

**Hurricane Harvey Community Development Block Grant – Disaster Recovery
Build It Forward Houston - Small Rental Program**

Early Notice and Public Review of a Proposed Activity in the 100-Year Floodplain and Wetlands

May 20, 2019
City of Houston
Housing and Community Development Department (HCDD)
2100 Travis Street, 9th Floor
Houston, Texas 77002

To: All Interested Agencies, Groups, and Individuals:

This gives public notice that the City of Houston (City) is proposing to undertake activities within the 100-year floodplain (1.0% annual chance of flooding) and wetlands with funds provided through the United States (US) Department of Housing and Urban Development's (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. In response to Hurricane Harvey and the presidentially declared disaster, the US Congress has appropriated more than \$5 billion to date in CDBG-DR funds to the State of Texas for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from Hurricane Harvey. This notice is required by Section 2(a)(4) of Executive Order (EO) 11988 for Floodplain Management and Section 2(b) of EO 11990 for Protection of Wetlands and is implemented under HUD regulations found at 24 CFR 55.20(b) for HUD funded actions that occur within and/or affect the floodplain and wetland resources. The Texas General Land Office (GLO) is administering these funds, allocating \$1,275,878,041 for the City to distribute among its long-term housing recovery activities as described in the GLO's HUD-approved *State of Texas Action Plan for Disaster Recovery: Hurricane Harvey* with approval of Amendment 3 anticipated in May 2019.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands as well as 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 about floodplains and wetlands can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains and wetlands, it must inform those who may be put at greater or continued risk. The 8-Step Decision-Making Process required for federally funded actions in the floodplain and wetlands includes public notices and the examination of practicable alternatives to the activities proposed in these sensitive resource areas.

Following post-Harvey consultation with residents and other stakeholders, the City's Housing and Community Development Department (HCDD) analyzed available data to develop its Local Action Plan (Plan) establishing its method for distribution of CDBG-DR funding across eight programs through the Build It Forward Houston (BIFH) initiative. BIFH targets at least 70 percent of all allocated funds to serve the City's low to moderate-income persons. Its programs are designed to address the unmet housing needs of residents most impacted and distressed by Hurricane Harvey with a comprehensive and phased long-term housing recovery approach to also address vulnerabilities highlighted by the storm's severity.

Notification is hereby given to the public that HCDD proposes to help rebuild the City's affordable housing stock of small rental properties with one to seven residential units per building through its BIFH **Harvey Recovery Small Rental Program (HRSR)**. Program activities will be scattered throughout the City, which has 151.68 square miles (97,075.72 acres) within the FEMA-designated Special Flood Hazard Zones A, AE, and AO (100-year floodplain), and 76.25 square miles (48,802.05 acres) within the FEMA-designated X-zone (500-year floodplain with a 0.2-percent annual chance of flooding). The City has no areas within the FEMA-designated V zone floodplain. HRSR rehabilitation and reconstruction activities will take place

on properties damaged by Hurricane Harvey located within the 100-year floodplain, outside of the floodway. New construction of small rental residential buildings (1 to 7 units) will occur on properties located outside the 100-year floodplain and the Coastal Management Zone.

HRSR is being allocated \$66,686,282 to provide financial assistance, through forgivable loans to eligible applicants serving the low- to moderate-income rental housing market. HRSR will accept applications from a) Not-for-profit developers/ borrowers, b) For-profit developers/ borrowers, c) Public housing authorities, d) Units of local government, e) Owner-occupied CDBG-DR eligible applicants with rental units in the same property. Properties to be developed with the new construction of small rental housing units must have been subject to a Phase I Environmental Site Assessment per E-ASTM 1527-13 within one year prior to HRSR application to verify suitability. Applicants must be prepared to meet the HRSR eligibility criteria described in the HRSR Program Guidelines available for review on HCDD's Hurricane Harvey Disaster Recovery website <https://recovery.houstontx.gov/programs/>.

HRSR projects have the potential to be located in the 100 year-floodplain, the 500-year floodplain, as well as within or proximate to wetland resources, which generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Projects would be completed in accordance with EO 11988 and EO 11990, other federal, state, and local requirements compliance with environmental statutes, related laws and authorities. Activities must comply with the City's applicable permitting requirements, construction codes and standards, including requirements established by the City's 2018 Chapter 19 Floodplain Ordinance (<https://www.houstonpermittingcenter.org/node/127>). Where this ordinance requires elevation, homes would be elevated to two feet above the 500-year floodplain Advisory Base Flood Elevation depth specified on the effective Flood Insurance Rate Map or at least three feet above the highest adjacent grade where the depth number is not specified. Ordinance standards for home design, and zero-net fill, among others would also apply to help protect residents, homes, infrastructure, and the floodplain and wetland resources.

- HCDD anticipates that HRSR rehabilitation and reconstruction activities may occur on small rental residential properties with buildings (1 to 7 units) situated in the **100-year floodplain**. Elevation will be required for substantially improved and reconstructed residential buildings located in this flood hazard area in compliance with the City's Chapter 19 Floodplain Ordinance. All applicants seeking assistance for Hurricane Harvey-damaged properties in the 100-year floodplain must obtain proof of flood insurance and agree to maintain it.
- HRSR reconstruction and new construction of small rental residential buildings (1 to 7 units) will also require elevation in the **500-year floodplain** to achieve compliance with the local Floodplain Ordinance. While rehabilitation activities on small rental residential properties with buildings situated in this flood hazard area do not require elevation per the Floodplain Ordinance, HRSR will offer the option to elevate certain feasible building types. The elevation option may also be available in certain feasible cases where buildings located outside the floodplains have been flooded with increasing frequency. All applicants will be advised about the hazards of living in or proximate to the floodplain and the value of participation in the National Flood Insurance Program.
- Sites for new small rental residential housing construction projects would be selected from those available outside the floodway, the 100-year floodplain, and the Coastal Management Zone. Such sites will be strategically selected to help restore damaged neighborhoods in or near low to moderate-income areas and improve others. Any new construction projects located in the 500-year floodplain would protect this resource through small rental building elevation and compliance with other local Floodplain Ordinance design requirements. This option creates opportunities for low-and moderate-income residents to move out of areas most prone to flooding. Applicants will be advised to consider the value of maintaining flood insurance.
- HRSR will not undertake rehabilitation, reconstruction, or new construction activities within functional wetland resources. However, these activities may occur on properties located proximate to wetland resources with the implementation of reasonable mitigation measures, potentially requiring site-specific

agency consultations. Activities may also occur on previously disturbed and/or potentially filled wetland resources with appropriate mitigation.

In accordance with the National Environmental Policy Act (NEPA) and HUD requirements, a tiered environmental review of proposed HRSR activities has been initiated to broadly evaluate potential environmental impacts, including those considered to be cumulative in nature. HCDD is considering a wide range of effective, cost-reasonable measures to mitigate potential impacts of construction activities, and to help improve the environmental quality and storm resilience of residential neighborhoods damaged by Hurricane Harvey.

All interested persons, groups and agencies are invited to submit written comments regarding the proposed use of federal funds for the described HRSR activities within the floodplain and wetland resources. HCDD is interested in alternatives and public perceptions of possible adverse impacts that could result from the described activities as well as potential mitigation measures. Maps of the City's floodplain and wetland Resources attached to this public notice can be found at the following websites:

https://www.houstontx.gov/housing/public_legal_notices.html

<https://recovery.houstontx.gov/public-notices/>

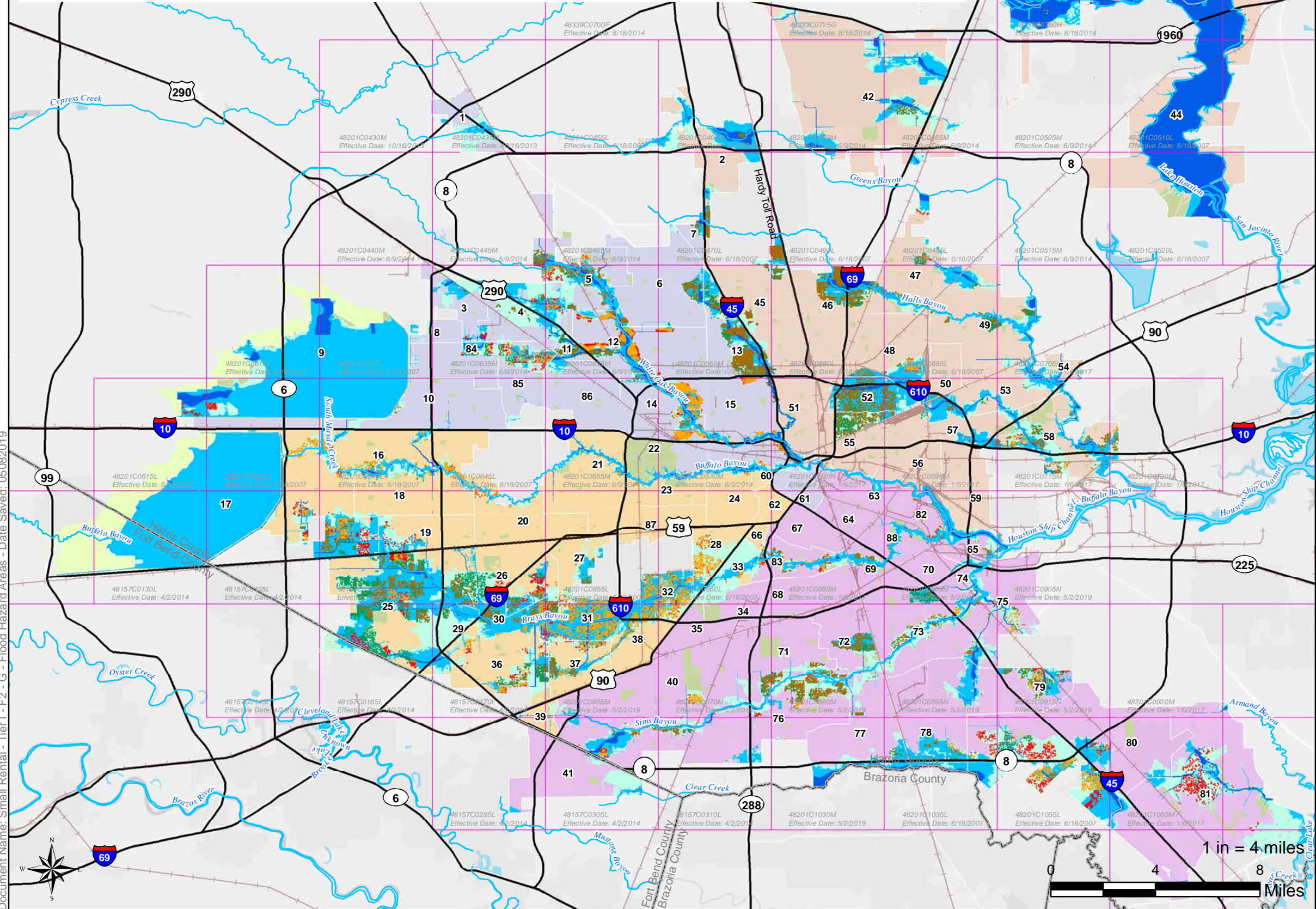
Written comments should be sent to HCDD at 2100 Travis Street, 9th Floor, Houston, Texas 77002, Attention: Tom McCasland, HCDD Director. Comments may also be submitted via email to Matthew.jenkins@houstontx.gov, Pirooz.Farhoomand@houstontx.gov, or Julia.Thorp@houstontx.gov. Telephone inquiries regarding this public comment process will be addressed at (281) 531-3174. The minimum 15 calendar day comment period will begin the day after the publication and end on the 16th day after the publication. Such comments should be received by HCDD on or before June 4, 2019.

City of Houston: Sylvester Turner, Mayor

HCDD: Tom McCasland, Director

May 20, 2019

Flood Hazard Areas (FHA)	Count											
	Q1			Q2			Q3			Q4		
	FW	100-Y	500-Y	FW	100-Y	500-Y	FW	100-Y	500-Y	FW	100-Y	500-Y
Small Rental Residential Properties (1-7 Units) within FHA	475	4,923	5,204	615	3,644	3,804	28	7,623	6,896	50	1,798	4,554
Small Rental Residential Properties (1-7 Units) Impacted by Harvey	378	3,037	2,172	431	2,610	1,733	10	4,171	2,433	28	989	2,217
Small Rental Residential Properties (1-7 Units) NOT Impacted by Harvey	97	1,886	3,032	184	1,034	2,071	18	3,452	4,463	22	809	2,337



Legend

- Major Waterway
- Railroads
- Freeways
- County Regions
- Parks
- Dry Reservoir
- Waterbody

Super Neighborhoods (88)
COHGIS 07/20/2017

- Quadrant 1 - Flood Hazard Areas present
- Quadrant 2 - Flood Hazard Areas present
- Quadrant 3 - Flood Hazard Areas present
- Quadrant 4 - Flood Hazard Areas present

Flood Hazard Areas
FEMA 05/02/2019

- Floodway (FW) (42.30 SqMi)
- 100-Year Floodplain (109.38 SqMi)
- 500-Year Floodplain (76.25 SqMi)
- FIRM Panels

FEMA Individual Assistance (IA)
FEMA - CIVIS 09/14/2018

- Small Rental Residential Properties within Floodplains (39,614)
- Small Rental Residential Properties Impacted by Harvey Within Floodplains (20,209)
- Small Rental Residential Properties in LMI within Floodplains (22,566)
- Small Rental Residential Properties Impacted by Harvey in LMI within Floodplains (11,001)

Figure 2 - 1
Flood Hazard Areas in the City of Houston

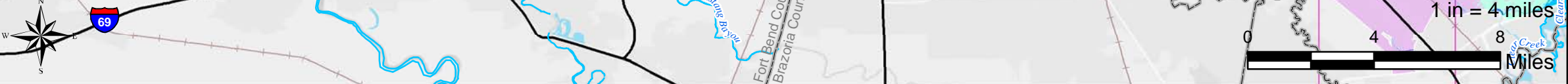
Tier I Broad Environmental Assessment
Community Development Block Grant
Hurricane Harvey Disaster Recovery
Small Rental Residential Properties
(1-7 Units per Building)

Data Sources: Federal Emergency Management Agency (FEMA) 05/02/2019 - 03/26/2018; CIVIS Analytics (CIVIS) 09/14/2018; Housing & Community Development Department; and the City of Houston GIS (COHGIS) 07/20/2017

Disclaimer:
All data is prepared and made available for general reference purposes only and should not be used or relied upon for specific applications, without independent verification. All data is best available at time of figure production.

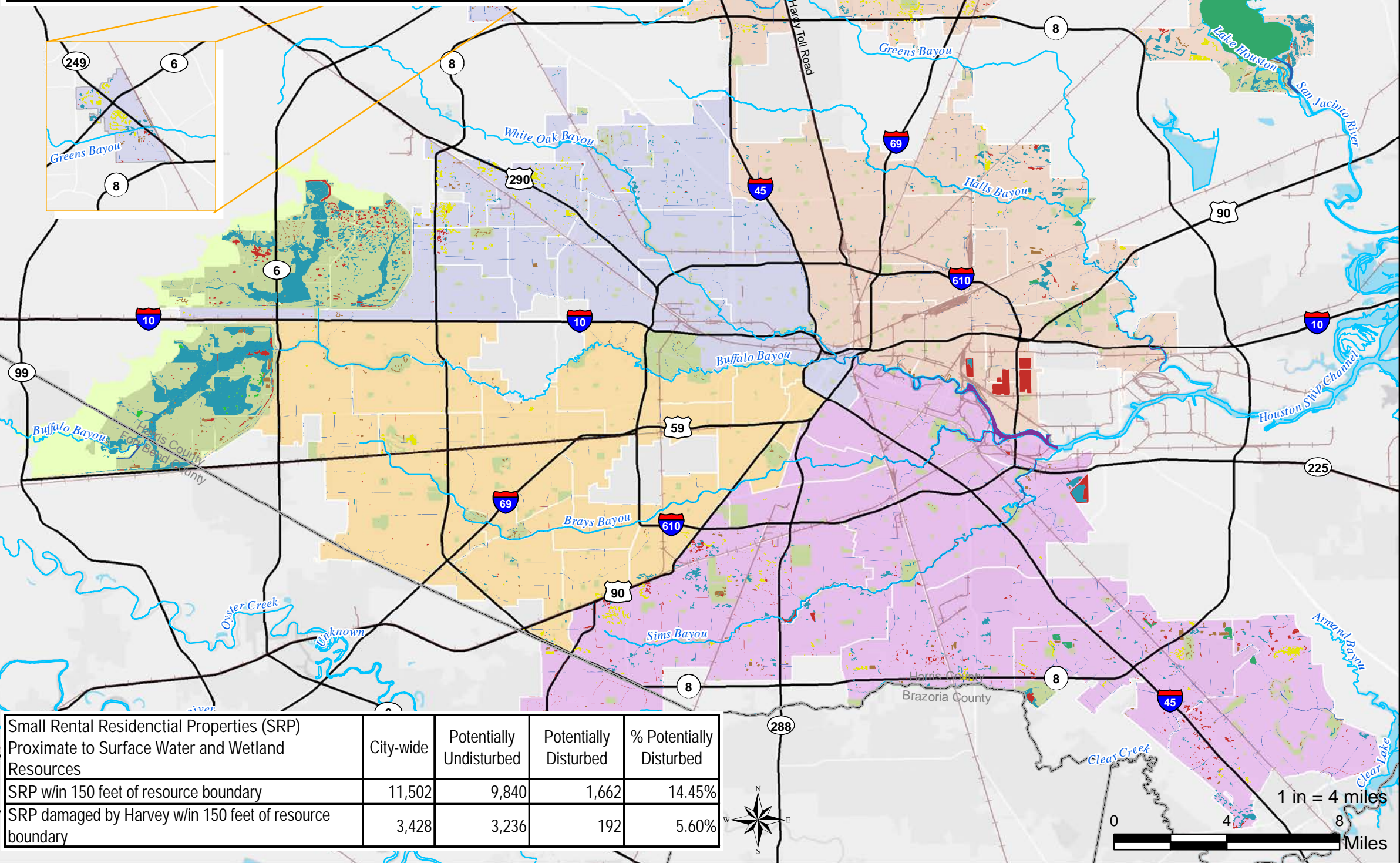
The City of Houston neither represents, nor warrants the data accuracy, or completeness, nor will the City of Houston accept liability of any kind in conjunction with its use.

Document Name: Small Rental - Tier I - F2 - G - Flood Hazard Areas - Date Saved: 05/08/2019



Document Name: Small Rental - Tier I - F3 - G - Surface Water and Wetlands Resources - Date Saved: 05/02/2019

Surface Water and Wetland Resources	Q1 Acres	Q2 Acres	Q3 Acres	Q4 Acres	Total Area Acres	% of PD per Resource type
Freshwater Emergent	486.28	916.10	169.51	799.89	2,371.79	
Freshwater Emergent Potentially Disturbed (PD)	208.96	117.50	15.23	133.08	474.77	16.68%
Freshwater Forested/Shrub	3,165.86	3,939.70	3,755.55	1,131.81	11,992.92	
Freshwater Forested/Shrub Potentially Disturbed (PD)	415.41	981.15	98.84	419.50	1,914.89	13.77%
Freshwater Pond	189.45	421.80	285.35	414.36	1,310.95	
Freshwater Pond Potentially Disturbed (PD)	7.73	25.93	4.21	19.60	57.46	4.20%
Riverine	351.28	802.30	462.54	738.58	2,354.70	
Riverine Potentially Disturbed (PD)	0.00	2.32	0.00	0.00	2.32	0.10%
Estuarine and Marine Deepwater	0.00	118.90	0.00	321.12	440.02	
Estuarine and Marine	0.00	5.49	0.00	0.19	5.68	
Lake	0.00	11,390.46	0.00	156.20	11,546.66	
Other	0.00	1.83	92.72	0.00	94.55	



Legend

- Major Waterway
- Railroads
- Freeways
- County Regions
- Parks
- Dry Reservoir
- Waterbody

Super Neighborhoods (88)
COGIS 07/20/2017

- Quadrant 1 - Surface Water and Wetland Resources Present
- Quadrant 2 - Surface Water and Wetland Resources Present
- Quadrant 3 - Surface Water and Wetland Resources Present
- Quadrant 4 - Surface Water and Wetland Resources Present

Surface Water and Wetland Resources
USFWS - NWI 05/01/2018

- Potentially Disturbed Wetland Resources (2,449.45 Ac)
- Estuarine and Marine Deepwater (440.02 Ac)
- Estuarine and Marine Wetland (5.68 Ac)
- Freshwater Emergent Wetland (2,371.79 Ac)
- Freshwater Forested/Shrub Wetland (11,992.92 Ac)
- Freshwater Pond (1,310.95 Ac)
- Lake (11,546.66 Ac)
- Riverine (2,354.70 Ac)
- Other (94.55 Ac)

Note: For the purposes of the Tier I Environmental Review, the Surface Water and Wetland Resources include both potentially undisturbed and potentially disturbed wetlands. To further define a potentially disturbed wetland, we are including filled, graded or otherwise developed areas identified as wetland resources reviewed with USFWS NWI Mapper Tool aerial imagery.

Figure 3 - 1
Surface Water and Wetland Resources in the City of Houston

Tier I Broad Environmental Assessment
Community Development Block Grant
Hurricane Harvey Disaster Recovery
Small Rental Residential Properties
(1-7 Units per Building)

Small Rental Residential Properties (SRP) Proximate to Surface Water and Wetland Resources	City-wide	Potentially Undisturbed	Potentially Disturbed	% Potentially Disturbed
SRP w/in 150 feet of resource boundary	11,502	9,840	1,662	14.45%
SRP damaged by Harvey w/in 150 feet of resource boundary	3,428	3,236	192	5.60%



Data Sources: U.S. Fish & Wildlife Service (USFWS) - National Wetlands Inventory (NWI) 05/01/2018; Housing & Community Development Department; and the City of Houston GIS (COGIS) 07-20-2017

Disclaimer:
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