

Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

To: All interested Agencies, Groups and Individuals (FEMA, U.S. EPA Region 6, U.S. Army Corps of Engineers, and Harris County Flood Control District) and the Public at Large

This is to give notice that the **City of Houston Housing & Community Development Dept. (HCDD)**, as **Responsible Entity under Part 58**, has conducted an evaluation as required by **Executive Order 11988**, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential effect that its activity in the floodplain will have on the human environment for the Multifamily Disaster Recover 2017 project, Gala at MacGregor, under **B-17-DM-48-0001**.

The Gala at MacGregor, which will be an affordable 55 years of age and up senior development, 85-unit podium style construction consisting of one building with four (4) stories. This new multifamily development will be constructed upon an approximately 1.196 acre tract of land located at 102-120 Carson Ct. (HCAD #0611270360003, #0611270360005, #0611270360006, #0611270360007), Houston, Harris County, Texas 77004. The site is located in the 100-year floodplain as indicated on Flood Insurance Rate Map (FIRM) FM48201C0860L, revised 6/18/2007.

HCDD has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

- 1) *No-Action Alternative*: Gala at MacGregor would not be constructed using CDBG-DR funding. This alternative was rejected since would fail to address the demand for affordable housing, one of the primary purposes for the funding.
- 2) *Construct the development on a property outside of the floodplain*: After an extensive search for multi-family properties meeting all of the search criteria, it was found that there are no other available properties for this program. In addition, the project was recently awarded Housing Tax Credits from the Texas Department of Housing and Community Affairs (TDHCA). Since the feasibility of the project is dependent on the receipt of these credits and moving the property to a different location would result in losing them, this alternative has been rejected.

Fund the development as proposed: Constructing the development at the subject property is the preferred option. The current plans will include no use of fill on the development, and elevation of living space well above the required 2 feet above the 500-year floodplain the current FEMA flood FIS study for Brays Bayou shows a 500-year flood event at a flood elevation of 42.0. The first residential floor of the project will be at an elevation of approximately 57.0+/- . The development will be podium style and will provide for the allowance of water flow in the structure under the living space (first floor of two floors parking below the residential apartment. Also residents will be informed of evacuation routes and proper steps and protocol in the case of flash flood events.

Steps have been taken to minimize risks to human life and property via construction methods, flood insurance, and areawide emergency alert systems. Furthermore, in addition to flood insurance requirements, residents will be encouraged to purchase personal property insurance. Until an approved Letter of Map Revision (LOMR) has been received from FEMA which effectively removes the building from the floodplain, the property owner will maintain flood insurance for the building to protect against flood damage.

The "Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain" for this

project ran on October 14, 2019 in the Houston Chronicle. HCDD has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of **Executive Order 11988**, 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. This activity will have no significant impact on the environment for the following reasons:

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. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains 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, it must inform those who may be put at greater or continued risk.

This notice is required by Section 2(a)(4) of Executive Order 11988 for the Protection of Floodplains and is implemented by HUD Regulations found at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands. The 8-Step Decision Making Process includes public notices and the examination of practicable alternatives to building in the floodplain and wetland. Additional project information, including maps of floodplains and wetlands for the project area, is contained in the Environmental Review Record (ERR) on file at the City of Houston Housing & Community Development Department, 2100 Travis, 9th Floor, Houston, Harris County, Texas 77002, and may be examined or copied weekdays 8am to 5pm.

Written comments must be received by the **HCDD** at the following address on or before **December 18, 2019, 2100 Travis, 9th Floor, Houston, Harris County, Texas**, Attention: **HCDD Environmental Team**. A full description of the project may also be reviewed from **8:00 AM to 5:00 PM** at the address provided above. Comments may also be submitted via phone at (832) 394-6018 or via email at matthew.jenkins@houstontx.gov and julia.thorp@houstontx.gov.

Date of Publication: December 11, 2019