  Yes. Property advisors will notate whether there are any major noise sources in the vicinity and if there are major noise sources present, encourage incorporation of noise mitigation measures (e.g., weather-stripping, window and door upgrades, insulation) into the project where feasible.