

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

December 20th, 2024

City of Mercedes

400 S Ohio Avenue

Mercedes, Texas, 78570

(956) 565-3114

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

REQUEST FOR RELEASE OF FUNDS

On or about January 31th, 2025 the City of Mercedes will submit a request to the HUD/State administering agency for the release of HUD's Community Development Block Grant Disaster Recovery ("CDBG-DR") Program -2019 HUD MID- LRGV funds under 24 CFR Part 58 of 2019, as amended, to undertake a project known as City of Mercedes Drainage Improvements near Mercedes Emergency Dome for the purpose of alleviating the surrounding city of Mercedes from flood events and allowing the residents to have access to its only Emergency dome in the area by excavating a detention pond and incorporating drainage ditches, installing piping and manholes, and completing associated appurtenances. The Proposed total estimated funding for this project is \$1,119,653.00 and will be located at the following locations: 1. Drainage Improvements Site 1 Along Easement (1,120 LF) – From intersection of Armory Road and North Vermont Avenue westward 900 ft and then south 220 ft into an existing drainage ditch to be excavated (26.162573°,-97.920870°), 2. Drainage Improvements Site 2 Drainage Ditch (810 LF) – From ending of Drainage Improvement Site 1 westward approximately 810 ft crossing Mile 1 West Road into Detention Pond (26.161815°,-97.924970°), 3. Drainage Improvements Site 3 Detention Pond (1 Public Facility PF) - From ending of Drainage Improvements Site 2 westward approximately 126 ft crossing Mile 1 West Road into Proposed 6.3 AC Detention Pond (26.161110°,-97.927035°).

FINDING OF NO SIGNIFICANT IMPACT

The City of Mercedes 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 Mercedes City Hall (400 S Ohio Ave, Mercedes, TX, 78570) / Mercedes Public Library (434 S Ohio Ave, Mercedes, TX, 78570) where ERR can and may be examined or copied weekdays 8:00 A.M to 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Mercedes Mayor Oscar D. Montoya Sr. All comments received by January 31th, 2025, will be considered by the City of Mercedes prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of Mercedes certifies to HUD/State of Texas that City of Mercedes Mayor Oscar D. Montoya Sr. is 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 and that these responsibilities have been satisfied. HUD's State of Texas's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of Mercedes to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD/State of Texas will accept objections to its release of fund and the City of Mercedes 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 Mercedes; (b) the City of Mercedes has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient 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 HUD/State of Texas; 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 and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD/State of Texas administration office located at Housing Authority of City of Austin, 1124 S I-35 Frontage Road, Austin, TX, 78704. Potential objectors should contact HUD/State of Texas to verify the actual last day of the objection period.

Mercedes Mayor Oscar D. Montoya Sr.

Note: The fifteen or eighteen-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to HUD/State. The Responsible Entity may choose to allow a longer comment period. 24 CFR Part 58 requires, at Section 58.46, "Time delays for exceptional circumstances," a 30-day comment period for controversial or unique projects or those similar to projects normally requiring preparation of an Environmental Impact Statement. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

Following completion of the comment period recipients may FAX the form HUD-7015.15 to HUD/State together with a copy of the public notice and a cover letter stating whether comments were received and, if so, how the recipient responded to the comment. The Request for Release of Funds and Certification should not be submitted before the recipient has responded. If the request is sent by FAX, the original signed form should be mailed to HUD/State. The date of receipt by FAX will be counted as the submission date. However, HUD will not issue the 7015.16 "Authority to Use Grant Funds" until after the original signed form is received.