

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT and
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

7/18/23

POSTED

City of Lexington, 604 Wheatley, Lexington, Texas 78947-4943
(979)773-2221

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Lexington.

REQUEST FOR RELEASE OF FUNDS

On or about 8/08/23, the City of Lexington (City) will submit a request to the Texas Department of Agriculture for the release of Community Development Block Grant Program funds under Section 104 of Title I of the Housing and Community Development Act of 1974, as amended, to undertake a project known as Water Improvement Project CDV21-0341 for the purpose of addressing a lack of water storage capacity that has resulted in compromised redundancy and resiliency. Project Description: Install one (1) new ground storage tank (GST), including foundation, interior and exterior coating system, one hundred linear feet (100 LF) of yard piping, and all associated appurtenances, to include administrative services and engineering fees. Location: Lexington, Lee County, TX. The work will be at N Rockdale Street at Loop 123 (1204 N Rockdale St), Lexington, Lee County, TX; 30.422479, -97.010116.

Total grant amount: \$350,000 in HUD funds; \$17,500 in non-HUD City of Lexington funds. Estimated Total Project Cost \$367,500.

FINDING OF NO SIGNIFICANT IMPACT

The City of Lexington has determined that the project will have no significant impact on the human environment; therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR). The ERR will be made available to the public for review either electronically or by U.S. mail. Please submit your request by U.S. mail to the City of Lexington at the address above, or by email to tina@cityoflexingtontx.com.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Lexington. All comments received by 8/7/23 will be considered by the City

prior to authorizing submission of a request for release of funds. Comments must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the City of Lexington at tina@cityoflexingtontx.com. Comments should specify which Notice they are addressing. Potential objectors should contact the City of Lexington via email to verify the actual last day of the objection period.

ENVIRONMENTAL CERTIFICATION

The City of Lexington certifies to the State of Texas that Allen Retzlaff, in his capacity as Mayor, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The State's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The Texas Department of Agriculture will accept objections to its release of funds and the City of Lexington certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request, (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Lexington; (b) the City of Lexington has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the State; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the Environmental Review specialist, Texas Department of Agriculture by email at CDBG_EnvReview@TexasAgriculture.gov. Potential objectors should contact the TDA Environmental Review Specialist at CDBG_EnvReview@TexasAgriculture.gov to verify the actual last day of the objection period.

Allen Retzlaff, Mayor