

## Early Notice and Public Review of a Proposed Activity in a FFRMS Floodplain

To: All interested Agencies, Groups and Individuals.

This is to give notice that the **City of Nome** has determined that the following proposed action under the Community Development Block Grant - Disaster Recovery Program administered by the Texas General Land Office – Disaster Recovery program (GLO DR) and **Nome - 24-067-028-E216 - Sewer, #24-067-028-E216 / B-19-DF-48-0001**, is located in a FFRMS floodplain, and the **City of Nome** will be identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Protection of Floodplains.

Project Location: All work will occur in the City of Nome, Jefferson County, Texas at the Nome Waste Water Treatment Plant (WWTP) which is located on the east side of 3rd Street, 2,050 LF north of Hwy 90 (30.041966, -94.422786)

Description of the Proposed Project: Sewer Facilities: Subrecipient shall install drum screens, improve piping and electrical, install generator (max 200 gallons) and structural cover, construct a permanent chlorine disinfection system, complete grading and modifications to the levee, and complete associated appurtenances.

### FLOODPLAIN

#### ***Exemptions to Part 55:***

*Actions listed in the revised 24 CFR 55.12 that are exempt from the floodplain management requirements of Part 55 include:*

- *Exempt activities and actions that are Categorical Exclusions Not Subject to 50.4 or 58.5*
- *Restoration or preservation of floodplains, acquisition of floodplains property provided the site is used for flood control or open space but only if structures are cleared and improvements are specifically limited*
- *Receivership or foreclosure and related actions*
- *Policy-level actions not involving site-based work*
- *Issuance of non-project-based housing vouchers*
- *A minor amendment to a previously approved action*

The project is subject to Part 55 because it meets the criteria for none of the exemptions.

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#### ***Critical Actions:***

*Critical action means any activity for which even a slight chance of flooding would be too great because such flooding might result in loss of life, injury to persons, or damage to property.*

*Critical actions include activities that create, maintain, or extend the useful life of those structures or facilities that:*

- *Produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials*
- *Provide essential and irreplaceable records or utility or emergency services that may become lost or inoperative during flood and storm events (e.g., community stormwater)*

*management infrastructure, water treatment plants, data storage centers, generating plants, principal utility lines, emergency operations centers including fire and police stations, and roadways providing sole egress from flood-prone areas)*

- *Are likely to contain occupants who may not be sufficiently mobile to avoid loss of life or injury during flood or storm events, e.g., persons who reside in hospitals, nursing homes, convalescent homes, intermediate care facilities, board and care facilities, and retirement service centers; housing for independent living for the elderly is not considered a critical action*

Because the project is considered an “essential service” it is considered a critical action.

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### ***How FFRMS was determined:***

*The FFRMS is determined by utilizing a tiered approach:*

- *Climate-Informed Science Approach (CISA) - Preferred Method*
- *0.2-Percent-Annual Chance Floodplain Approach (0.2PFA)*
- *Freeboard Value Approach (FVA)*

### ***Climate-Informed Science Approach (CISA)***

- *Federal CISA data must be equal to or greater than base flood elevation (BFE) to be used.*

According to the Federal Flood Standard Support Tool (FFSST), there is no CISA data available for Jefferson County. As such, this approach could not provide a determination as to whether the project was in the FFRMS floodplain. The next tiered approach, 0.2PFA (500-year floodplain method), was therefore considered.

### ***FEMA 0.2PFA (500-year floodplain)***

- *FEMA maps must show a 500-year floodplain in order to be used*
- *Critical Actions require both the 0.2PFA and the Freeboard Value Approach (FVA) be used to determine which elevation is higher, the 0.2PFA or FVA.*

According to the National Flood Insurance Program (NFIP) map #4803850100 B (effective date 6/1/83), the entire project is located within Zone A (100-Year Floodplain). Since the 100-Year Floodplain is considered a FFRMS floodplain, it was concluded that the project is in the FFRMS floodplain and the 8-step process is required.

- Area of Disturbance in the FFRMS floodplain: 0.15 acres

In order to ensure that all appropriate FEMA floodplain data was considered and the most stringent data source was used for the comparable flood data, all available effective, preliminary and pending FIRMS were reviewed:

- Effective Maps - 4
- Preliminary Maps - 44
- Pending Maps - 0

Upon completion of this review, it was discovered that Preliminary Flood Insurance Rate Map (FIRM) #48245C0100F (Effective Date 8/30/12), showed the entire project is in a floodway. Because this project (WWTP) is dependent upon water and is located in close proximity to a

creek, it was determined that it would be considered “Functionally Dependent” and therefore allowed to be constructed within the floodway. Further, the project is located between the Floodplain Base Elevation (BFE) of 41 feet and 42 feet. **As required by HUD, the higher BFE of 42 feet was used.**

A Flood Insurance Study (FIS) titled “Flood Profiles, Cotton Creek” associated with this FIRM, also showed a 0.2PFA (500-year floodplain) with an elevation of 42.5 feet. Because the 500-year floodplain is considered a FFRMS floodplain, it was concluded that this method could be used to determine the FFRMS floodplain.

- **0.2PFA FFRMS Floodplain = 42.5 feet**

Because the project is a Critical Action, the Freeboard Value Approach (FVA) was also considered to determine which elevation is higher, the 0.2PFA or FVA, as the higher must be utilized.

Freeboard Value Approach (FVA):

*FVA defines the FFRMS floodplain as the elevation and flood hazard area that results from:*

1. *Adding two (2) feet to the base flood elevation (BFE) **for non-critical actions** or*
2. *Adding three (3) feet to the BFE **for critical actions.***

*This approach is used for noncritical actions if neither CISA data nor FEMA-mapped 0.2-percent-annual-chance floodplain data is available or actionable. **For critical actions, the higher of 0.2PFA or FVA must be used.***

Since the BFE is 42 feet and the project is a critical action, the FFRMS is equal to the BFE + 3 feet:

- **FVA FFRMS Floodplain: 42 feet (BFE) + 3 feet (critical actions) = 45 feet.**

Since the FVA elevation (45 feet) was higher than the 0.2PFA elevation (42.5 feet), **the FFRMS elevation which must be used for this project is the FVA Elevation of 45 feet.**

**Natural and beneficial values potentially adversely affected by the activity:**

1. A flood could damage the new proposed infrastructure.
2. In addition to concerns for life and property, the City has considered the natural values of the floodplain. The natural resources of the floodplain include water, biological, and societal resources. The proposed project will have minimal impacts to the floodplain as the project involves minimal ground disturbance within the floodplain.
3. After review of the County Lists of Endangered and Threatened Species for the County, on-site inspections of the project site and consultation with the USFWS, it was concluded that the construction of the facilities will have no quantifiable impact on plant and animal life. Only native plants are to be used in the floodplain and on the site.
4. Societal resources should also be considered during the design process. The designs are meant to complement the natural features of the area and to offer an aesthetically pleasing structure. The site will not have an effect on agricultural lands.

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

Written comments must be received by the **City of Nome** at the following address on or before **November 26, 2024, City of Nome City Hall, 1586 2nd St, Nome, Texas 77629**. A full description of the project may also be reviewed from **9:00 AM to 5:00 PM**. at **the above address**. Comments may also be submitted via email at **[todd@texasenvironmentals.com](mailto:todd@texasenvironmentals.com)**.

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