

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 and 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 the proposed activity in the floodplain will have on the human environment for the Multifamily Disaster Recover 2017 project, OST Lofts, under **B-17-DM-48-0001**.

The OST Lofts project will include new construction of a 130-unit mixed-income multifamily development to be located on 5.44 acres of previously developed land addressed at 5520 Old Spanish Trail, Houston, Texas 77023. The complex will consist of four (4) four-story residential buildings, parking spaces, playground, clubhouse, fitness center, swimming pool, electric vehicle charging stations, grill areas, walking trail, and two storm water detention ponds. The complex will also include an onsite stand-alone quality preschool building.

Total impacts include 4.22 acres of the 100-year floodplain and 1.15 acres of the 500-year floodplain. No wetland areas will be impacted. Natural and beneficial functions of the floodplain include floodwater storage and attenuation. There is minimal potential for historic or cultural resources due to a lack of historic sites in the vicinity and confirmation with the state historic preservation officer. No suitable habitat for federal or state-listed species is present on the property.

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*: OST Lofts would not be constructed using federal CDBG-DR funding. This alternative was rejected since it would fail to address the demand for affordable housing, one of the primary purposes for the funding.
- 2) *Construct the development in a different location*: The location of the property was selected based on the revitalization of the area and excellent access to amenities, education, transportation, and employment as well as its location in a Council District in need of additional affordable housing options. In addition, the project was recently awarded 9% Housing Tax Credits from the Texas Department of Housing and Community Affairs (TDHCA). The award is contingent on the development being constructed on the undeveloped tract as originally proposed. 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.
- 3) *Modify the project to avoid or minimize impacts to the floodplain*: The development has been designed to avoid impacts to the floodplain as much as practicable. Complete avoidance of the floodplain is impracticable due to design constraints and requirements for stormwater controls.

Fund the development as proposed: Constructing the development as proposed is the preferred option as this allows for the creation of affordable housing in a growing area. Measures have been taken to protect the natural and beneficial functions and values of the floodplain by raising the residential buildings to at least 2 feet above the 500-year floodplain, constructing two stormwater detention ponds, and utilizing a podium-style construction plan to allow for pass through of floodwaters. These measures are also designed to protect the lives, health, safety, and property of OST Lofts residents. Additional measures have been taken to protect the life, health, safety, and property of residents by providing elevated utilities, as well as access ways to and from the site that lie outside of the 100-year floodplain. Residents will be notified of the risk for flooding in this area and will be encouraged to practice emergency preparedness and recommended to purchase insurance to protect property. The project will be in full compliance with Chapter 19 of the City of Houston Code of Ordinances. Additionally, all state and local water quality protection procedures will be included in the construction plans.

The “Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain” for this project ran on Friday, November 12, 2021 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.

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 for the project area and its census tracts, 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 Friday, February 11, 2022: **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) 394-6183 or (832) 394-6397 or via email at hcdenvironmental@houstontx.gov.

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