

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT & INTENT TO REQUEST
RELEASE OF FUNDS- & FINAL NOTICE & PUBLIC EXPLANATION OF A PROPOSED
ACTIVITY IN A FLOOD RISK MANAGEMENT STANDARD FLOODPLAIN**

February 23, 2026

City of Kirbyville 107 South Elizabeth Ave Kirbyville, Tx, 75956 Ph: (409) 423-6191

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

To All Interested Parties Including: Federal Emergency Management Agency, Flood Mitigation Planning Texas Water Development Board, Regional Flood Management Association, Groups & Individuals of the City of Kirbyville and Jasper County, Tx.

REQUEST FOR RELEASE OF FUNDS

On or about March 11, 2026, the City of Kirbyville. (City) will submit a request to the Texas General Land Office (TGLO) for the release of Community Development Block Grant funds under HUD's Community Development Block Grant Mitigation (CDBG-MIT) program to provide financial assistance in accordance with Executive Order 12892, resulting from a major declared disaster that occurred in 2015, 2016, or 2017 as amended. Hurricane Harvey HUD MID / GLO's Regional Mitigation Program to undertake a project known as Citywide Sewer Improvements Project Contract # 24-143-013-F349/ B-18-DP-48-0002. Project Activity Type: Wastewater System Improvements GLO#17-32699-P.

Project Description: City of Kirbyville shall replace approx. 3490 linear feet of sewer collection lines, manholes, reconnections & improve 7 lift stations. Rehabilitation of lift stations includes replacing existing electrical, pumps, header piping; plus will be removing and replacing wet well and installation/replace fencing if needed. Installation of natural gas powered 30KW generators (with 300-GAL tank), with concrete pad located at each lift station. Additionally, project includes trench safety, 60 Lf of road bore & utility relocation as needed. Purchase of 5 permanent easements, plus temporary easements as needed. This is a critical action project. Clearance includes Acquisition, Engineering, Environmental and Administration activities. Total Approximate Area of Disturbance 3.53 Acres.

Project Need: City of Kirbyville was critically impacted by Hurricane Harvey. Heavy rainfall resulted in flooding that inundated the wastewater system, threatening public health, safety, & welfare. Improvements to the wastewater infrastructure will ensure proper functioning of critical wastewater system components to reduce the impact of sewer contamination and system failure. Beneficiaries: 2254 persons of which 1622 or 71.96% are low to moderate income persons.

BUDGET:

CDBG MIT Grant Contract Amt	\$1,500,000
Project Amount	\$ 1,650,000
Local Match Amount:	\$ 150,000

**TABLE 1 City of Kirbyville, Jasper Co TX Zip 75956
Citywide Sewer Project Locations / Approximate Total Disturbance Table**

Loc ID	Street	From /To	Lat / Long	Generators	Approx Total Disturbance Length (LF)	Total Disturbance Width	Total Area of Disturbance (acres)
K1L	Fair Street	From So Elizabeth St, from Fair St heading south for approx 129'	30.645322, -93.892630	0	280	45	0.29
K2L	West Harris St	North Florence heading eastward to North Lelie.	30.925116, -93.992422	0	680	45	0.70
K3L	East Lavielle St	Between South Kellie Av & North Kaysee Av.	30.659636, -93.891015	0	340	45	0.35
K4L	West Woodland St	Intersection of HWY252 & W Woodland St continuing east approx 319 feet.	30.666594, -93.904298	0	1,600	45	1.65
K5L	Georgetown Loop	Intersection of Georgetown Loop & Heritage Road heading south approx 80'	30.923452, -93.984319	0	100	45	0.10
K6L	West Stringer St	Heading eastward approx 280 ft intersection w/ No Margaret Av.	30.66553, -93.89435	0	280	45	0.29
K7LS	County Road Lift Station	CR 404 approx 884' so of intersection w/ W Martin Luther King St.	30.659143, -93.919999	1	30	30	0.02
K8LS	Pine Street Lift Station	End of E Pine St approx 774' from intersection of E Pine St & S Elizabeth St.	30.650742, -93.890727	1	30	30	0.02
K9LS	Carwash Lift Station	U.S. HWY96 approx 817' from the intersection of Chambers Road.	30.636774, -93.900871	1	30	30	0.02
K10LS	Old 8 Lift Station	No Herndon St approx 1,202' north of intersection w/ W Woodland St.	30.669022, -93.907097	1	30	30	0.02
K11LS	Boatner's Lift Station	On W Martin Luther King St approx 1,042' W of intersection with CR 404.	30.661634, -93.923311	1	30	30	0.02
K12LS	Lawndale Lift Station	Approx 78' east beyond the end of Lawndale St.	30.661377, -93.909281	1	30	30	0.02
K13LS	Washington Lift Station	172' W of the intersection 2nd Av & Hebo St.	30.648514, -93.903677	1	30	30	0.02
TOTALS				7	3,490		3.53

Date of Site Visit: 10.01.2025

FINDING OF NO SIGNIFICANT IMPACT

City of Kirbyville has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at City of Kirbyville, 107 South Elizabeth Avenue, Kirbyville, Tx, 75956, Comments may also be submitted via email to: flgeorge50@gmail.com. The ERR of the project is available for review & may be copied from weekdays from 7:30 AM through 5:30 PM (Fridays: 8:00 AM – 5:00 PM) CST at 107 S. Elizabeth, Kirbyville, TX, 75956 Ph: (409) 423-6191. Comments may also be submitted via email at flgeorge50@gmail.com.

In addition, ERR can be accessed electronically at https://www.dropbox.com/scl/fi/j3p90vkqk91250nxifyda/KIRBYVILLE_DRRP_25143013F349-EA.pdf?rlkey=51nv42crlzpvw9v71v7yhllb&dl=0

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

This is to give notice that City of Kirbyville has conducted an evaluation as required by Executive Order(s) 11988, as amended by Executive Order 13690, and/or Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under Community Development Block Grant Mitigation (“CDBG-DRRP”) program contract # 25-143-013-F349. The proposed project locations are outlined in Table 1 above. Portions of the project are located in the Federal Flood Risk Management Standard (FFRMS) floodplain and floodway as shown in Table 2 below.

TABLE 2 City of Kirbyville DRRP Sewer Improvements #F349 FFRMS Floodplain / Wetland Impacts									
Loc ID	Street	Lat/Long	Total Approximate Disturbance Area (acres)	FEMA Map Panel/ Effective Date	1% Annual Chance Flood Hazard Zone A (lf)	1% Annual Chance Flood Hazard Zone A (acres)	Floodway Approximate Disturbance (lf)	Floodway Approximate Disturbance (Acres)	Total Impact Acres (All)
K6L	West Stringer St	30.66553, -93.89435	0.29	48351C0400D, eff. 11/16/2018 48351C0450D, eff 12/17/2010	243.26	0.25	133.00	0.14	0.39
K7LS	County Road Lift Station	30.659143, -93.919999	0.02	48351C0400D, eff. 11/16/2018	30.00	0.02	0	0	0.02
TOTALS			3.53		273.26	0.27		0.14	0.41

The extent of the FFRMS floodplain was determined using the freeboard approach and through the use of FEMA floodplain maps and USGS 7.5 Topo maps to confirm the area elevations are accurate. According to the FFRMS Floodplain FEMA map panels #48351C0450D, effective 12/17/2010 and panel 48351C0400D, eff. 11/16/2018, a portion of the project, estimated at 0.41 acres, will be located within the floodplain/ flood hazard area. The panels show Loc ID K6L (West Stringer) sewer line may have 0.25 acres of 1% Annual Chance Flood Hazard and approximately 0.14 acres are located within a regulatory floodway. Considering the location is not identified as a principal utility line, this is not considered critical action and is considered as functionally dependent use. Loc ID K7LS (County Road) lift station may have 0.02 acres of 1% Annual Chance Flood Hazard impact.

Natural and beneficial values of the floodplain includes the management of floodwater storage and conveyance and erosion control. Some intrinsic values for the floodplain in the area include recreational, educational, business, residential, historic and cultural.

City of Kirbyville has considered the following alternatives & mitigation measures to be taken to minimize adverse impacts & to restore & preserve natural & beneficial functions and intrinsic values of the existing floodplain/wetland:

ALTERNATIVES:

1. Moving the improvements to another location in the city is not feasible or practicable as the needs for rehabilitated wastewater lines and lift stations exist in the area identified.
2. Using a different source of fuel was considered for the lift stations and it was decided this is a less expensive option for ensuring the continuous operations of the lift stations during electrical outages. In

addition, natural gas provides a consistent source and will not mean a different fuel source such as diesel which requires occasional refilling will be necessary for the operations. In addition, the use of natural gas eliminates the type of explosiveness (blast over) which can occur from using diesel. The selection of natural gas for the fuel source preserves human health, the environment as well as saves property.

3. Ongoing maintenance at the existing sites was considered, however, repetitive repairs are more costly in the end.
4. Not performing improvements does not save human health and the environment as the improvements to the wastewater infrastructure will ensure proper functioning of critical wastewater system components to reduce the impact of sewer contamination and system failure.

MITIGATION:

Floodplain:

A portion of the proposed project area is located in the 100-year floodplain at the West Stringer wastewater line, K6L, and the County Road Lift Station, K7LS. Considering the location is not identified as a principal utility line, this is not considered critical action and is considered as functionally dependent use. The project will be under the guidance of BMPs during construction to ensure proper drainage and is advised to comply with state and local floodplain protection procedures.

Endangered Species:

Federal Law: Migratory Bird Treaty Act

Site(s) review for nests prior to construction to avoid disturbance from a minimum zone of 100 meters surrounding any raptor nest February 1 through July 15 or minimum zone of 25' for other bird nests from March 1 to June 30. If any nests are discovered in vegetation or bare ground of occupied nests, avoid disturbance until the eggs have hatched and the young have fledged. Construction may continue on other areas of the site.

State Law: Parks and Wildlife Code

Site(s) review prior to and during construction will occur to ensure no wildlife species are located within the construction area and action will be taken to avoid impact if found. Notification of TPWD will occur if endangered species are found or if further assistance is necessary to clear an area. In general, the species will be permitted to leave the sight without disturbance. Where possible, construction will avoid clearing during the height of nesting season and in general will avoid wildlife impact.

A portion of the proposed project area is located in the 100-year floodplain at the West Stringer wastewater line, K6L, and the County Road Lift Station, K7LS. The W. Stringer Road Lift Station is also located in the Floodway; a small portion (0.14 acres) extends into an area defined as Floodway. Considering the location is not identified as a principal utility line, this is not considered critical action and is considered as functionally dependent use. The project will be under the guidance of BMPs during construction to ensure proper drainage and is advised to comply with state and local floodplain protection procedures.

Historical Preservation

Above-Ground Resources

No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the

immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.

Archeology Comments

No historic properties are affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

City of Kirbyville has reevaluated alternatives to building in the Federal Flood Risk Management Standard (FFRMS) floodplain, and has determined that it has no practicable alternative to FFRMS floodplain, development. Environmental files documenting compliance with Executive Order 11988, as amended by Executive Order 13690 are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. City will ensure consistency with state & local floodplain protection procedures.

There are three primary purposes for this notice. First, people who may be affected by activities in FFRMS floodplain, 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. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about FFRMS floodplain, 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 FFRMS floodplain, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR DOCUMENT to the City of Kirbyville. All comments received by March 10, 2026, will be considered by the City of Kirbyville. prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing. Comments may be mailed or delivered to the City of Kirbyville, 107 South Elizabeth Avenue, Kirbyville, Tx, 75956. Comments may also be submitted via email to: flgeorge50@gmail.com. The ERR is available for review & may be copied from weekdays from 7:30 AM through 5:30 PM (Fridays: 8:00 AM – 5:00 PM) CST at 107 S. Elizabeth, Kirbyville, TX, 75956 Ph: (409) 423-6191 Comments may also be submitted via email to: flgeorge50@gmail.com

Written comments regarding the Final Floodplain Notice must be received by the City of Kirbyville. At the following address on or before on or before March 10, 2026. Submit comments to Frank George, Mayor, City of Kirbyville, 107 South Elizabeth Avenue, Kirbyville, Tx, 75956, (409) 423-6191 weekdays from 7:30 AM through 5:30 PM (Fridays: 8:00 AM – 5:00 PM) CST. Comments may also be submitted via email to: flgeorge50@gmail.com

ENVIRONMENTAL CERTIFICATION

City of Kirbyville certifies to TGLO that Frank George, 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 & that these responsibilities have been satisfied. TGLO approval of the certification satisfies its responsibilities under NEPA & related laws & authorities & allows City of Kirbyville to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

TGLO will accept objections to its release of funds & the City of Kirbyville's 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 Kirbyville, (b) City of Kirbyville has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) City of Kirbyville or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by **TGLO** or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared & submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) & shall be addressed to Regulatory Oversight, Texas General Land Office, PO Box 12873, Austin, TX 78711-2873, env.reviews@recovery.texas.gov . Potential objectors should contact TGLO to verify the actual last day of the objection period.