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NEWTON COUNTY
GLO Contracts #18-533-000-B277 & #20-006-015-C08
2016 & Harvey Buyout Programs

- ☒ Executive Summary (Project Description)
- ☒ HUD Exempt/CENST Form for Admin
- ☒ Tiering Plan w/ Sample Site Specific Checklist
- ☒ Part 58 EA Form
  - ☒ Attachment A: Airport Hazards
  - ☒ Attachment B: Coastal Barrier Resources
  - ☒ Attachment C: Flood Insurance
  - ☒ Attachment D: Clean Air
  - ☒ Attachment E: Coastal Zone Management
  - ☒ Attachment F: Contamination and Toxic Substances
  - ☒ Attachment G: Endangered Species
  - ☒ Attachment H: Explosive and Flammable Hazards
  - ☒ Attachment I: Farmlands Protection
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  - ☒ Attachment K: Historic Preservation
  - ☒ Attachment L: Noise Abatement and Control
  - ☒ Attachment M: Sole Source Aquifers
  - ☒ Attachment N: Wetlands Protection
  - ☒ Attachment O: Wild and Scenic Rivers
  - ☒ Attachment P: Environmental Justice
- ☒ Proof of Publication (Ad/Affidavit)
- ☒ RROF Certification
- ☒ AUGF

Executive Summary

General Land Office
Community Development and Revitalization
Newton County
2016 Floods & Harvey Buyout Program

Historical Overview

Newton County, Texas was inundated with historic flash and river flooding in 2015, 2016, and again during Hurricane Harvey. As a result, several Presidential Disasters were declared including DR-4266 which was issued on March 19, 2016 and DR-4332 on August 25, 2017.

The first event, now called the "Memorial Day Floods," occurred overnight on May 23rd and early May 24th. May 2015 has been documented by the National Weather Service as the wettest month in Texas History, with well above-normal rainfall during the first two to the three weeks of the month. A persistent area of low pressure over the western United States brought multiple rain events throughout the month of May that saturated soil throughout south-central Texas. By the time Memorial Day weekend arrived, much of the region was at least 2-4 inches (100-300%) above normal. These wet antecedent conditions meant that any new rain, and especially heavy rain, would become rapid run-off directly into rivers, streams, and flash flood prone areas.

The second flood event followed just six months later in October 2015, referred to as the "All Saints Day flood." A number of factors came together to produce rainfall in excess of ten inches, causing the Sabine River to once again swell beyond its banks.

Less than a year after the Memorial Day floods and less than five months after All Saints Day flood, the Sabine River crested at its highest level in over 130 years due to rainfall in the basin totaling over eighteen inches during a five day period in March, 2016. With the weather system lingering over the area, the previous high water record set in 1884 was surpassed by over a foot. More than 400 homes were flooded and mandatory evacuations were required. Finally, the County was flooded once again when Hurricane Harvey made landfall in August 2017.

In response to the needs of homeowners, Newton County applied and received federal funding passed down through the Texas General Land Office. The GLO's Community Development and Revitalization (GLO-CDR) division oversees the administration of Community Development Block Grant Disaster Recovery (CDBG-DR) funds provided by the U.S. Department of Housing and Urban Development (HUD) following a disaster. These funds remain the most flexible recovery source available and can support communities with protection and resiliency.

Purpose

The purpose of the Newton County Buyout Programs is to aid in long-term recovery efforts by

encouraging families that had homes damaged due to the March 2016 floods and/or Harvey to permanently relocate to areas outside of the floodplain and floodway.

HUD has authorized the use of buyout programs to:

(1) Reduce the risk to homeowners from the effects of subsequent disasters.

(2) Assist in the recovery of low to moderate income households.

(3) Protect taxpayer resources that might otherwise be needed after disaster in the same area (80 FR 72102).

Participation in the Buyout Programs are completely ***voluntary***. There will be no threat or use of eminent domain and the program meets the requirements set forth in 49 CFR 24.101(b). The main goal is to help homeowners relocate to another home in a lower risk area.

Property May Not be Redeveloped

Once the homeowner has purchased a lot or home as a result of the buyout, the homeowner's storm damaged property will be demolished. Newton County may not redevelop property acquired through the Buyout Programs. Property will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or floodplain and wetlands management practices, or other purposes allowed by HUD and accepted by the GLO.

No new structure will be erected on property acquired, accepted, or from which a structure was removed under the acquisition or relocation program other than:

- a public facility that is open at all sides and functionally related to a designated open space (e.g. a park, campground, or outdoor recreation area)
- a restroom
- a flood control structure, provided that structure does not reduce valley storage, increase erosive velocities, or increase flood heights on the opposite bank, upstream, or downstream and that the local floodplain manager approves, in writing, before the commencement of the construction of the structure.

Breakdown of Funding

Funds requested are $3,679,141.00 from 2016 Grant Funds (Contract # 18-533-000-B277) and $8,005,224 from Harvey Grant Funds (Contract #20-066-015-C108).

HUD Exempt/CENST Form

U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5

Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

Project Information

Project Name: *Single Family Homeowner Assistance Programs: Rehabilitation, Reconstruction, New Construction, Demolition, and Buyout*

Responsible Entity: *Newton County*

Grant Recipient (if different than Responsible Entity): *N/A*

State/Local Identifier: *CDBG-DR Pending*

Preparer: *Traylor & Associates, Inc.*

Certifying Officer Name and Title: *Paul Price, County Judge*

Consultant (if applicable): *Traylor & Associates, Inc.*

Project Location: *County-wide – various properties throughout Newton County*

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:
Newton County will replenish the supply of affordable housing as part of its long-term recovery plan from the 2016 flooding events.

The County will assist approximately 95 eligible low-to-moderate income homeowners with the rehabilitation, relocation, and new construction of single family residential homes, including the acquisition of property outside of high risk areas. The County will assist approximately 18 eligible non-low-to-moderate income homeowners with the rehabilitation, relocation, and new construction of single family residential homes, including the acquisition of property outside of high risk areas.

Through the buyout program, the County will purchase property located in high risk areas from approximately 9 eligible low-to-moderate income homeowners. The County will purchase property located in high risk areas from approximately 4 eligible non-low-to-moderate income homeowners.

Relocation assistance will be offered to eligible individual applicants.

Level of Environmental Review Determination:

☒ Activity/Project is Exempt per 24 CFR 58.34(a): *Administration and Engineering Services*

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):

Funding Information

Grant Number	HUD Program	Funding Amount
Pending	*CDBG-DR*	*$19,759,085*

Estimated Total HUD Funded Amount: *$19,759,085*

This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable)**:** *N/A*

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:** *$19,759,085*

Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6		
Airport Runway Clear Zones and Accident Potential Zones 24 CFR Part 51 Subpart D	Yes ☐ No ☒	*These housing improvement projects may involve the sale or purchase of existing property under the buyout portion of the program. These housing projects will not be located within 15,000 feet of the end of a military runway (Military Airfield's Clear Zone). Newton Municipal Airport and Scrappin Valley Airport are located within Newton County. As addresses are known a site specific Civil Airport Clear Zone determination will be made. See Attachment A- Airport Map.*
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	*These housing improvement projects are located in Newton County, which is not in a coastal resource barrier area. See Attachment "B" – Texas Coastal Barriers Map*
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes ☐ No ☒	*Newton County does participate in the National Flood Insurance Program (NFIP). Portions of these housing projects will be located in the flood plain. The 8 step process will be followed when required.*

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
N/A	*N/A*

Preparer Signature: Kari Beth Smith Date: 11/10/17

Name/Title/Organization: *Kari Beth Smith, Compliance Coordinator – Traylor & Assoc., Inc.*

Responsible Entity Agency Official Signature:

Paul Price Date: 11/10/17

Name/Title: *Paul Price, County Judge*

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5

Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

Project Information

Project Name: *CDBG-DR Local Buyout Program*

Responsible Entity: *Newton County*

Grant Recipient (if different than Responsible Entity): *N/A*

State/Local Identifier: *CDBG-DR Pending*

Preparer: *Traylor & Associates, Inc.*

Certifying Officer Name and Title: *Kenneth Weeks, County Judge*

Consultant (if applicable): *Traylor & Associates, Inc.*

Project Location: *County-wide*

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:
The County will buyout flood damaged homes throughout Newton County which were damaged during floods events of Hurricane Harvey using contracted services.

Level of Environmental Review Determination:

☒ Activity/Project is Exempt per 24 CFR 58.34(a): *Administration Services*

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):

Funding Information

Grant Number	HUD Program	Funding Amount
Pending	*CDBG-DR*	*8,005,224*

Estimated Total HUD Funded Amount: *$8,005,224*

This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable)**:** *N/A*

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:** *$8,005,224*

Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6		
Airport Runway Clear Zones and Accident Potential Zones 24 CFR Part 51 Subpart D	Yes ☐ No ☒	
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes ☐ No ☒	

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
N/A	*N/A*

Preparer Signature: _____ Date: 6/12/19

Name/Title/Organization: *Mark Taylor, Director of Operations – Traylor & Assoc., Inc.*

Responsible Entity Agency Official Signature:

_____ Date: 6/12/19

Name/Title: *Kenneth Weeks, County Judge*

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Tiering Plan

Tiering Plan

Newton County
Community Development and Revitalization
2016 Floods & Harvey Buyout Program

Newton County, Texas
Community Development and Revitalization
Buyout Program

A Project Description has been completed for this project. The Responsible Entity has determined that this project will be tiered. All of the project addresses are not known. The project will be classified under Environmental Assessment per 24 CFR 58.36. A tiered project allows the analysis to be completed on a geographic area to address environmental impacts that might occur, or not occur on a typical site within the area. This broad review of the geographical area will make it so the compliance factors listed will not have to be repeated on a site specific basis, once eligible individuals or families are known. No construction work will begin until all levels of this review are complete.

Broad Review:

1. Characteristics of the targeted area.
    a. Established Residential sites
    b. Schools, Churches, Hospitals, Transportation, etc. are available in the area
    c. Small, rural atmosphere
    d. The geographic area is defined as within the boundaries of Newton County, Texas

2. Targeted Population.
    a. Homeowners whose primary residence is in Newton County.

3. Limitations of the project.
    a. Assistance will be given to a maximum of 300 individuals or families
    b. Broad review will be careful to verify this project does not impact the local environment not only for its well being, but the project is limited to grant funds.

4. The following compliance factors will be analyzed in this broad review:

    a. Airport Runways & Clear Zones
    b. Coastal Barriers
    c. Flood Insurance
    d. Air/Water Quality
    e. Coastal Zone Management
    f. Endangered Species
    g. Farmland Protection Policy

h. Tribal Consultation
i. Noise Abatement & Control
j. Sole Source Aquifers
k. Environmental Justice

a) A Notice of Intent/Request for Release of Funds will now be published for comment by the public. At the end of the comment period, a Request for the Release of Funds certification will be completed and submitted to Texas General Land Office for the Federal objection period and then issuing of the Authority to use Grand Funds.

Site Specific Review

At the conclusion of the Broad Review, the Responsible Entity found that none of the compliance factors analyzed triggered any further review or mitigation

Once all eligible project activities have been identified, a site specific review will be carried out for each activity. A site specific checklist has been developed and the following compliance factors will be analyzed for each activity:

a. Historic Preservation
b. Floodplain Management
c. Explosives and Flammable Hazards
d. Contamination and Toxic Substances
e. Wetland Preservation
f. Wild & Scenic Rivers

If impacts that cannot be fully mitigated or corrected are identified during the site-specific reviews, then that site will be treated as a separate project and the process of environmental review and publishing or posting notices will be carried out for that individual site.

If there are no impacts or impacts will be fully mitigated during construction on an individual site, then that project will proceed without further notice to the public.

Each site-specific checklist will be submitted to Texas General Land Office for review. Please see attached site specific checklist.

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

In the table below, the blue highlighted compliance determinations will be made at the site specific level. All other areas will be addressed in this Broad Review.

HUD Environmental Review Topic	2016 Floods & Harvey Buyout Proposed Action Newton County will purchase flood damaged homes and demolish any man-made structures on the site.
Airport Hazards	
Coastal Barrier Resources	
Flood Insurance	
Clean Air	
Coastal Zone Management	
Contamination & Toxic Substances	S-S
Endangered Species	
Explosive & Flammable Hazards	S-S
Farmlands Protection	
Floodplain Management	S-S
Historic Preservation	S-S
Tribal Consultation	
Noise Abatement & Control	
Sole Source Aquifers	
Wetlands Protection	S-S
Wild & Scenic Rivers	S-S
Environmental Justice	

SITE SPECIFIC CHECKLIST

Newton County -2016 Floods - 18-533-000-B277 or Harvey – 20-066-015-C108

Grant Recipient: **Newton County** Project Name: _____

Project Description (Include all actions which are either geographically or functionally related): *Demolition of all man-made structures on the project site including the flood damaged home and outbuildings. Existing septic system will be crushed and filled. Existing water well will be capped. Propane tank used for personal cooking and heating will be drained/capped and removed from the property. Homeowner will remove all personal property including explosives, flammables, and contaminants before demolition. Project site will be graded and seeded with native grasses after demolition.*

Location: _____

The Newton County HAP is classified as a tiered Environmental Assessment (EA) (24 CFR 58.36, subpart E) subject to laws and authorities at 24 CFR 58.5, 24 CFR 58.6, National Environmental Policy Act (NEPA) analysis, and the additional EA Factors discussed by HUD.

Date of Publication: _____ Date of Issuance of Authority to Use Grant Funds: _____

The following Compliance Factors were evaluated in the Broad Review: **Airport Hazard-Military Airfield Clear Zones, Flood Insurance, Coastal Barrier Resources, Clean air, Coastal Zone Management, Endangered Species, Farmlands Protection, Tribal Portion of Historic Preservation, Sole Source Aquifers, and Environmental Justice.**

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] **Floodplain Management** Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No ☒	Newton County does participate in the National Flood Insurance Program (NFIP). Demolition projects do not require flood insurance. To participate in the 2016 Flood Buyout Program, a homeowner's primary residence must be located within the floodway or within the 100 year floodplain (zone A or zone AE). This address is located in _____. Flood Map Panel # _____ - Attachment B
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☐ No ☒	A visual assessment was conducted on _____ and it was noted there are no above ground toxic chemicals or radioactive materials as defined by "Siting of HUD-assisted Projects Near Hazardous Facilities" on or adjacent to the project site. MHU/Home was constructed in _____. Asbestos containing materials and lead based paint would/would not have been used during construction. The NEPAssist Tool indicated there are no toxic chemicals or radioactive materials within a half of a mile of the

		location. – Attachment C ***Mitigation Measures:*** *Vendors for the Newton County Buyout Program must ensure builders complete the GLO Demolition Checklist. In addition, builders/demolition crews must ensure asbestos containing waste is properly contained, labeled and transported to the appropriate municipal solid waste disposal facility as required by TCEQ (30 TAC 330.171). All Regulated Asbestos-containing material (RACM) shall be disposed of at a Type I or Type IAE landfill. Non-RACM may be disposed of at Type I, Type IAE, Type IV, or Type IVAE landfills. For additional information regarding Texas Asbestos Disposal rules contact TCEQ at (512) 239-6412.*
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No ☒	A visual assessment was conducted on _____ and it was noted there are no above ground explosive or flammable fuel or chemical containers as defined by "Siting of HUD-assisted Projects Near Hazardous Facilities" on or adjacent to the project site. Also, the NEPAssist Tool indicated there are no explosive or flammable operations within a half of a mile of the location. –Attachment C
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes ☐ No ☒	Letter from State Historical Commission indicating "project may proceed"regarding above ground resources was received on _____. Letter from THC indicating that there were "no archaeological concerns" was received on _____. The County and SHPO concur that no Historic properties will be affected by this project. -- Attachment D Tribal Preservation was addressed on broad review.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☐ No ☒	Photographs taken during site observations on _____ and review of wetlands maps show the project site is/is not in or adjacent to a wetland. Demolition is not expected to have an impact on the wetlands, but precautions will be taken to prevent destruction of habitats by working only in the areas that have already been developed with man-made structures. Area will be graded and seeded with compatible native grasses to prevent runoff and erosion. See Attachment E– National Wetlands Inventory map
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☐ No ☒	Project is located approximately _____ miles from the Sabine River, which may be a potential component of the Wild and Scenic River system according to the National Park Service. Project is not expected to have an impact on the river. **OR** Project is adjacent to the Sabine River, which may be a potential component of the Wild and Scenic River system according to the National Park Service. Proper precautions will be taken to protect the Sabine River from contaminants and debris during demolition.

		Mitigation Measures: *Builder will use best practices to safely demolish and dispose of debris which will include properly containing materials during transport and providing a receipt of proper disposal if it is believed that materials containing asbestos or LBP or present. To further protect the Sabine River from such materials, builder will use silt fencing and berming to prevent stormwater runoff. Builder will also take extra precautions to ensure that hazardous chemicals are not improperly stored at the project site.*

PREPARER SIGNATURE: _____ DATE: _____
PREPARER NAME: _____
PREPARER E-MAIL: _____

Part 58 EA Checklist

U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: *Community Development and Revitalization-2016 Floods & Harvey Buyout Programs*

Responsible Entity: *Newton County*

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: *GLO #18-533-000-B277 & GLO #20-066-015-C108*

Preparer: *Christel Kiker-Administrative Assistant-Traylor & Associates*

Certifying Officer Name and Title: *Kenneth Weeks, Newton County Judge*

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): *Traylor & Associates, Inc.*

Direct Comments to: *Christel Kiker-Administrative Assistant- Traylor & Associates*

Project Location: *The Responsible Entity has determined that this project will be tiered. All project addresses within Newton County are not known. A tiered project allows the analysis to be completed on a geographic area to address environmental impacts that might occur, or not occur on a typical site within the area. This broad review of the geographical area will make it so the compliance factors listed will not have to be repeated on a site-specific basis, once eligible individuals or families are known. No demolition work can begin until a site-specific analysis is complete. The Authority to Use Grant Funds will be issued on completion of this Broad Review, but funds will not be distributed until each site-specific analysis is complete, which will allow demolition to occur.*

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]**:**
Newton County will purchase storm damaged homes and property from eligible homeowners that received damage during the 2016 Floods and Harvey on a voluntary basis. The homeowners' property must be located in a floodplain or floodway to qualify. Homeowners will be offered pre-flood fair market value as determined by a professional appraiser. The purchase of these homes will allow homeowners to relocate to safe, sanitary living conditions in less disaster- prone areas. If it is determined that the homeowners are unable to fully recover using funds received from the sale of the home and property, they may be eligible for down payment assistance or relocation assistance incentives which will be decided on a case by case basis by Newton County. After buyout, all utilities will be disconnected, and the damaged homes and any other manmade features on the property will be demolished and disposed. To prevent creating a safety hazard, wells and septic systems will be capped or filled as needed. Any propane tanks used for personal cooking or heating will be capped and removed from the property. The properties would be graded and left in a stabilized condition (ie. grass growth covering property). Deed restrictions placed on the land will not allow it to be redeveloped. Property will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreation, or floodplain and wetlands management practices or other purposes allowed by HUD. Since the properties will be permanently preserved as open space, it will serve as a natural buffer against future storms and floods.

Asbestos is of concern if the homes and other structures were constructed prior to 1982. Lead based paint is a concern if the homes were built before 1978. Many of the homes in Newton County are older and may contain asbestos and/or lead based paint. Construction contractors must determine if these toxins are present, and if present these toxins must be addressed in accordance with all applicable federal, state, and local laws and regulations. See further discussion and best practices in the Mitigation Measures section.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

Through the 2016 Floods & Harvey Buyout Programs, Texas General Land Office administers funds provided by U.S. Department of Housing and Urban Development. The primary purpose of the Newton County Buyout Programs are to aid in long-term recovery efforts by encouraging families that had homes damaged due to the March 2016 floods and/or Harvey to permanently relocate to an area outside of the floodplain or floodway. HUD has authorized the use of buyout programs to reduce the risk to homeowners from subsequent disasters, assist in the recovery of low to moderate income households, and to protect taxpayer resources that might be needed after another disaster in the same area. A portion of these funds will be used to assist non-LMI

homeowners that have not been able to adequately recover from the storms and want to relocate outside of the floodplain and floodway.

Since the program is voluntary, there will be properties purchased throughout Newton County. Newton County is a rural area with only one small incorporated City. Many of the purchased lots are expected to be much larger than a typical city lot and may even consists of several acres. During demolition, impermeable surfaces will be removed allowing for the greater absorption of flood waters. Compatible native grass seeds will be planted after demolition to prevent erosion. Restoring the floodplains also benefit the residents that choose to remain in the community. Restoring the floodplains gives rivers more room to accommodate large floods and keep the community safe. Giving rivers more room provides a number of other benefits including clean water, open space for agriculture, recreation and trails, and habitat for fish and wildlife.

Existing Conditions and Trends [24 CFR 58.40(a)]: *Newton County has been inundated with historic flash and river flooding in 2015, 2016, and during Hurricane Harvey. Many of these homeowners have had to recover from flooding multiple times. Having a home located in the floodplain or floodway is a predictable environmental threat to the safety and well-being of program beneficiaries as evidenced by the best available data and science. The Newton County Buyout Programs support hazard mitigation, floodplain management goals, and resiliency by removing homeowners from the floodplain, thus eliminating vulnerability to future flooding situations.*

Funding Information

Grant Number	HUD Program	Funding Amount
18-535-000-B277	*2016 Buyout*	*$3,679,141*
20-066-015-C108	*Harvey Buyout*	*$8,005,224*

Estimated Total HUD Funded Amount: *$11,684,365*

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:** *$11,684,365*

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	*Project is in compliance with Airport Hazards. Residential homes will be demolished and a covenant will be placed on the land to prevent future residential developments.* *Newton Municipal Airport and Scrappin Valley Airport are located within Newton County.* ***Attachment A:*** *Airport Map*
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	*Newton County is not within a coastal resource barrier area. Newton County is approximately 32 miles from the closest CBRS.* ***Attachment B:*** *Coastal Barrier Resources map*
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of	Yes ☐ No ☒	*Newton County does participate in the National Flood Insurance Program (NFIP). To participate in the Buyout program, a homeowner's primary residence must be located within the floodway or within the 100 year floodplain (zone A or zone AE). Demolition projects do not require flood insurance.*

1994 [42 USC 4001-4128 and 42 USC 5154a]		*As addresses are known a site-specific determination will be made to determine if the home is in a floodplain or floodway.* *A floodplain map of the area will be provided at the site-specific level.* ***Attachment C:*** *Flood Insurance (NFIP)*
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No ☒	*Newton County is currently classified as being in attainment by USEPA based on the 2015 Ozone NAAQS map. Project will not generate new vehicular traffic or increase air pollution.* *Dust and debris from construction will not affect air quality. If asbestos is present at the demolition site, fugitive dust emissions will be controlled by best practices. BMP's will include, among other measures using water or chemical dust suppressant in exposed areas to control dust, covering load compartments of trucks hauling dust-generating materials, washing heavy trucks and construction vehicles before they leave the site, and reducing vehicle speed on non-paved areas and keeping paved areas clean.* ***Attachment D:*** *2015 Ozone NAAQS map*
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No ☒	*Newton County is approximately 70 miles away from the Coastal Zone.* ***Attachment E:*** *Coastal Zone Map*
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☐ No ☒	*A visual assessment will be completed for each project area. An inspection of the property will determine whether or not there appears to be any above ground toxic chemicals or radioactive materials present. The NEPAssist tool will be utilized to further check for contaminants within half a mile of the site. If contaminants are found to present, the project will not proceed unless they can be removed and/or properly disposed.* *In houses built before 1982, asbestos may be of concern. Vendors for the Newton County Buyout Programs must ensure builders complete the GLO Demolition Checklist. In addition, builders/demolition crews must ensure asbestos containing waste is properly contained, labeled and*

		transported to the appropriate municipal solid waste disposal facility as required by TCEQ (30 TAC 330.171). All Regulated Asbestos-containing material (RACM) shall be disposed of at a Type I or Type IAE landfill. Non-RACM may be disposed of at Type I, Type IAE, Type IV, or Type IVAE landfills. For additional information regarding Texas Asbestos Disposal rules contact TCEQ at (512) 239-6412. *As addresses are known a site-specific determination will be made.*
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes ☐ No ☒	*Threatened and Endangered species are known to occur in Newton County as well as migratory birds. Projects will take place on lands that are already developed. Since homes will be demolished and the land converted to open space, the project should return the land to a more natural state. The noise and debris that may be caused during demolition will be minimal. Builder will follow acceptable demolition practices (lead based paint, asbestos testing, etc.) to minimize dust and other hazards. A dumpster will be used to dispose of debris. Builder will ensure proper drainage and control storm water runoff using best practices. Vegetation removed during demolition will be limited to the immediate area surrounding the project and should consist of ornamental grass and shrubs. Tree removal or trimming of limbs should rarely if ever occur. After demolition, disturbed areas will be graded and planted with native grasses. Nesting areas for migratory birds should not be disturbed since these homes are already in somewhat developed areas. However, since many of these homes will be adjacent to forested areas and water ways, the builder will do a survey of the area to look for active nests in trees and shrubs that may be near the work site before commencing with demolition. Demolition may be temporarily halted until nesting season is over if necessary. This project will have no adverse effect on federally or state listed threatened, endangered or special status species or their critical habitats. Returning the land to a more natural state could be beneficial to endangered and threatened species by creating a more habitable environment. There are no critical habitats in Newton County.* ***Attachment G:*** *TPWD Annotated County List of Rare Species, US Fish & Wildlife Species by County Report, Map of Critical Habitats in Newton County, and IPac*
Explosive and Flammable Hazards	Yes ☐ No ☒	*This project will consist of demolishing existing homes that are located in a floodplain or floodway and then converting the land to green space. Per §51.201, the definition of a HUD-assisted project only includes rehabilitation when the*

24 CFR Part 51 Subpart C		*renovation will result in an increased number of people being exposed to hazardous operation by increasing residential densities, converting the type of use of a building to habitation, or making a vacant building habitable. Since the proposed buyout activities will not increase the residential density the project is in compliance with Hud's acceptable separation distance requirements at 24 CFR Part 51 Subpart c."* *Any propane tanks used for personal cooking or heating will be capped and removed from the property. Also, any other explosive or flammable hazards that may be stored in garages or sheds will be removed from the property and/or properly disposed.* *As addresses are known a site specific determination will be made regarding explosives & flammables that may be stored on or adjacent to the property site.* ***Attachment H:*** *TCEQ database, NEPAssist map*
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No ☒	*This project is in compliance with the FPPA because the project is on land that is already developed. The project does not include any activities, including new construction, acquisition of undeveloped land or conversion, that could potentially convert agricultural land to a non-agricultural use. Existing homes will be demolished and land will be converted to green space.* ***Attachment I:*** *Farmland Classification*
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No ☒	*To be eligible for the buyout program, Newton County requires that specific project sites be located in a floodplain or floodway.* *According to CFR 55.12 (c)(3), buyout sites are exempt from the 8- step process as long as the following conditions are met:* (i) *The property is cleared of all existing structures and related improvements;* *(ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and*

		(iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development. *Each site will meet these provisions. On a typical site, the flood damaged house, outbuildings and any other manmade structures will be demolished and removed. Existing septic systems will be crushed and filled. Existing water wells will be capped. The remaining land will be graded and seeded with compatible native grasses. Deed restrictions will be placed on the land to prevent future development.* *Newton County is mainly a rural area with only one incorporated city. Several of the homes are expected to be located in Deweyville and Bon Wier, unincorporated communities. These sites may be more likely to be the size of a typical city lot. However, many of the homes are expected to be near the Sabine River and consist of not only the home but contiguous acreage owned by the same homeowner. Therefore, even though this Buyout Program is voluntary and may result in having lands acquired throughout Newton County, there is expected to be large areas of land returned to the floodplain and wetlands.* *<u>As specific addresses are known a site-specific floodplain determination will be made.</u>*
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes ☐ No ☒	*Tribal consultation was not necessary for this project. The HUD publication "When to Consult with Tribes" was reviewed. None of the criteria that would trigger consultation such as significant ground disturbance, new construction, incongruent visual/audible/atmospheric changes, or working on buildings/land with tribal significance applied to this project.* *<u>As specific addresses are known, sites will be submitted to Texas Historical Commission for evaluation.</u>* *Photographs and maps will be submitted to THC to obtain an evaluation of above ground resources and USGS maps will be submitted to THC for a below ground resources determination.* ***Attachment K:*** *When to Consult with Tribes*
Noise Abatement and Control Noise Control Act of 1972, as	Yes ☐ No ☒	*Demolition will take place in several unincorporated communities in Newton County. HUD standards for noise exposure do not apply to acquisition and demolition projects such as the proposed project because they are not noise*

amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B		*sensitive uses (24 CFR 51.101). Demolition noise will be a temporary impact that will be controlled by BMPs, such as outfitting all equipment with operating mufflers and working during normal business hours. Demolition activity must not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or between the hours of 6:00 p.m. and 9 a.m. on weekends and federal holidays. Demolition noise is not expected to have an impact to the project or surrounding areas.* ***Attachment L:*** *Noise Abatement & Control Worksheet*
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes ☐ No ☒	*Compliance achieved in the Broad Review, as described below. The Chicot aquifer is present in the adjacent portion of Louisiana. The regulatory requirements end at the Sabine River and therefore no mitigation requirements apply within Texas counties. Project activities will be completed on residential properties with access to municipal water sources or private wells and will have no significant effect on drinking water supplies."* *Project is located approximately 286 miles from the Edwards Aquifer-the only sole source aquifer in Texas.* ***Attachment M:*** *Sole Source Aquifer Map*
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☐ No ☒	*There are numerous wetlands in Newton County. To qualify for the project the homes must be located in a floodplain or floodway. Many of these homes will most likely be located in or near a Freshwater Forested/Shrub wetland as well. For homes demolished in these areas precautions will be taken to disturb as little native vegetation and wildlife as possible by only working in the areas where man-made structures already exist. After demolition, areas will be graded and seeded with native grasses to prevent runoff and erosion. The US Fish & Wildlife Wetlands Mapper will be utilized to determine whether or not a property is located in the wetlands as addresses are known.* *According to CFR 55.12 (c)(3), buyout sites are exempt from the 8- step process as long as the following conditions are met:* (i) *The property is cleared of all existing structures and related improvements;*

		(ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and *(iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development.* *Each site will meet these provisions. On a typical site, the flood damaged house, outbuildings and any other manmade structures will be demolished and removed. Existing septic systems will be crushed and filled. Existing water wells will be capped. The remaining land will be graded and seeded with compatible native grasses. Deed restrictions will be placed on the land to prevent future development.* *Newton County is mainly a rural area with only one incorporated city. Several of the homes are expected to be located in Deweyville and Bon Wier, unincorporated communities. These sites may be more likely to be the size of a typical city lot. However, many of the homes are expected to be near the Sabine River and consist of not only the home but contiguous acreage owned by the same homeowner. Therefore, even though this Buyout Program is voluntary and may cover various parts of Newton County, there is expected to be large areas of land returned to the floodplain and wetland areas.* ***Mitigation:** If a project site is determined to be in or adjacent to a wetland, several measures can be taken to protect the wetlands and minimize impacts during demolition. To reduce compacted soils, which can change surface hydrology, low ground pressure equipment can be used, pathways limited, and soils graded and seeded with compatible native plants. If the project site is near a body of water, silt fencing will be put in place to prevent debris or sediment from running into the stream, river, or wetland area.* *<u>As addresses are known a wetlands determination will be made.</u>*
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☐ No ☒	*Wild and Scenic Rivers in Texas list has been reviewed. Project is located approximately 493 miles from the Rio Grande River, which is the only Wild & Scenic River in Texas. A portion of the Sabine River that may be a potential component of the Wild and Scenic River system, according to the National Park Service is located in Newton County. Since*

		green space, the project is not expected to adversely affect the river. Precautions needed to preserve habitats near the river may vary from site to site but some examples include observing the area for animals that may be in a critical stage of their life cycle and delaying demolition if needed. Using water to suppress dust will minimize damage to habitats and wildlife. Demolitionist will also ensure work is only carried out during daylight hours and will keep noise to a minimum. *Silt fencing and berming may be utilized during demolition in areas especially close to the river to prevent debris from entering through stormwater runoff.* *As addresses are known, a site specific determination regarding distance from the Sabine River and necessary mitigation measures will be addressed.* ***Attachment O:*** *Wild and Scenic Rivers List and Texas Segments List.*
Environmental Justice Executive Order 12898	Yes ☐ No ☒	*Project does not adversely affect disadvantaged populations. Project will benefit low income populations by allowing them to relocate to a less disaster prone area.* ***Attachment P:*** *EJ Screen which illustrates the demographics for this project.*

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	*1*	*Project is consistent with long term recovery plans. The buyout program will demolish damaged homes in residential neighborhoods. Land will be converted to a use compatible with open space for perpetuity. Homeowners will relocate to an area less prone to damage, thus preserving the land and guarding tax payer resources that may be needed during subsequent disasters.*
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	*2*	*Slopes in the project area are gently sloping (0-3%). A small percentage of the area slopes 5-12%. Contractor's use of best management practices should easily control erosion from storm water run off. No impact. See Attachment H--Web Soil Survey.*
Hazards and Nuisances including Site Safety and Noise	*2*	*No site of natural hazards observed during field investigations. Required protection to construction personnel and equipment should be utilized during demolition activity. No hazardous sites known to be present in the project areas. No significant impact anticipated. Site Observations.*
Energy Consumption	*2*	*Energy saving measures will be incorporated into all demolition projects.*

SOCIOECONOMIC		
Employment and Income Patterns	*1*	*The project will create short term benefits to employment rates or income patterns related to demolition, as well as boost local economy through purchase of alternate homes.*
Demographic Character Changes, Displacement	*2*	*Demolition of an existing single family residence may have a minor impact to demographics if the residents choose to relocate outside of Newton County. Ideally, residents will relocate to new, safe sanitary living conditions within Newton County.*

COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	*2*	*Since the residential properties would be permanently converted to open space, the proposed project would likely reduce the demand for educational facilities. The proposed project would not interfere with delivery of educational services. The nearest educational facility to each area is: Newton ISD, Burkeville ISD, and Biloxi ISD —See Google Map.*

Commercial Facilities	*2*	*Several commercial facilities are available in Newton County. No long term beneficial or adverse impact due to demolition activities or as a result of the completed projects. –See Google Map*
Health Care and Social Services	*2*	*Several health care providers are available in Newton County and the surrounding areas.-- See Google Map.*
Solid Waste Disposal / Recycling	*2*	*No interruption of solid waste pickup services anticipated due to demolition activities. The proposed project would generate demolition debris, but would not increase long-term generation of solid waste. Asbestos is of concern if a structure was constructed prior to 1982 and lead-based paint is of concern if a structure was constructed prior to 1978. Contractors must determine if these toxins are present. If present, these toxins must be addressed in accordance with all applicable federal, state, and local laws and regulations (see mitigation measures). County landfill will have adequate capacity for waste from project.*
Waste Water / Sanitary Sewers	*2*	*The completed improvements are not expected to promote growth that would demand an increase in wastewater services. No adverse impact.*
Water Supply	*2*	*No beneficial or adverse impact due to construction activity or as a result of the project. See attached .pdf of Annual Drinking Water Quality Report from South Newton Water Supply.*
Public Safety - Police, Fire and Emergency Medical	*2*	*No impact from this project regarding public safety. Emergency Services are provided by Newton County Sheriff's Department and Newton County Volunteer Fire Department. —See Google Maps.*
Parks, Open Space and Recreation	*2*	*The Toledo Bend Reservoir is located in Newton County along the Texas and Louisiana border. There are numerous marinas and camping facilities around the lake. The Sabine National Forest operates several campgrounds as well. Homes will be demolished and land converted to a use compatible to open space. No impact to these recreational areas. —See .pdf of Sabine River Authority's website.*
Transportation and Accessibility	*2*	*Public transportation is not provided within Newton County. Demolition activities will have no impact on transportation.*

NATURAL FEATURES		
Unique Natural Features, Water Resources	*1*	*Homes will be demolished and land converted to a use compatible with open space. Since land will be returning to a natural state there may be a slight beneficial impact to natural features or water resources.*

Vegetation, Wildlife	*1*	*Vegetation removed during demolition will be limited to the immediate area surrounding the project and should consist of ornamental grass and shrubs. Tree removal should rarely if ever occur. After demolition, vegetation should return to a natural state which may have a slight beneficial impact.*
Other Factors	-	*None*

Additional Studies Performed:

None

Field Inspection (Date and completed by)**:**

Specific sites will be physically inspected as addresses are known.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]**:**

Newton County Website

Sabine River Authority Website

NepAssist Website

Google Maps

USDA Web Soil Survey Website

US Fish & Wildlife website

FEMA Floodplain Mapper

EPA Website

List of Permits Obtained:

Not Applicable

Public Outreach [24 CFR 50.23 & 58.43]**:**

Notice of Finding of No Significant Impact and Intent to Request Release of Request of Funds will be published in the Newton County News.

Cumulative Impact Analysis [24 CFR 58.32]**:**

In its simplest form, the cumulative effect is the summation of direct and indirect effects of past actions, present actions, reasonable alternatives, and other future actions. These projects should have several positive effects on the community. During the Buyout process, the program should benefit the local economy by providing demolition related jobs. Also, when the homeowners relocate, businesses related to the real estate industry such as title companies and appraisers may benefit through the purchase of services. This program will aid in long term recovery efforts by preventing homeowners from rebuilding or continuing to live in the floodplain or floodway. These measures will protect against future economic losses.

This program will most likely be beneficial to the environment. With time, project sites may return to a more natural state by allowing native vegetation growth and creating additional habitats for native species. Newton County is considered a rural area and is relatively undeveloped. Much of Newton County is owned by timber companies and the land is used to grow and harvest hardwood and pine trees. Each of these homes are located in unincorporated communities that sprung up along the Sabine River. Demolishing these homes will further contribute to open spaces that will benefit the remaining residents by serving as a buffer from future storms. Newton County is currently undergoing extensive efforts to recover from 2015 & 2016 floods as well as Hurricane Harvey. Although these Buyout programs are voluntary and therefore project sites will be located throughout various areas in the County, these programs are not the only buyout program available to the residents in Newton County. There is currently a FEMA funded buyout program that is being administered. Many of these homeowners own large tracts of land consisting of several acres. It is expected that large areas of land will be returned to the floodplain and wetlands. Under other housing programs, homes are being reconstructed on elevated piers that would allow the water from flooding to flow more freely and naturally. A final decision as to what the County will do with the acquired land has not been made. Some ideas that have been considered is to either donate or sell the land to the Sabine River Authority or lease to residents for recreational or agricultural uses.

Best practices to prevent storm water runoff and groundwater contamination will be implemented in areas that may currently be at risk. Land would be graded and seeded with compatible native grasses. Any adverse effects such as exposure to dust and other air contaminants will be temporary and minimized through best practices. Most importantly, homeowners that may not have the means to recover from damages will be able to relocate to less disaster prone areas.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Several alternatives to the project were considered by Newton County, but they were either rejected as not being feasible or did not meet the needs of the County or its beneficiaries.

1. *Homeowners could choose to live in multi-family housing, but that is not feasible for most homeowners due to lack of housing supply in Newton County. Also, homeowners would still be left with damaged homes that most likely could not be sold on the regular housing market.*

repeated flooding has taken an emotional as well as financial toll on homeowners. Many homeowners prefer the idea of avoiding subsequent disasters by relocating to a less disaster prone area. Many are unable to afford the flood insurance that would be required under the Housing Assistance Program. Also, mitigation measures such as flood insurance and elevation are no guarantee that future damage would not occur.

No Action Alternative [24 CFR 58.40(e)]:

3. *Not implementing the project is an alternative which was considered however not pursued. Meeting the basic eligibility criteria for this project requires that there is a need for safe, sanitary housing located outside of the floodplain or floodway. Many homeowners continue to live in damaged homes or in inadequate temporary housing. The home has been damaged due to flooding and other hazards and the homeowner must be low income or have an urgent need to qualify. Having Newton County purchase the home at pre-flood fair market value would provide most homeowners the needed funds to relocate to safer housing outside of the floodplain.*

Summary of Findings and Conclusions:

No adverse impacts were identified for the environmental assessment factors.

The proposed improvements are the preferred alternative. Other alternatives to the project have been considered and rejected as not meeting the needs of the 2016 Floods & Harvey Buyout Programs, Newton County or the project beneficiaries.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Floodplain	*Keep within compliance of all State and local floodplain protection procedures. Industry specific mitigation measures will be applied to return the area to its original condition and contours. Take precautions to cause minimal disturbance within the construction area using best management practices to prevent runoff through berming and silt fencing. The disturbed soils will be reseeded with a mixture of grasses and forbs native to Newton County.*

Clean Air	*Contractors will follow best practices to manage dust and other air contaminants by following lead based paint testing protocols, asbestos testing, covering the load compartments of trucks and/or dumpsters that are used to haul dust generating materials, etc.*
Hazards	*Comply with all laws and regulations concerning the proper handling, removal, transportation, and disposal of hazardous materials (e.g. Asbestos, lead-based paint) or household waste (e.g. Construction and demolition debris, pesticides/herbicides, white goods).* *Comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 cfr part 35 subparts b, h, and j*
Noise Abatement	*Contractors will only work during normal daylight hours so as not to disturb neighboring homes.*
Endangered Species	*Precautions will be taken to only remove necessary vegetation near the work site which should consist of ornamental grass and shrubs so as not to disturb critical habitats. Tree removal that may affect migratory birds should be rarely necessary and will be kept to a minimum. If nesting birds are sited, demolition will be temporarily delayed.*
Wetlands Protection	*If a project site is determined to be in or adjacent to a wetland, several measures can be taken to protect the wetlands and minimize impacts during demolition. To reduce compacted soils, which can change surface hydrology, low ground pressure equipment can be used, pathways limited, and soils graded and seeded with compatible native plants. If the project site is near a body of water, silt fencing will be put in place to prevent debris or sediment from running into the stream, river, or wetland area.*

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: Christel Kiker Date: 4/1/2020

Name/Title/Organization: *Christel Kiker-Administrative Assistant-Traylor & Associates*

Certifying Officer Signature: DocuSigned by: Kenneth Weeks AAB5291059D44C1... Date: 4/2/2020

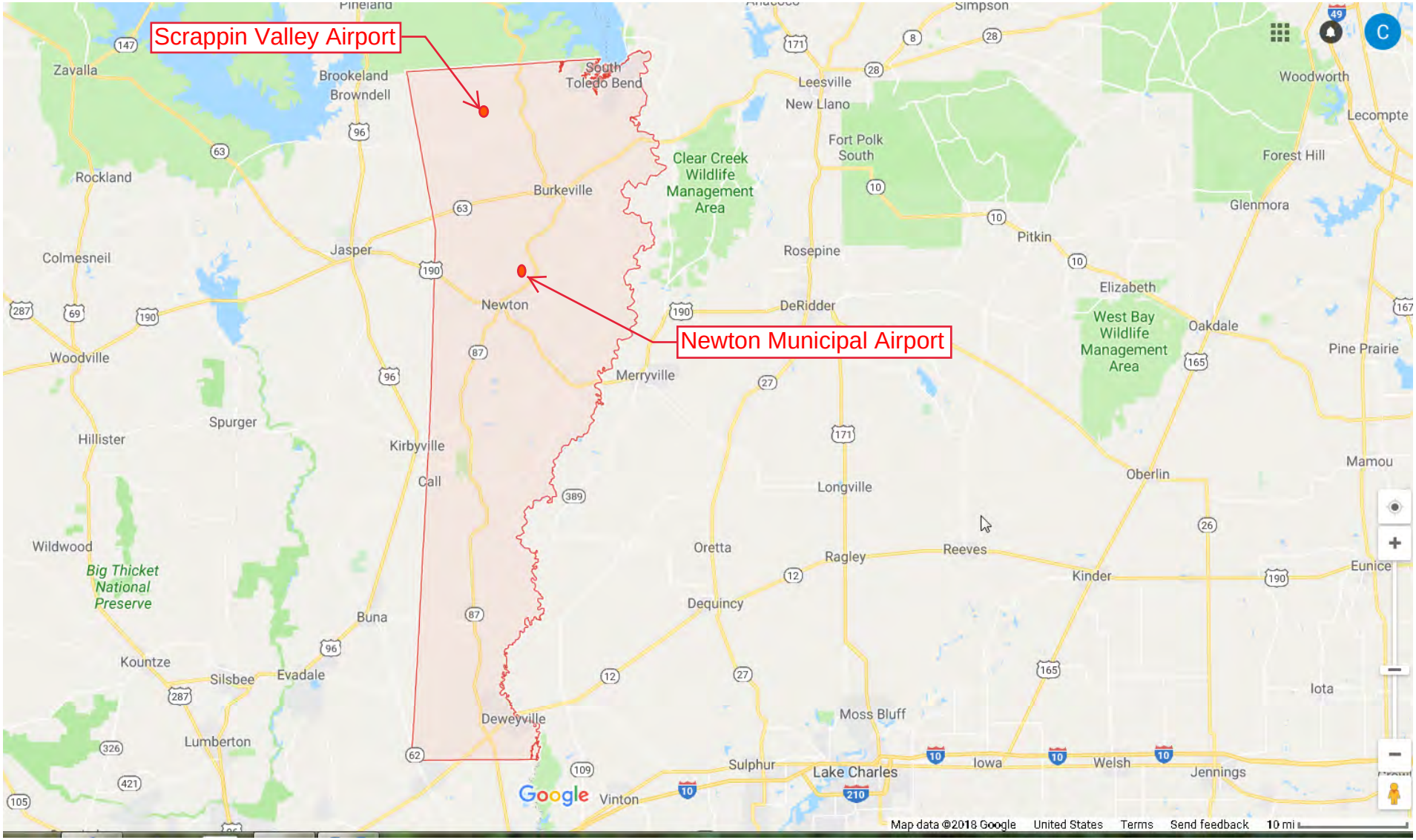
Name/Title: *Kenneth Weeks, Newton County Judge*

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Attachment A
Airport Hazards

Airports

Newton County



Attachment B
Coastal Barrier Resources

Coastal Barrier Resources (CEST and EA)

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. **Is the project located in a CBRS Unit?**

☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*

☐Yes → *Continue to Question 2.*

> Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see 16 USC 3505 for exceptions to limitations on expenditures).

2. **Indicate your selected course of action.**

☐ After consultation with the FWS the project was given approval to continue

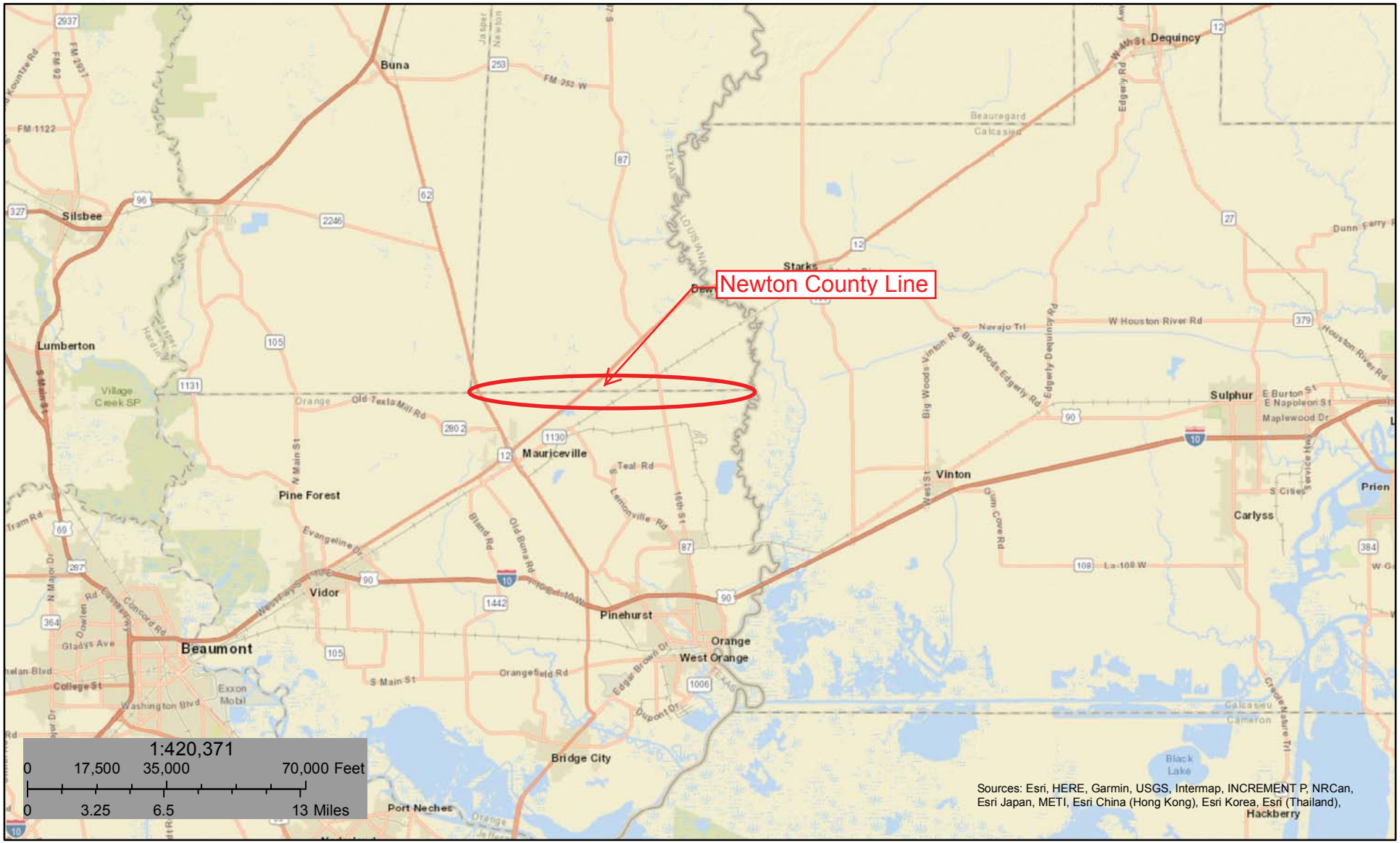
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*

☐ Project was not given approval

Project cannot proceed at this location.

U.S. Fish and Wildlife Service
Coastal Barrier Resources System Projects Mapper

Newton County



August 22, 2018

Other Existing Units

Unit Outside Project Area

Revised Units

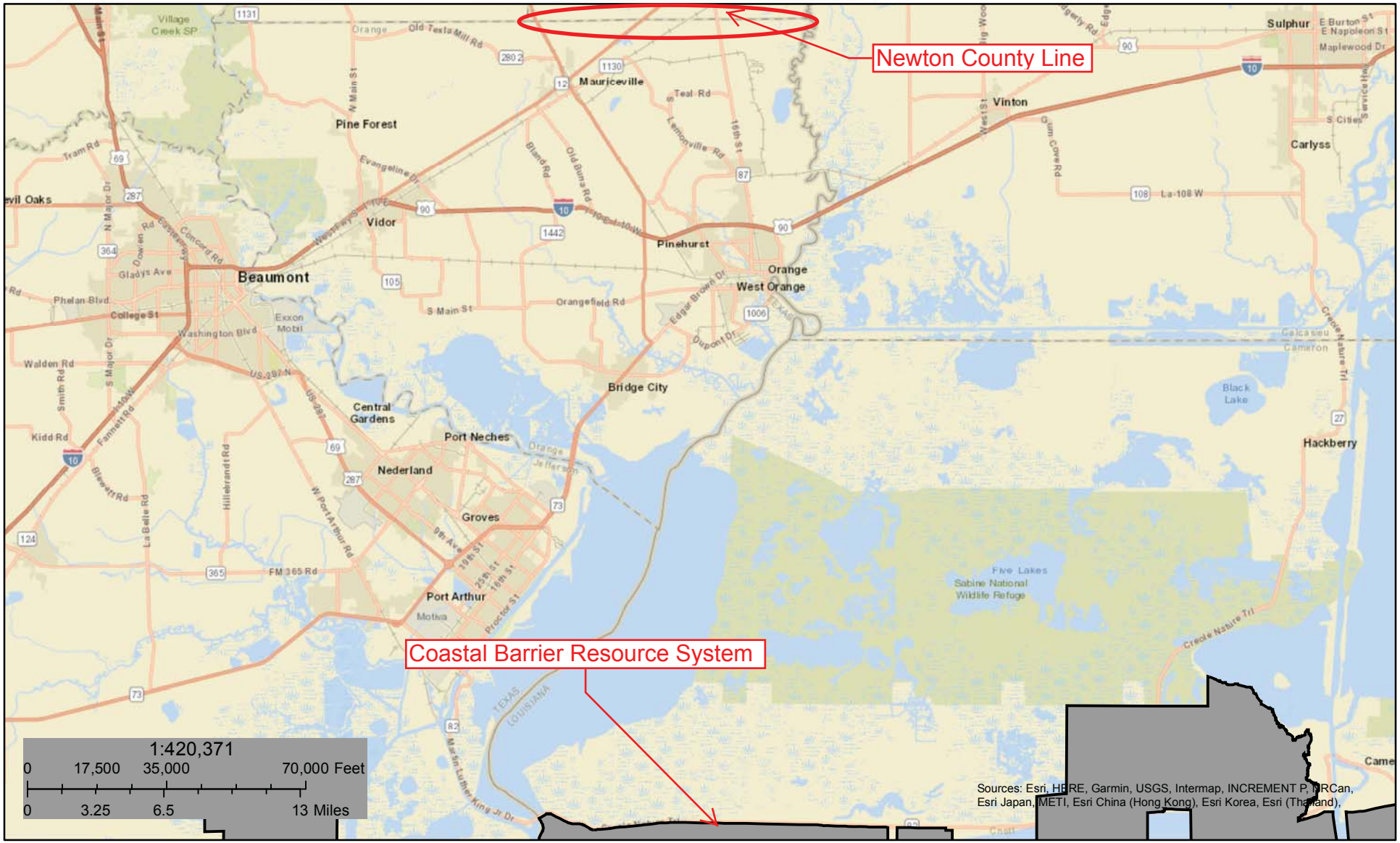
System Unit

Otherwise Protected Area

This map is for reference only. The draft revised CBRS boundaries depicted on this map have not been adopted through legislation enacted by Congress. Areas and structures depicted on this map may or may not currently be within the CBRS. To view the current CBRS boundaries for this area, please use the CBRS Mapper: https://www.fws.gov/cbra/Maps/Mapper.html.

U.S. Fish and Wildlife Service
Coastal Barrier Resources System Projects Mapper

Newton County



August 22, 2018

Other Existing Units

- Unit Outside Project Area

Revised Units

- System Unit
- Otherwise Protected Area

This map is for reference only. The draft revised CBRS boundaries depicted on this map have not been adopted through legislation enacted by Congress. Areas and structures depicted on this map may or may not currently be within the CBRS. To view the current CBRS boundaries for this area, please use the CBRS Mapper: https://www.fws.gov/cbra/Maps/Mapper.html.

Attachment C

Flood Insurance

Federal Emergency Management Agency
Community Status Book Report
TEXAS
Communities Participating in the National Flood Program

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal
480265#	NAVASOTA, CITY OF	GRIMES COUNTY	10/08/76	02/04/88	04/03/12	02/04/88	No
485492#	NEDERLAND, CITY OF	JEFFERSON COUNTY	11/17/70	11/17/70	06/03/91	11/13/70	No
480820#	NEEDVILLE, CITY OF	FORT BEND COUNTY	12/20/77	03/04/87	04/02/14	07/31/81	No
481625#	NEW BERLIN, CITY OF	BEXAR COUNTY/GUADALUPE COUNTY		11/20/98	09/29/10	12/01/04	No
	Use Guadalupe County FIRM dated 11/20/98, panels 205, 215, and 225.						
480059#	NEW BOSTON, CITY OF	BOWIE COUNTY	12/17/73	11/21/78	10/19/10(M)	11/21/78	No
485493#	NEW BRAUNFELS, CITY OF	GUADALUPE COUNTY/COMAL COUNTY	12/02/72	12/02/72	09/02/09	12/01/72	No
	USE FIRM DATED JANUARY 5, 2006 FOR PORTIONS OF THE CITY IN COMAL COUNTY.						
481315#	NEW DEAL, CITY OF	LUBBOCK COUNTY	05/16/78	09/18/02	09/28/07(M)	11/06/02	No
481629#	NEW FAIRVIEW, CITY OF	WISE COUNTY		03/19/90	12/16/11(M)	04/10/12	No
480920	NEW HOME, CITY OF	LYNN COUNTY	09/05/75			12/04/00(E)	No
480138#	NEW HOPE, TOWN OF	COLLIN COUNTY		01/19/96	06/02/09(M)	04/19/96	No
481113#	NEW LONDON, CITY OF	RUSK COUNTY	11/05/76	06/19/85	09/29/10(M)	06/19/85	No
481153#	NEW SUMMERFIELD, CITY OF	CHEROKEE COUNTY	11/19/76	01/06/11	01/06/11(M)	01/06/11	No
481043A	NEW WAVERLY, CITY OF	WALKER COUNTY	06/25/76	08/16/11	08/16/11(M)	08/16/11	No
481058#	NEWCASTLE, CITY OF	YOUNG COUNTY	12/17/76	01/02/91	07/18/11(M)	03/10/10	No
480499A	NEWTON COUNTY*	NEWTON COUNTY	07/05/77	04/01/87	11/16/18	04/01/87	No
480500A	NEWTON, CITY OF	NEWTON COUNTY	06/07/74	09/21/98	11/16/18	08/16/10	No
481670#	NIEDERWALD, CITY OF	CALDWELL COUNTY/HAYS COUNTY		02/18/98	06/19/12	06/10/05	No
481114#	NIXON, CITY OF	WILSON COUNTY/GONZALES COUNTY	06/27/75	11/26/10	12/03/10(M)	08/26/77	No
480482#	NOCONA, CITY OF	MONTAGUE COUNTY	05/10/74	11/21/78	08/16/11(M)	11/21/78	No
481240#	NOLAN COUNTY*	NOLAN COUNTY		08/02/90	08/02/90	08/02/90	No
480032#	NOLANVILLE, CITY OF	BELL COUNTY	05/24/74	06/01/81	09/26/08	06/01/81	No
481297#	NOME, CITY OF	JEFFERSON COUNTY	07/12/77	02/02/83	02/02/83	04/16/90	No
480183#	NOONDAY, CITY OF	SMITH COUNTY	01/03/78	09/26/08	04/16/14	10/27/08	No
480436#	NORMANGEE, CITY OF	MADISON COUNTY/LEON COUNTY	08/16/74	07/06/82	11/20/13(M)	07/06/82	No
480607B	NORTH RICHLAND HILLS, CITY OF	TARRANT COUNTY	06/28/74	04/01/81	03/21/19	04/01/81	No
480782#	NORTHLAKE, TOWN OF	DENTON COUNTY		04/16/90	04/18/11	09/30/94	No
485494#	NUECES COUNTY*	NUECES COUNTY		09/27/72	05/04/92	09/22/72	No
480852	O'BRIEN, CITY OF	HASKELL COUNTY	07/25/75	11/01/07	11/01/07(L)	11/01/07	No
481672#	OAK LEAF, CITY OF	ELLIS COUNTY		01/20/99	06/03/13	09/15/00	No
481639#	OAK POINT, CITY OF	DENTON COUNTY		06/24/91	04/18/11	06/24/91	No
	USE THE DENTON COUNTY [480774] FIRM.						
481560#	OAK RIDGE NORTH, CITY OF	MONTGOMERY COUNTY		12/18/84	08/18/14	12/18/84	No
481534#	OAK RIDGE, CITY OF	KAUFMAN COUNTY	06/26/79	07/03/12	07/03/12(M)	07/03/12	No
480216#	OAK RIDGE, TOWN OF	COOKE COUNTY		01/16/08	(NSFHA)	04/01/11	No
480437#	OAKWOOD, TOWN OF	LEON COUNTY	05/24/74	11/20/13	11/20/13	11/20/13	No
480558B	ODEM, CITY OF	SAN PATRICIO COUNTY	03/29/74	07/16/81	11/04/16	07/16/81	No
480206#	ODESSA, CITY OF	MIDLAND COUNTY/ECTOR COUNTY	06/28/74	03/04/91	03/15/12	03/04/91	No
480769#	OGLESBY, CITY OF	CORYELL COUNTY	11/12/76	11/01/07	02/17/10(M)	11/01/07	No
481637B	OLD RIVER-WINFREE, CITY OF	LIBERTY COUNTY/CHAMBERS COUNTY	08/09/74	06/15/83	01/19/18	08/10/99	No
480959	OLDHAM COUNTY*	OLDHAM COUNTY				10/19/01(E)	No
481540#	OLMOS PARK, CITY OF	BEXAR COUNTY		02/16/96	(NSFHA)	05/28/99	No
	USE UTAH COUNTY (495517) FIRM PANELS 205 and 210.						

Attachment D
Clean Air

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Newton County is not within a coastal resource barrier area. Newton County is approximately 32 miles from the closest CBRS. See CBRS map.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Coastal Zone Management Act (CEST and EA)

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930
References		
https://www.onecpd.info/environmental-review/coastal-zone-management		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

1. **Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

   ☐Yes → *Continue to Question 2.*

   ☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

2. **Does this project include activities that are subject to state review**?

   ☐Yes → *Continue to Question 3.*

   ☐No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

3. **Has this project been determined to be consistent with the State Coastal Management Program**?

   ☐Yes, with mitigation. → *Continue to Question 4.*

   ☐Yes, without mitigation. → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

☐No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Newton County is approximately 70 miles away from the Coastal Zone. See Coastal Zone Map.

Are formal compliance steps or mitigation required?

☐ Yes

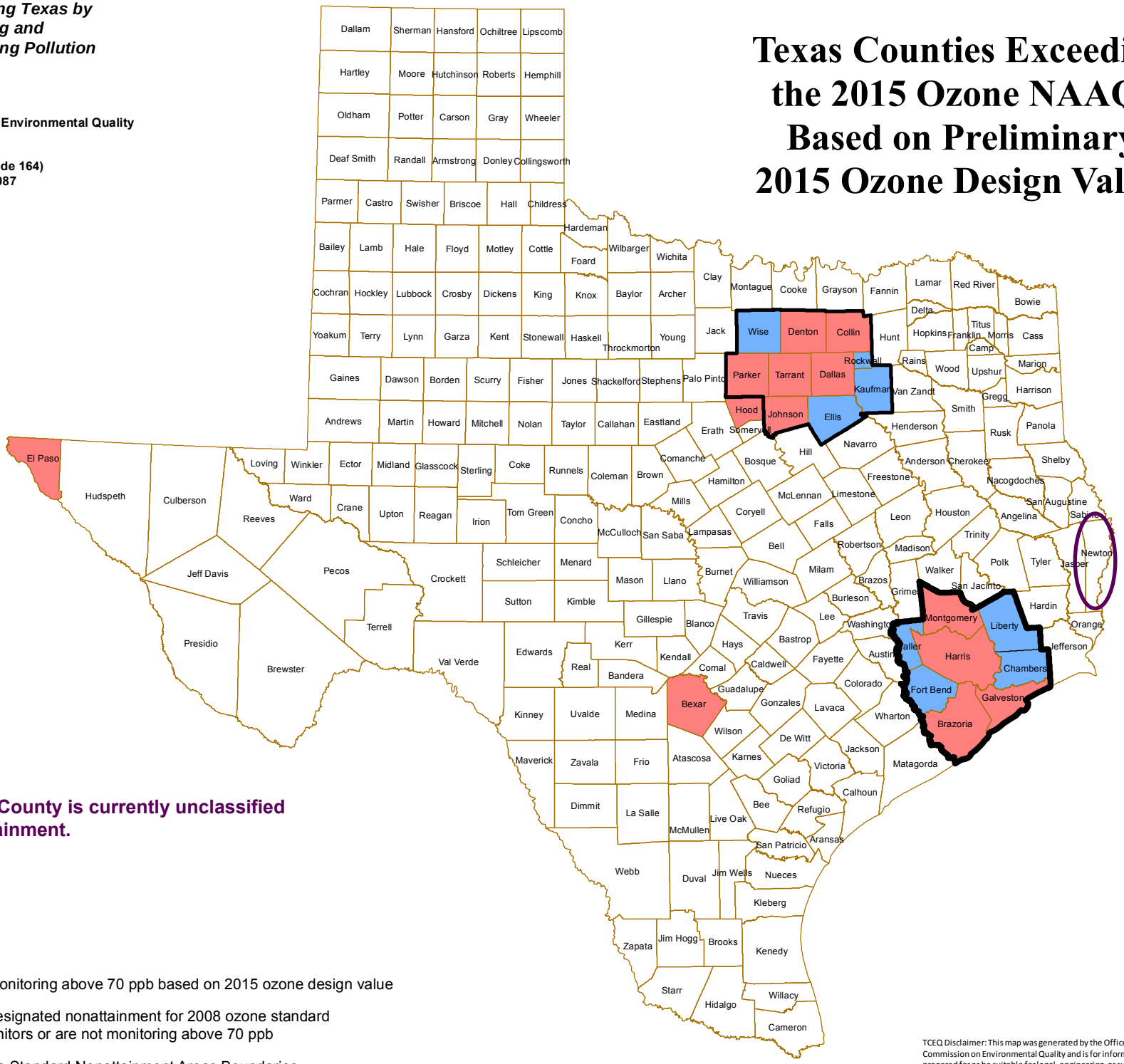
☒ No

Protecting Texas by Reducing and Preventing Pollution

TCEQ

Texas Commission on Environmental Quality
Office of Air
Air Quality Division
PO Box 13087 (Mail Code 164)
Austin, Texas 78711-3087

Texas Counties Exceeding the 2015 Ozone NAAQS Based on Preliminary 2015 Ozone Design Values



Newton County is currently unclassified or in attainment.

Counties monitoring above 70 ppb based on 2015 ozone design value

Counties designated nonattainment for 2008 ozone standard with no monitors or are not monitoring above 70 ppb

2008 Ozone Standard Nonattainment Areas Boundaries

Raj Nadkarni February 29, 2016

Attachment E
Coastal Zone Management

Coastal Zone Management Act (CEST and EA)

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930
References		
https://www.onecpd.info/environmental-review/coastal-zone-management		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

1. **Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

   ☐Yes → *Continue to Question 2.*

   ☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

2. **Does this project include activities that are subject to state review**?

   ☐Yes → *Continue to Question 3.*

   ☐No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

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   ☐Yes, without mitigation. → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

☐No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

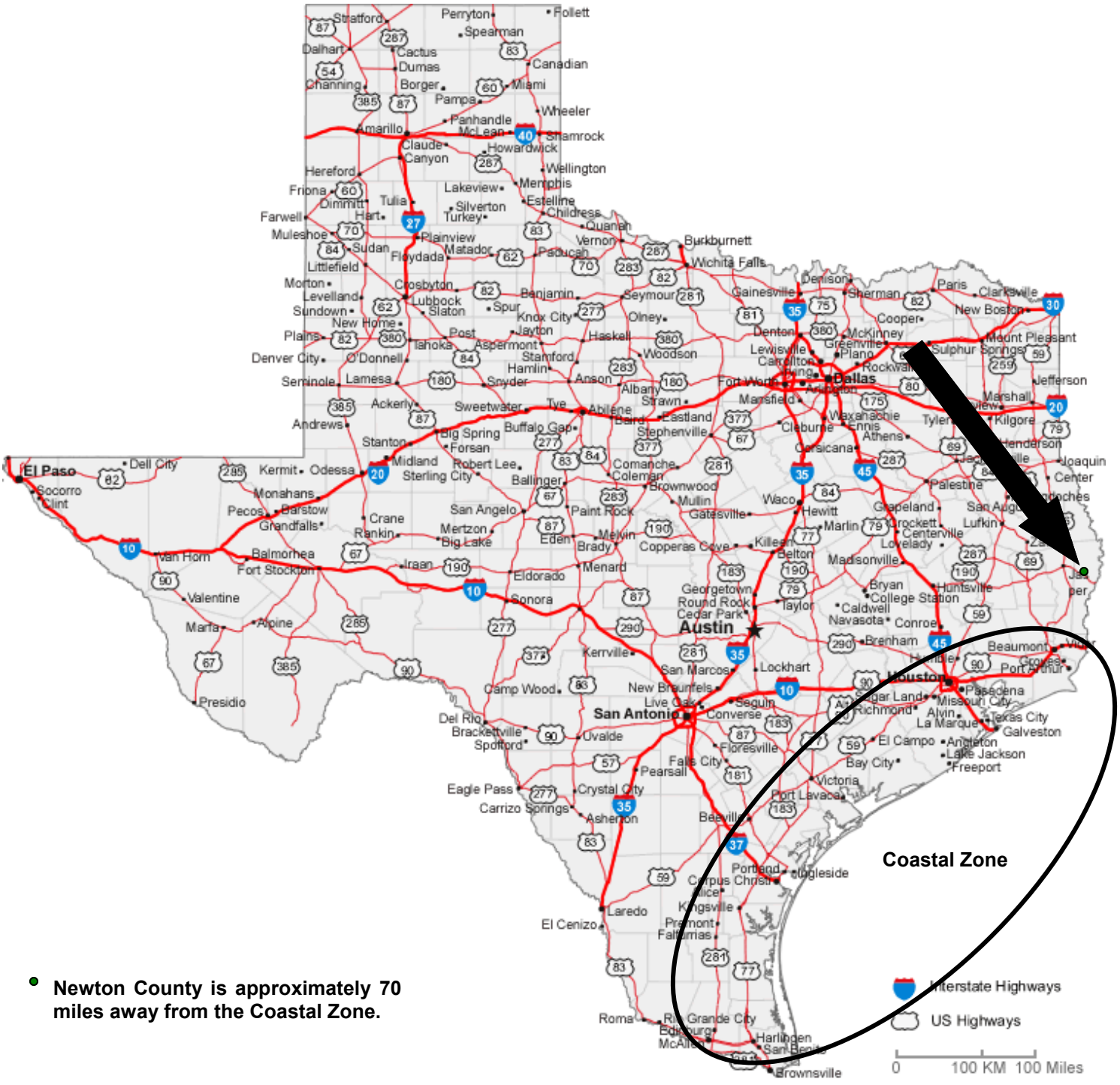
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Newton County is approximately 70 miles away from the Coastal Zone. See Coastal Zone Map.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No



- **Newton County is approximately 70 miles away from the Coastal Zone.**

http://geology.com/cities-map/texas.shtml

Attachment F
Contamination and Toxic Substances

As addresses are known a site specific assessment will be completed relating to hazardous waste.

Attachment G
Endangered Species

April 1, 2020

TO: Environmental Review File

RE: Newton County – Community Development & Revitalization
Federally Protected Species and Critical Habitat
Housing Program: 2016 Floods & Harvey Buyout Program
#18-533-000-B277 & #20-066-015-C108

A current list of Endangered and Threatened Species for Newton County provided by the U.S. Fish & Wildlife Service website has been reviewed.

Newton County will purchase storm damaged homes and property from eligible homeowners that are currently located in a floodplain or floodway on a voluntary basis. Homeowners will be offered pre-flood fair market value as determined by a professional appraiser. The purchase of these homes will allow homeowners to relocate to safe, sanitary living conditions in less disaster- prone areas. If it is determined that the homeowners are unable to fully recover using funds received from the sale of the home and property, they may be eligible for down payment assistance or relocation assistance incentives which will be decided on a case by case basis by Newton County. After buyout, all utilities will be disconnected, and the damaged homes and any other manmade features on the property will be demolished and disposed. To prevent creating a safety hazard, wells and septic systems will be capped or filled as needed. Any propane tanks used for personal cooking or heating will be capped and removed from the property. The properties would be graded and left in a stabilized condition (ie. grass growth covering property). Deed restrictions placed on the land will not allow it to be redeveloped. Property will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreation, or floodplain and wetlands management practices or other purposes allowed by HUD. Since the properties will be permanently preserved as open space, it will serve as a natural buffer against future storms and floods.

The proposed project will have "No Effect" on endangered or threatened species or critical habitat.

DocuSigned by:
Kenneth Weeks
AAB5291059D44C1...

Kenneth Weeks
Newton County Judge

Last Update: 7/17/2019

NEWTON COUNTY

AMPHIBIANS

southern crawfish frog *Lithobates areolatus areolatus*

The Southern Crawfish Frog can be found in abandoned crawfish holes and small mammal burrows. This species inhabits moist meadows, pasturelands, pine scrub, and river flood plains. This species spends nearly all of its time in burrows and only leaves the burrow area to breed. Although this species can be difficult to detect due to its reclusive nature, the call of breeding males can be heard over great distances. Eggs are laid and larvae develop in temporary water such as flooded fields, ditches, farm ponds and small lakes. Habitat: Shallow water, Herbaceous Wetland, Riparian, Temporary Pool, Cropland/hedgerow, Grassland/herbaceous, Suburban/orchard, Woodland– Conifer.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4T4	State Rank: S3

southern dusky salamander *Desmognathus conanti*

Details unknown.

Federal Status:	State Status:	SGCN: N
Endemic:	Global Rank: G5	State Rank: S1

Strecker's chorus frog *Pseudacris streckeri*

Wooded floodplains and flats, prairies, cultivated fields and marshes. Likes sandy substrates.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

Woodhouse's toad *Anaxyrus woodhousii*

Extremely catholic up to 5000 feet, does very well (except for traffic) in association with man.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: SU

BIRDS

Bachman's sparrow *Peucaea aestivalis*

Open pine woods with scattered bushes and grassy understory in Pineywoods region, brushy or overgrown grassy hillsides, overgrown fields with thickets and brambles, grassy orchards; remnant grasslands in Post Oak Savannah region; nests on ground against grass tuft or under low shrub

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3B

bald eagle *Haliaeetus leucocephalus*

Found primarily near rivers and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3B,S3N

NEWTON COUNTY

BIRDS

Franklin's gull *Leucophaeus pipixcan*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4G5	State Rank: S2N

interior least tern *Sternula antillarum athalassos*

Sand beaches, flats, bays, inlets, lagoons, islands. Subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G4T2Q	State Rank: S1B

piping plover *Charadrius melodus*

Beaches, sandflats, and dunes along Gulf Coast beaches and adjacent offshore islands. Also spoil islands in the Intracoastal Waterway. Based on the November 30, 1992 Section 6 Job No. 9.1, Piping Plover and Snowy Plover Winter Habitat Status Survey, algal flats appear to be the highest quality habitat. Some of the most important aspects of algal flats are their relative inaccessibility and their continuous availability throughout all tidal conditions. Sand flats often appear to be preferred over algal flats when both are available, but large portions of sand flats along the Texas coast are available only during low-very low tides and are often completely unavailable during extreme high tides or strong north winds. Beaches appear to serve as a secondary habitat to the flats associated with the primary bays, lagoons, and inter-island passes. Beaches are rarely used on the southern Texas coast, where bayside habitat is always available, and are abandoned as bayside habitats become available on the central and northern coast. However, beaches are probably a vital habitat along the central and northern coast (i.e. north of Padre Island) during periods of extreme high tides that cover the flats. Optimal site characteristics appear to be large in area, sparsely vegetated, continuously available or in close proximity to secondary habitat, and with limited human disturbance.

Federal Status: LT	State Status: T	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2N

red-cockaded woodpecker *Picoides borealis*

Cavity nests in older pine (60+ years); forages in younger pine (30+ years); prefers longleaf, shortleaf, and loblolly

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2B

swallow-tailed kite *Elanoides forficatus*

Lowland forested regions, especially swampy areas, ranging into open woodland; marshes, along rivers, lakes, and ponds; nests high in tall tree in clearing or on forest woodland edge, usually in pine, cypress, or various deciduous trees

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2B

white-faced ibis *Plegadis chihi*

Prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; currently confined to near-coastal rookeries in so-called hog-wallow prairies. Nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4B

NEWTON COUNTY

BIRDS

wood stork *Mycteria americana*

Prefers to nest in large tracts of baldcypress (Taxodium distichum) or red mangrove (Rhizophora mangle); forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: SHB,S2N

FISH

american eel *Anguilla rostrata*

Originally found in all river systems from the Red River to the Rio Grande. Aquatic habtiats include large rivers, streams, tributaries, coastal watersheds, estuaries, bays, and oceans. Spawns in Sargasso Sea, larva move to coastal waters, metamorphose, and begin upstream movements. Females tend to move further upstream than males (who are often found in brackish estuaries). American Eel are habitat generalists and may be found in a broad range of habitat conditions including slow- and fast-flowing waters over many substrate types. Extirpation in upstream drainages attributed to reservoirs that impede upstream migration.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S4

blackspot shiner *Notropis atrocaudalis*

Occurs from the lower Brazos River to the Sabine River drainage; Red River drainage. Small to moderate size tributary streams in runs and pools over all types of substrates.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3

Mississippi silvery minnow *Hybognathus nuchalis*

Found in eastern Texas streams, from the Brazos River eastward and northward to the Red River; Common in pools and backwaters of medium to large streams with low or moderate gradients.

Federal Status:	State Status:	SGCN: N
Endemic:	Global Rank: G5	State Rank: S4

paddlefish *Polyodon spathula*

Species occurred in every major river drainage from the Trinity Basin eastward, but its numbers and range had been substantially reduced by the 1950's; recently reintroduced into Big Cypress drainage upstream of Caddo Lake. Prefers large, free-flowing rivers but will frequent impoundments with access to spawning sites.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3

NEWTON COUNTY

FISH

river darter *Percina shumardi*

In Texas limited to eastern streams including Red southward to the Neches, and a disjunct population in the Guadalupe and San Antonio river systems east of the Balcones Escarpment. Confined to large rivers and lower parts of major tributaries; almost
almost invariably found in deep chutes and riffles where current is swift and bottom composed of coarse gravel or rock.

Federal Status:	State Status:	SGCN: N
Endemic:	Global Rank: G5	State Rank: S4

Sabine shiner *Notropis sabinae*

Inhabits small streams and large rivers of eastern Texas from San Jacinto drainage northward along the Gulf Coast to the Sabine River Basin; Habitat generalist with affinities for shallow, moving water and rarely found in pools and backwater areas;
closely restricted to substrate of fine, silt free sand in small creeks and rivers having slight to moderate current.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3

silverband shiner *Notropis shumardi*

In Texas, found from Red River to Lavaca River; Main channel with moderate to swift current velocities and moderate to deep depths; associated with turbid water over silt, sand, and gravel.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4

western creek chubsucker *Erimyzon claviformis*

Eastern Texas streams from the Red River to the San Jacinto drainage. Habitat includes silt-, sand-, and gravel-bottomed pools of clear headwaters, creeks, and small rivers; often near vegetation; occasionally in lakes. Spawning occurs in river mouths or pools, riffles, lake outlets, or upstream creeks. Prefers headwaters, but seldom occurs in springs.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2S3

western sand darter *Ammocrypta clara*

Neches, Sabine, and Red River basins. Associated with substrates of course sand and fine gravels in moderate current in medium to large streams. Habit of burrowing in sand may prevent direct observations.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

INSECTS

No accepted common name *Isoperla sagittata*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G1	State Rank: S1

MAMMALS

big brown bat *Eptesicus fuscus*

NEWTON COUNTY

MAMMALS

Any wooded areas or woodlands except south Texas. Riparian areas in west Texas.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5

black bear *Ursus americanus*

In Chisos, prefers higher elevations where pinyon-oaks predominate; also occasionally sighted in desert scrub of Trans-Pecos (Black Gap Wildlife Management Area) and Edwards Plateau in juniper-oak habitat. For ssp. luteolus, bottomland hardwoods, floodplain forests, upland hardwoods with mixed pine; marsh. Bottomland hardwoods and large tracts of inaccessible forested areas.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

eastern red bat *Lasiurus borealis*

Found in a variety of habitats in Texas. Usually associated with wooded areas. Found in towns especially during migration.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S4

eastern spotted skunk *Spilogale putorius*

Catholic; open fields prairies, croplands, fence rows, farmyards, forest edges & woodlands. Prefer wooded, brushy areas & tallgrass prairies. S.p. ssp. interrupta found in wooded areas and tallgrass prairies, preferring rocky canyons and outcrops when such sites are available.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S1S3

hoary bat *Lasiurus cinereus*

Known from montane and riparian woodland in Trans-Pecos, forests and woods in east and central Texas.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S4

long-tailed weasel *Mustela frenata*

Includes brushlands, fence rows, upland woods and bottomland hardwoods, forest edges & rocky desert scrub. Usually live close to water.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5

Louisiana black bear *Ursus americanus luteolus*

Bottomland hardwoods, floodplain forests, upland hardwoods with mixed pine; marsh. Possible as transient; bottomland hardwoods and large tracts of inaccessible forested areas.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5T2	State Rank: SNA

NEWTON COUNTY

MAMMALS

Mexican free-tailed bat *Tadarida brasiliensis*

Roosts in buildings in east Texas. Largest maternity roosts are in limestone caves on the Edwards Plateau. Found in all habitats, forest to desert.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5

mink *Neovison vison*

Intimately associated with water; coastal swamps & marshes, wooded riparian zones, edges of lakes. Prefer floodplains.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4

mountain lion *Puma concolor*

Rugged mountains & riparian zones.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2S3

plains spotted skunk *Spilogale putorius interrupta*

Catholic; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie

Federal Status:	State Status:	SGCN: N
Endemic: N	Global Rank: G4T4	State Rank: S1S3

Rafinesque's big-eared bat *Corynorhinus rafinesquii*

Historically, lowland pine and hardwood forests with large hollow trees. roosts in cavity trees of bottomland hardwoods, concrete culverts, and abandoned man-made structures

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S2

southeastern myotis bat *Myotis austroriparius*

Caves are rare in Texas portion of range; buildings, hollow trees are probably important. Historically, lowland pine and hardwood forests with large hollow trees; associated with ecological communities near water. Roosts in cavity trees of bottomland hardwoods, concrete culverts, and abandoned man-made structures.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3

southern short-tailed shrew *Blarina carolinensis*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4

NEWTON COUNTY

MAMMALS

swamp rabbit *Sylvilagus aquaticus*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5

tricolored bat *Perimyotis subflavus*

Forest, woodland and riparian areas are important. Caves are very important to this species.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G2G3	State Rank: S3S4

woodland vole *Microtus pinetorum*

Include grassy marshes, swamp edges, old-field/pine woodland ecotones, tallgrass fields; generally sandy soils.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

MOLLUSKS

Louisiana pigtoe *Pleurobema riddellii*

Streams and moderate-size rivers, usually flowing water on substrates of mud, sand, and gravel; not generally known from impoundments; Sabine, Neches, and Trinity (historic) River basins

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G1G2	State Rank: S1

sandbank pocketbook *Lampsilis satura*

Small to large rivers with moderate flows and swift current on gravel, gravel-sand, and sand bottoms; east Texas, Sulfur south through San Jacinto River basins; Neches River

Federal Status:	State Status: T	SGCN: Y
Endemic:	Global Rank: G2	State Rank: S1

southern hickorynut *Obovaria arkansasensis*

Medium sized gravel substrates with low to moderate current; Neches, Sabine, and Cypress river basins

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: GNR	State Rank: S1

Texas heelsplitter *Potamilus amphichaenus*

Quiet waters in mud or sand and also in reservoirs. Sabine, Neches, and Trinity River basins

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G1G2	State Rank: S1

NEWTON COUNTY

MOLLUSKS

Texas pigtoe *Fusconaia askewi*

Rivers with mixed mud, sand, and fine gravel in protected areas associated with fallen trees or other structures.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G2G3	State Rank: S2S3

REPTILES

alligator snapping turtle *Macrochelys temminckii*

Perennial water bodies; deep water of rivers, canals, lakes, and oxbows; also swamps, bayous, and ponds near deep running water; sometimes enters brackish coastal waters; usually in water with mud bottom and abundant aquatic vegetation; may migrate several miles along rivers; active March-October; breeds April-October

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S2

American alligator *Alligator mississippiensis*

Coastal marshes; inland natural rivers, swamps and marshes; manmade impoundments.

Federal Status:	State Status:	SGCN: N
Endemic: N	Global Rank: G5	State Rank: S4

eastern box turtle *Terrapene carolina*

Eastern box turtles inhabit forests, fields, forest-brush, and forest-field ecotones. In some areas they move seasonally from fields in spring to forest in summer. They commonly enters pools of shallow water in summer. For shelter, they burrow into loose soil, debris, mud, old stump holes, or under leaf litter. They can successfully hibernate in sites that may experience subfreezing temperatures. In Maryland bottomland forest, some hibernated in pits or depressions in forest floor (usually about 30 cm deep) usually within summer range; individuals tended to hibernate in same area in different years (Stickel 1989). Also attracted to farms, old fields and cut-over woodlands, as well as creek bottoms and dense woodlands. Egg laying sites often are sandy or loamy soils in open areas; females may move from bottomlands to warmer and drier sites to nest. In Maryland, females used the same nesting area in different years (Stickel 1989).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

Louisiana pine snake *Pituophis ruthveni*

Mixed deciduous-long leaf pine woods. Breeds April-September

Federal Status: LT	State Status: T	SGCN: Y
Endemic: N	Global Rank: G2	State Rank: S1

northern scarlet snake *Cemophora coccinea copei*

Along Gulf Coast, known from mixed hardwood scrub on sandy soils. Mixed hardwood scrub on sandy soils; feeds on reptile eggs; semi-fossorial; active April-September.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5T5	State Rank: S3

NEWTON COUNTY

REPTILES

slender glass lizard *Ophisaurus attenuatus*

Prefers relatively dry microhabitats, usually associated with grassy areas. Habitats include open grassland, prairie, woodland edge, open woodland, oak savannas, longleaf pine flatwoods, scrubby areas, fallow fields, and areas near streams and ponds, often in habitats with sandy soil. This species often appears on roads in spring. During inactivity, it occurs in underground burrows. In Kansas, slender glass lizards were scarce in heavily grazed pastures, increased as grass increased with removal of grazing, and declined as brush and trees replaced grass (Fitch 1989). Eggs are laid underground, under cover, or under grass clumps (Ashton and Ashton 1985); in cavities beneath flat rocks or in abandoned tunnels of small mammals (Scalopus, Microtus) (Fitch 1989).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

smooth softshell *Apalone mutica*

Any permanent body of water.Large rivers and streams; in some areas also found in lakes, impoundments, and shallow bogs (Ernst and Barbour 1972). Usually in water with sandy or mud bottom and few aquatic plants. Often basks on sand bars and mudflats at edge of water. Eggs are laid in nests dug in high open sandbars and banks close to water, usually within 90 m of water (Fitch and Plummer 1975).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

Texas indigo snake *Drymarchon melanurus erebennus*

Thornbush-chaparral woodland of south Texas, in particular dense riparian corridors.Can do well in suburban and irrigated croplands if not molested or indirectly poisoned. Requires moist microhabitats, such as rodent burrows, for shelter; Texas south of the Guadalupe River and Balcones Escarpment.

Federal Status:	State Status: T	SGCN: Y
Endemic:	Global Rank: G5T4	State Rank: S4

timber (canebrake) rattlesnake *Crotalus horridus*

Swamps, floodplains, upland pine and deciduous woodland, riparian zones, abandoned farmland. Limestone bluffs, sandy soil or black clay. Prefers dense ground cover, i.e. grapevines, palmetto.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S4

western box turtle *Terrapene ornata*

Ornate or western box trutles inhabit prairie grassland, pasture, fields, sandhills, and open woodland. They are essentially terrestrial but sometimes enter slow, shallow streams and creek pools. For shelter, they burrow into soil (e.g., under plants such as yucca) (Converse et al. 2002) or enter burrows made by other species; winter burrow depth was 0.5-1.8 meters in Wisconsin (Doroff and Keith 1990), 7-120 cm (average depth 54 cm) in Nebraska (Converse et al. 2002). Eggs are laid in nests dug in soft well-drained soil in open area (Legler 1960, Converse et al. 2002). Very partial to sandy soil.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

PLANTS

barbed rattlesnake-root *Prenanthes barbata*

NEWTON COUNTY

PLANTS

In east Texas occurs on calciphilc hardwood terraces above floodplains, and seepage slopes, often in the company of a comparatively rich herbaceous flora; elsewhere found on prairies, barrens, and open woodlands; in calcareous substrates and in sand over clay on the Weches, Fleming, and Lissie formations; flowering August-November

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

bog coneflower *Rudbeckia scabrifolia*

Restricted to partial shade at the lower edges of hillside seepage bogs and associated broadleaf semi-evergreen acid seep forests; typically at the head of a spring or seep, and usually on sites underlain by the Catahoula Formation or near the Catahoula-Fleming contact; flowering June-September

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S2

Drummond's yellow-eyed grass *Xyris drummondii*

Wet sand or peaty sand in hillside seepage bogs; in Texas, exclusively over the Catahoula formation, elsewhere also found along contact betweer Willis and Bentley formations; flowering mid June-mid August, seeds developing mid-late summer and early fall

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2

giant spiral ladies'-tresses *Spiranthes longilabris*

Restricted to wetland pine savannas; Low woods, wet open areas; Perennial; Flowering Oct-Dec; Fruiting Nov

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S1

goldenwave tickseed *Coreopsis intermedia*

In deep sandy soils of sandhills in openings in or along margins of post oak woodlands and pine-oak forests of east Texas; Perennial; Flowering/Fruiting May-Aug

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

incised groovebur *Agrimonia incisa*

Sandy soils in dry to mesic pine or mixed pine-oak forests and forest borders; usually in fire-maintained longleaf pine savannas but also in more mesic habitats; Perennial; Flowering July-September

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

large beakrush *Rhynchospora macra*

Found in ombotropic quaking peat bogs; Perennial; Flowering/Fruiting Aug-Oct

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2

NEWTON COUNTY

PLANTS

long-sepaled false dragon-head *Physostegia longisepala*

Relatively open areas on poorly drained, acid loams on level terrain over Beaumont, Deweyville, and Montgomery formations; probably originally found in fire-maintained wetland pine savannas or in the transition zone between such flatwoods and adjacent coastal prairies, now found primarily in secondary habitats, such as wet borrow ditches along roadsides and moist areas in human-made clearings in pine woodlands; flowering early May-early July

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G2G3	State Rank: S2

Mohlenbrock's sedge *Cyperus grayioides*

Deep sand and sandy loam in dry, almost barren openings in upland longleaf pine savannas, mixed pine-oak forests, and post oak woodlands; Occurs primarily in deep, periodically disturbed sandy soils in open areas maintained by factors such as wind, erosion, or fire. This species does not occur in shaded areas or in areas of high competition with other herbaceous species. Habitats include remnant sand prairies, sandy fields, sand blow outs, sandhill woodlands, pine barrens, and open barrens in which the slope is sufficient to produce sand erosion. May also occur in areas where the soils have been disturbed by logging or road construction; Perennial

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S3S4

nodding yucca *Yucca cernua*

Openings in and margins of pine-hardwood forests on brownish acid clays of the Redco Series; flowering/fruiting June-November

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G1	State Rank: S1

panicled indigobush *Amorpha paniculata*

A stout shrub, 3 m (9 ft) tall that grows in acid seep forests, peat bogs, wet floodplain forests, and seasonal wetlands on the edge of Saline Prairies in East Texas. It is distinguished from other Amorpha species by its fuzzy leaflets with prominent raised veins underneath, and the flower panicles, which are 8 to 16 inches long and slender, held above the foliage. Perennial; Flowering summer

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G2G3	State Rank: S2

roughleaf yellow-eyed grass *Xyris scabrifolia*

Wet sand and/or peat in acid seepage areas or hillside seepage bogs on the Catahoula formation or near the contact of the Catahoula and the Willis formations, in open areas and in partial shade of evergreen shrub thickets, often on Sphagnum hummocks; flowering late July-early September

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2

scarlet catchfly *Silene subciliata*

Deep well-drained sandy soils in and along margins of fire-maintained, dry, upland, longleaf pine savannas; in fire-suppressed forests with dense understory, it is often limited to sunnier roadsides or cleared utility easements; also sparingly in moister sands on openly forested creek banks; flowering early July-October, sometimes early November

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

NEWTON COUNTY

PLANTS

Shinner's sunflower *Helianthus occidentalis ssp. plantagineus*

Mostly in prairies on the Coastal Plain, with several slightly disjunct populations in the Pineywoods and South Texas Brush Country.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5T2T3	State Rank: S4

slender gay-feather *Liatris tenuis*

Sandy soils of fire-maintained upland longleaf pine savannas, mostly over the Catahoula Formation; flowering June-September

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

Southern lady's-slipper *Cypripedium kentuckiense*

Primarily restricted to calciphilic hardwood slope forests, mesic ravines, hardwood terraces above floodplains, and seepage slopes; flowering late March-May

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S1

Texas screwstem *Bartonia paniculata ssp. texana*

In and around acid seeps in Pine-Oak forests on gentle slopes and baygall shrub thickets at spring heads; often on clumps of bryophytes at tree bases, on roots, and on logs; flowering September-November, can be identified in mid to late October when its in fruit

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G2	State Rank: S2S3

tiny bog button *Lachnocaulon digynum*

Wet, acid, exposed sands, sphagnum mats, and sandstone of hillside seepage bogs (hanging bogs); appears restricted to the Catahoula formation in Texas; usually among low growing graminoids; flowering and fruiting August-October

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S1

white firewheel *Gaillardia aestivalis var. winkleri*

Open pine-oak woodlands and farkleberry sandhills in deep, loose, well-drained whitish sands; flowering late spring (May-June) and sporadically through early fall

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G5T2	State Rank: S2

yellow fringeless orchid *Platanthera integra*

Currently known only from a few bog sites in Angelina, Jasper and Newton counties; Perennial; Flowering/Fruiting Aug

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S1

U.S. Fish & Wildlife Service

ECOS

ECOS / Species Reports / Species By County Report

Species By County Report

The following report contains Species that are known to or are believed to occur in this county. Species with range unrefined past the state level are now excluded from this report. If you are looking for the Section 7 range (for Section 7 Consultations), please visit the IPaC application.

County: Newton, Texas

CSV

Need to contact a FWS field office about a species? Follow this link to find your local FWS Office.

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Birds	Bald eagle (*Haliaeetus leucocephalus*)	lower 48 States	Recovery	Illinois-Iowa Ecological Services Field Office	Recovery Plan for the Pacific Bald Eagle	Implementation Progress	Final
Birds	Bald eagle (*Haliaeetus leucocephalus*)	lower 48 States	Recovery	Illinois-Iowa Ecological Services Field Office	Southwestern Bald Eagle Recovery Plan	Implementation Progress	Final
Birds	Bald eagle (*Haliaeetus leucocephalus*)	lower 48 States	Recovery	Illinois-Iowa Ecological Services Field Office	Chesapeake Bay Bald Eagle Recovery Plan	Implementation Progress	Final Revision 1
Birds	Bald eagle (*Haliaeetus leucocephalus*)	lower 48 States	Recovery	Illinois-Iowa Ecological Services Field Office	Northern States Bald Eagle Recovery Plan	Implementation Progress	Final
Birds	Bald eagle (*Haliaeetus leucocephalus*)	lower 48 States	Recovery	Illinois-Iowa Ecological Services Field Office	Southeastern States Bald Eagle Recovery Plan	Implementation Progress	Final Revision 1

Group	Name	Population	Status	Lead Office	Recovery Plan	Recovery Plan Action Status	Recovery Plan Stage
Birds	Red-cockaded woodpecker (*Picoides borealis*)	Wherever found	Endangered	Mississippi Ecological Services Field Office	Red-cockaded Woodpecker Recovery Plan, Second Revision	Implementation Progress	Final Revision 2
Birds	Red knot (*Calidris canutus rufa*)	Wherever found	Threatened	New Jersey Ecological Services Field Office	Recovery Outline for the Rufa Red Knot (Calidris canutus rufa)	Implementation Progress	Outline
Flowering Plants	Texas screwstem (*Bartonia texana*)		Under Review	Arlington Ecological Services Field Office			
Insects	Texas emerald (*Somatochlora margarita*)	Wherever found	Under Review	Arlington Ecological Services Field Office			
Mammals	Louisiana black bear (*Ursus americanus luteolus*)	Wherever found	Recovery	Louisiana Ecological Services Field Office	Louisiana Black Bear	Implementation Progress	Final
Reptiles	Louisiana pinesnake (*Pituophis ruthveni*)	Wherever found	Threatened	Louisiana Ecological Services Field Office	Recovery Outline for Louisiana Pine Snake (Pituophis ruthveni)	Recovery efforts in progress, but no implementation information yet to display.	Outline
Reptiles	Western Chicken turtle (*Deirochelys reticularia ssp. miaria*)	Wherever found	Under Review	Arlington Ecological Services Field Office			

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Texas Coastal Ecological Services Field Office
17629 El Camino Real #211
Houston, TX 77058
Phone: (281) 286-8282 Fax: (281) 488-5882
http://www.fws.gov/southwest/es/TexasCoastal/
http://www.fws.gov/southwest/es/ES_Lists_Main2.html

In Reply Refer To: January 17, 2020
Consultation Code: 02ETTX00-2019-SLI-0848
Event Code: 02ETTX00-2020-E-01736
Project Name: Newton County-2016 Floods Buyout Program

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The U.S. Fish and Wildlife Service (Service) field offices in Clear Lake, Tx, and Corpus Christi, Tx, have combined administratively to form the Texas Coastal Ecological Services Field Office. A map of the Texas Coastal Ecological Services Field Office area of responsibility can be found at: http://www.fws.gov/southwest/es/TexasCoastal/Map.html. All project related correspondence should be sent to the field office responsible for the area in which your project occurs. For projects located in southeast Texas please write to: Field Supervisor; U.S. Fish and Wildlife Service; 17629 El Camino Real Ste. 211; Houston, Texas 77058. For projects located in southern Texas please write to: Field Supervisor; U.S. Fish and Wildlife Service; P.O. Box 81468; Corpus Christi, Texas 78468-1468. For projects located in six counties in southern Texas (Cameron, Hidalgo, Starr, Webb, Willacy, and Zapata) please write: Santa Ana NWR, ATTN: Ecological Services Sub Office, 3325 Green Jay Road, Alamo, Texas 78516.

The enclosed species list identifies federally threatened, endangered, and proposed to be listed species; designated critical habitat; and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project.

New information from updated surveys, changes in the abundance and distribution of species, changes in habitat conditions, or other factors could change the list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS-IPaC website http://ecos.fws.gov/ipac/ at regular intervals during project planning and implementation for updates to species list and information. An updated list may be

requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Candidate species have no protection under the Act but are included for consideration because they could be listed prior to the completion of your project. The other species information should help you determine if suitable habitat for these listed species exists in any of the proposed project areas or if project activities may affect species on-site, off-site, and/or result in "take" of a federally listed species.

"Take" is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. In addition to the direct take of an individual animal, habitat destruction or modification can be considered take, regardless of whether it has been formally designated as critical habitat, if the activity results in the death or injury of wildlife by removing essential habitat components or significantly alters essential behavior patterns, including breeding, feeding, or sheltering.

Section 7

Section 7 of the Act requires that all Federal agencies consult with the Service to ensure that actions authorized, funded or carried out by such agencies do not jeopardize the continued existence of any listed threatened or endangered species or adversely modify or destroy critical habitat of such species. It is the responsibility of the Federal action agency to determine if the proposed project may affect threatened or endangered species. If a "may affect" determination is made, the Federal agency shall initiate the section 7 consultation process by writing to the office that has responsibility for the area in which your project occurs.

Is not likely to adversely affect - the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. The Federal agency or the designated non-Federal representative should seek written concurrence from the Service that adverse effects have been eliminated. Be sure to include all of the information and documentation used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.

Is likely to adversely affect - adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also is likely to cause some adverse effects to individuals of that species, then the proposed action "is likely to adversely affect" the listed species. An "is likely to adversely affect" determination requires the Federal action agency to initiate formal section 7 consultation with this office.

No effect - the proposed action will not affect federally listed species or critical habitat (i.e., suitable habitat for the species occurring in the project county is not present in or adjacent to the action area). No further coordination or contact with the Service is necessary. However, if the

project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.

Regardless of your determination, the Service recommends that you maintain a complete record of the evaluation, including steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related articles.

Please be advised that while a Federal agency may designate a non-Federal representative to conduct informal consultations with the Service, assess project effects, or prepare a biological assessment, the Federal agency must notify the Service in writing of such a designation. The Federal agency shall also independently review and evaluate the scope and contents of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

The Service's Consultation Handbook is available online to assist you with further information on definitions, process, and fulfilling Act requirements for your projects at: http://www.fws.gov/endangered/esa-library/pdf/esa_section7_handbook.pdf

Section 10

If there is no federal involvement and the proposed project is being funded or carried out by private interests and/or non-federal government agencies, and the project as proposed may affect listed species, a section 10(a)(1)(B) permit is recommended. The Habitat Conservation Planning Handbook is available at: http://www.fws.gov/endangered/esa-library/pdf/HCP_Handbook.pdf

Service Response

Please note that the Service strives to respond to requests for project review within 30 days of receipt, however, this time period is not mandated by regulation. Responses may be delayed due to workload and lack of staff. Failure to meet the 30-day timeframe does not constitute a concurrence from the Service that the proposed project will not have impacts to threatened and endangered species.

Proposed Species and/or Proposed Critical Habitat

While consultations are required when the proposed action may affect listed species, section 7(a)(4) was added to the ESA to provide a mechanism for identifying and resolving potential conflicts between a proposed action and proposed species or proposed critical habitat at an early planning stage. The action agency should seek conference from the Service to assist the action agency in determining effects and to advise the agency on ways to avoid or minimize adverse effect to proposed species or proposed critical habitat.

Candidate Species

Candidate species are species that are being considered for possible addition to the threatened and endangered species list. They currently have no legal protection under the ESA. If you find you have potential project impacts to these species the Service would like to provide technical

assistance to help avoid or minimize adverse effects. Addressing potential impacts to these species at this stage could better provide for overall ecosystem healh in the local area and ay avert potential future listing.

Several species of freshwater mussels occur in Texas and four are candidates for listing under the ESA. The Service is also reviewing the status of six other species for potential listing under the ESA. One of the main contributors to mussel die offs is sedimentation, which smothers and suffocates mussels. To reduce sedimentation within rivers, streams, and tributaries crossed by a project, the Service recommends that that you implement the best management practices found at: http://www.fws.gov/southwest/es/TexasCoastal/FreshwaterMussels.html.

Candidate Conservation Agreements (CCAs) or Candidate Conservation Agreements with Assurances (CCAAs) are voluntary agreements between the Service and public or private entities to implement conservation measures to address threats to candidate species. Implementing conservation efforts before species are listed increases the likelihood that simpler, flexible, and more cost-effective conservation options are available. A CCAA can provide participants with assurances that if they engage in conservation actions, they will not be required to implement additional conservation measures beyond those in the agreement. For additional information on CCAs/CCAAs please visit the Service's website at http://www.fws.gov/endangered/what-we-do/cca.html.

Migratory Birds

The Migratory Bird Treaty Act (MBTA) implements various treaties and conventions for the protection of migratory birds. Under the MBTA, taking, killing, or possessing migratory birds is unlawful. Many may nest in trees, brush areas or other suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals or eggs. If project activities must be conducted during this time, we recommend surveying for active nests prior to commencing work. A list of migratory birds may be viewed at http://www.fws.gov/migratorybirds/regulationspolicies/mbta/mbtandx.html.

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the Act on August 9, 2007. Both the bald eagle and the goden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to "disturb" eagles. Under the BGEPA, the Service may issue limited permits to incidentally "take" eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For more information on bald and golden eagle management guidlines, we recommend you review information provided at http://www.fws.gov/midwest/eagle/pdf/NationalBaldEagleManagementGuidelines.pdf.

The construction of overhead power lines creates threats of avian collision and electrocution. The Service recommends the installation of underground rather than overhead power lines whenever possible. For new overhead lines or retrofitting of old lines, we recommend that project

developers implement, to the maximum extent practicable, the Avian Power Line Interaction Committee guidelines found at http://www.aplic.org/.

Meteorological and communication towers are estimated to kill millions of birds per year. We recommend following the guidance set forth in the Service Interim Guidelines for Recommendations on Communications Tower Siting, Constructions, Operation and Decommissioning, found online at: http://www.fws.gov/habitatconservation/communicationtowers.html, to minimize the threat of avian mortality at these towers. Monitoring at these towers would provide insight into the effectiveness of the minimization measures. We request the results of any wildlife mortality monitoring at towers associated with this project.

We request that you provide us with the final location and specifications of your proposed towers, as well as the recommendations implemented. A Tower Site Evaluation Form is also available via the above website; we recommend you complete this form and keep it in your files. If meteorological towers are to be constructed, please forward this completed form to our office.

More information concerning sections 7 and 10 of the Act, migratory birds, candidate species, and landowner tools can be found on our website at: http://www.fws.gov/southwest/es/TexasCoastal/ProjectReviews.html.

Wetlands and Wildlife Habitat

Wetlands and riparian zones provide valuable fish and wildlife habitat as well as contribute to flood control, water quality enhancement, and groundwater recharge. Wetland and riparian vegetation provides food and cover for wildlife, stabilizes banks and decreases soil erosion. These areas are inherently dynamic and very sensitive to changes caused by such activities as overgrazing, logging, major construction, or earth disturbance. Executive Order 11990 asserts that each agency shall provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial value of wetlands in carrying out the agency's responsibilities. Construction activities near riparian zones should be carefully designed to minimize impacts. If vegetation clearing is needed in these riparian areas, they should be re-vegetated with native wetland and riparian vegetation to prevent erosion or loss of habitat. We recommend minimizing the area of soil scarification and initiating incremental re-establishment of herbaceous vegetation at the proposed work sites. Denuded and/or disturbed areas should be re-vegetated with a mixture of native legumes and grasses. Species commonly used for soil stabilization are listed in the Texas Department of Agriculture's (TDA) Native Tree and Plant Directory, available from TDA at P.O. Box 12847, Austin, Texas 78711. The Service also urges taking precautions to ensure sediment loading does not occur to any receiving streams in the proposed project area. To prevent and/or minimize soil erosion and compaction associated with construction activities, avoid any unnecessary clearing of vegetation, and follow established rights-of-way whenever possible. All machinery and petroleum products should be stored outside the floodplain and/or wetland area during construction to prevent possible contamination of water and soils.

Wetlands and riparian areas are high priority fish and wildlife habitat, serving as important sources of food, cover, and shelter for numerous species of resident and migratory wildlife. Waterfowl and other migratory birds use wetlands and riparian corridors as stopover, feeding, and nesting areas. We strongly recommend that the selected project site not impact wetlands and riparian areas, and be located as far as practical from these areas. Migratory birds tend to concentrate in or near wetlands and riparian areas and use these areas as migratory flyways or corridors. After every effort has been made to avoid impacting wetlands, you anticipate unavoidable wetland impacts will occur; you should contact the appropriate U.S. Army Corps of Engineers office to determine if a permit is necessary prior to commencement of construction activities.

If your project will involve filling, dredging, or trenching of a wetland or riparian area it may require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers (COE). For permitting requirements please contact the U.S. Corps of Engineers, District Engineer, P.O. Box 1229, Galveston, Texas 77553-1229, (409) 766-3002.

Beneficial Landscaping

In accordance with Executive Order 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping (42 C.F.R. 26961), where possible, any landscaping associated with project plans should be limited to seeding and replanting with native species. A mixture of grasses and forbs appropriate to address potential erosion problems and long-term cover should be planted when seed is reasonably available. Although Bermuda grass is listed in seed mixtures, this species and other introduced species should be avoided as much as possible. The Service also recommends the use of native trees, shrubs, and herbaceous species that are adaptable, drought tolerant and conserve water.

State Listed Species

The State of Texas protects certain species. Please contact the Texas Parks and Wildlife Department (Endangered Resources Branch), 4200 Smith School Road, Austin, Texas 78744 (telephone 512/389-8021) for information concerning fish, wildlife, and plants of State concern or visit their website at: http://www.tpwd.state.tx.us/huntwild/wild/wildlife_diversity/texas_rare_species/listed_species/.

If we can be of further assistance, or if you have any questions about these comments, please contact 281/286-8282 if your project is in southeast Texas, or 361/994-9005, ext. 246, if your project is in southern Texas. Please refer to the Service consultation number listed above in any future correspondence regarding this project.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Texas Coastal Ecological Services Field Office
17629 El Camino Real #211
Houston, TX 77058
(281) 286-8282

Project Summary

Consultation Code: 02ETTX00-2019-SLI-0848

Event Code: 02ETTX00-2020-E-01736

Project Name: Newton County-2016 Floods Buyout Program

Project Type: Federal Grant / Loan Related

Project Description: Newton County has been awarded funding from HUD to purchase damaged homes and property from homeowners to encourage relocation to areas less prone to flooding. The homes would be demolished and deed restrictions placed on the property would convert it to green space for perpetuity.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/30.714635788647186N93.74478142307449W

Counties: Newton, TX

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 3 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Least Tern *Sterna antillarum*	Endangered

Population: interior pop.
No critical habitat has been designated for this species.
This species only needs to be considered under the following conditions:
- Wind related projects within migratory route.

Species profile: https://ecos.fws.gov/ecp/species/8505

Piping Plover *Charadrius melodus*	Threatened

Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.
There is **final** critical habitat for this species. Your location is outside the critical habitat.
This species only needs to be considered under the following conditions:
- Wind related projects within migratory route.

Species profile: https://ecos.fws.gov/ecp/species/6039

Red Knot *Calidris canutus rufa*	Threatened

No critical habitat has been designated for this species.
This species only needs to be considered under the following conditions:
- Wind related projects within migratory route.

Species profile: https://ecos.fws.gov/ecp/species/1864

Red-cockaded Woodpecker *Picoides borealis*	Endangered

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/7614

Reptiles

NAME	STATUS
Louisiana Pinesnake *Pituophis ruthveni*	Threatened

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/4092

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Critical Habitat for Threatened & Endangered Species [USFWS]

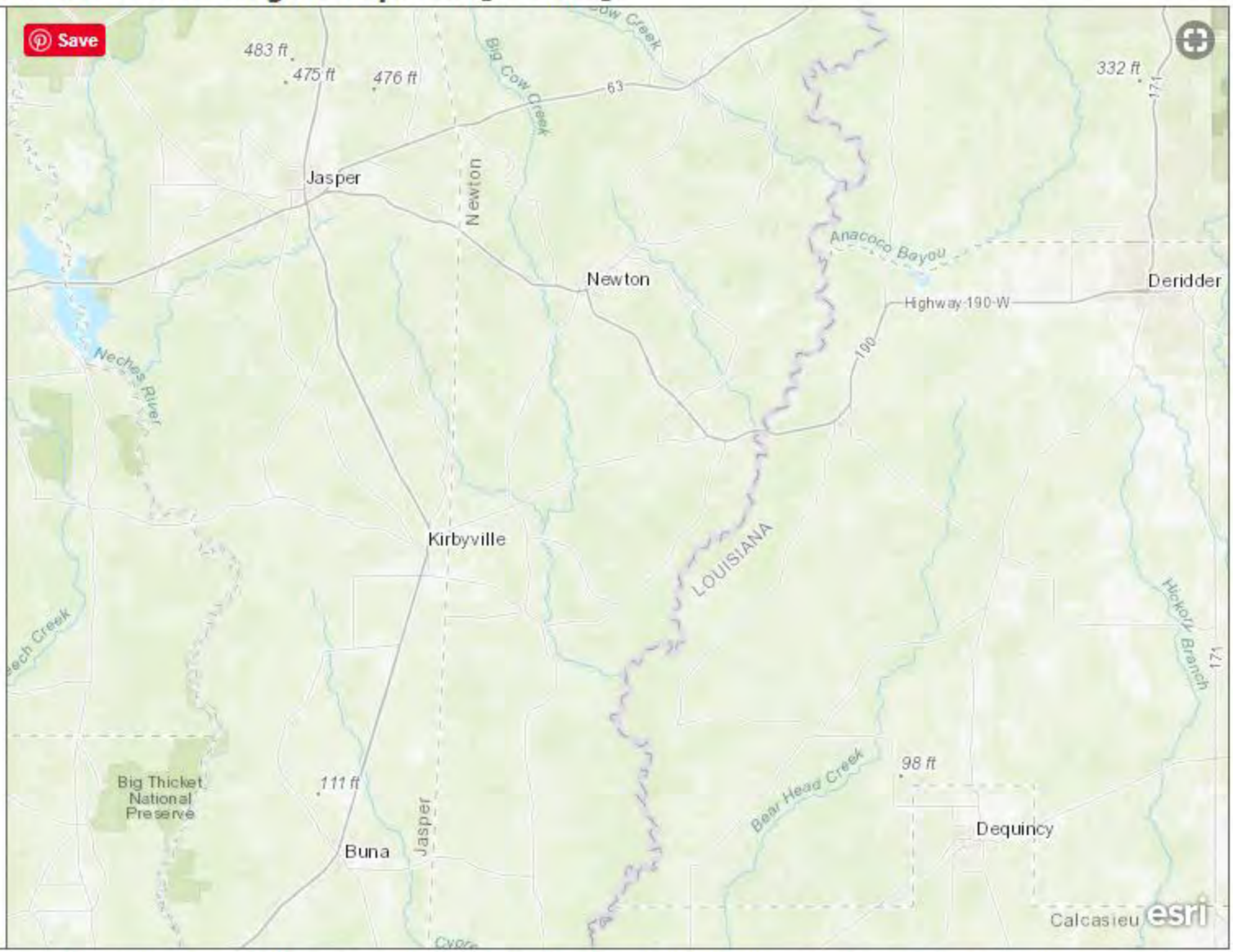
Final Linear Features

Final Polygon Features

Proposed Linear Features

Proposed Polygon Features

There are no critical habitats in Newton County.



A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

U.S. Fish and Wildlife Service | Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

Attachment H

Explosives and Flammable Hazards

As addresses are known a site specific determination will be made.

Explosive and Flammable Hazards (CEST and EA)

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities		

1. **Does the proposed HUD-assisted project include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

   ☒ No

   → *Continue to Question 2.*

   ☐ Yes

   Explain:

   → *Continue to Question 5.*

2. **Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

   ☒ No

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

   ☐ Yes

   → *Continue to Question 3.*

3. **Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers:**
   - Of more than 100 gallon capacity, containing common liquid industrial fuels OR
   - Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

   ☐ No

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.*

☐ Yes

→ *Continue to Question 4.*

4. **Is the Separation Distance from the project acceptable based on standards in the Regulation?**

   Please visit HUD's website for information on calculating Acceptable Separation Distance.

   ☐ Yes

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."*

   ☐ No

   → *Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."*
   Continue to Question 6.

5. **Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?**

   Please visit HUD's website for information on calculating Acceptable Separation Distance.

   ☐ Yes

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.*

   ☐ No

   → *Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.*
   Continue to Question 6.

6. **For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to make the Separation Distance acceptable, including the timeline for implementation. If negative effects cannot be mitigated, cancel the project at this location.**

   Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an

unacceptable separation distance, provide approval from a licensed professional engineer.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

2. *This project will consist of demolishing existing homes that are located in a floodplain or floodway and then converting the land to green space. The project will not include any activities related to development, construction, or rehabilitation that will increase residential densities or conversion.*

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Central Registry Query - Regulated Entity Search Results List

The regulated entity name search looks for current and prior customer names. Therefore, the result list could return a name that doesn't exactly match the search criteria.

Your Search Returned **34** Records. Click on a column name to change the sort or a RN to view the regulated entity information.

1-34 of 34 Records

RN Number	Regulated Entity Name ▲	County	Location
RN106516610	BEARD CONSTRUCTION	NEWTON	N HWY 87 DEWEYVILLE TX
RN105271282	BROOKSHIRE BROTHERS 14	NEWTON	609 W COURT ST NEWTON TX 75966 3010
RN102959822	BURKEVILLE FOOD MART	NEWTON	HWY 87 @ HWY 63 BURKEVILLE, TX 75932
RN102062999	BUTTERFLIES	NEWTON	203 E COURT ST NEWTON TX 75966 3203
RN101823607	CAMPBELL OIL	NEWTON	NORTH ST & OLD TRAM RD NEWTON TX
RN102241668	CONOCO KWIK STOP	NEWTON	HWY 12 E DEWEYVILLE TX 77614
RN102432416	DEES ONE STOP	NEWTON	17620 STATE HIGHWAY 87 S CALL TX 75933 5005
RN105990600	DEWEYVILLE ISD BUS YARD	NEWTON	E MCMAHON & SPUR 272
RN102351996	DEWEYVILLE QUIK STOP	NEWTON	2574 STATE HIGHWAY 12 E ORANGE TX 77632 8636
RN101738631	FASHIONS COUNTRY STORE	NEWTON	3005 N HWY 87 NEWTON TX 75966
RN102281870	GET N GO	NEWTON	1001 STATE HIGHWAY 62 N MAURICEVILLE TX 77626
RN103002432	GOOCH AUTOMOTIVE	NEWTON	512 RUSK ST NEWTON TX 75966 3235
RN102277241	GRAHAMS GROCERY	NEWTON	FM 1415 & HWY 63
RN106135866	H & H TIMBER WOODYARD	NEWTON	416 FM 1012 NEWTON TX 75966
RN101897973	J & J GRO	NEWTON	HWY 87
RN105019517	JAMES M CLAYTON	NEWTON	HWY 12
RN102828837	MIDWAY STORE	NEWTON	187 MIDWAY LOOP E LIVINGSTON TX 77351 8490
RN101773976	NEWTON CONOCO	NEWTON	HWY 190 W NEWTON TX 75966
RN102030319	NEWTON JIFFY MARKET	NEWTON	200 N STATE HIGHWAY 87 NEWTON TX 75966 3006
RN101444321	SABINE RIVER AUTHORITY OF TEXAS	NEWTON	518 PR 6056 BURKEVILLE TX 75932 3818
RN101701944	SPECIALTY SAND DEWEYVILLE PLANT	NEWTON	2133 COUNTY ROAD 4123 DEWEYVILLE TX 77614
RN102789138	SUNSHINE GROCERIES	NEWTON	10749 US HIGHWAY 190 E BON WIER TX 75928 2617
RN102478468	SUNSHINE GROCERY	NEWTON	42338 S TEXAS STATE HIGHWAY 87 DEWEYVILLE TX 77614
RN101732352	SUNSHINE GROCERY & LIQUOR	NEWTON	HWY 87

RN101804862	THE LAST STORE	NEWTON	10973 E STATE HIGHWAY 190 BON WIER TX 75928 2628
RN101745503	THE POCKET STORE	NEWTON	HWY 87 & FM 253
RN101781714	THE RIVER STORE	NEWTON	10326 STATE HIGHWAY 63 E BURKEVILLE TX 75932 4403
RN101827038	THREE FLAGS TRUCK STOP	NEWTON	HWY 190
RN102406840	TOLEDO BEND PROJECT JOINT OPERATION	NEWTON	HWY 692 NEAR LOUISIANA BORDER AT TOLEDO BEND HYDRO PLAN
RN101851475	TOLEDO BEND TRADING POST	NEWTON	13816 FM 692 BURKEVILLE TX 75932 3804
RN101866432	TRANSPORTATION BARN	NEWTON	231 COUNTY ROAD 2099 BURKEVILLE TX 75932 2700
RN103046520	TROUT CREEK GROCERY	NEWTON	HWY 87 & FM 1004 CALL TX
RN102958881	TXDOT NEWTON MAINTENANCE	NEWTON	US 190 1 2 MI W OF SH
RN100222553	WESTERN WASTE OF TEXAS NEWTON COMPLEX	NEWTON	2372 COUNTY RD 3870 DEWEYVILLE TX 77614

1-34 of 34 Records

The following search criteria was entered:
Program Area: PSTREG
ID Status: ACTIVE
County: NEWTON

Attachment I
Farmlands Protection

Farmlands Protection (CEST and EA)

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

1. **Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

   ☐Yes → *Continue to Question 2.*

   ☒No

   Explain how you determined that agricultural land would not be converted:

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.*

2. **Does "important farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?**

   You may use the links below to determine important farmland occurs on the project site:

   - Utilize USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm
   - Check with your city or county's planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
   - Contact NRCS at the local USDA service center http://offices.sc.egov.usda.gov/locator/app?agency=nrcs or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

   ☐No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

   ☐Yes → *Continue to Question 3.*

3. **Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.**
   - Complete form **AD-1006**, "Farmland Conversion Impact Rating" http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist.
     (NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)
   - Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

☐Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

☐Project will proceed without mitigation.

Explain why mitigation will not be made here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

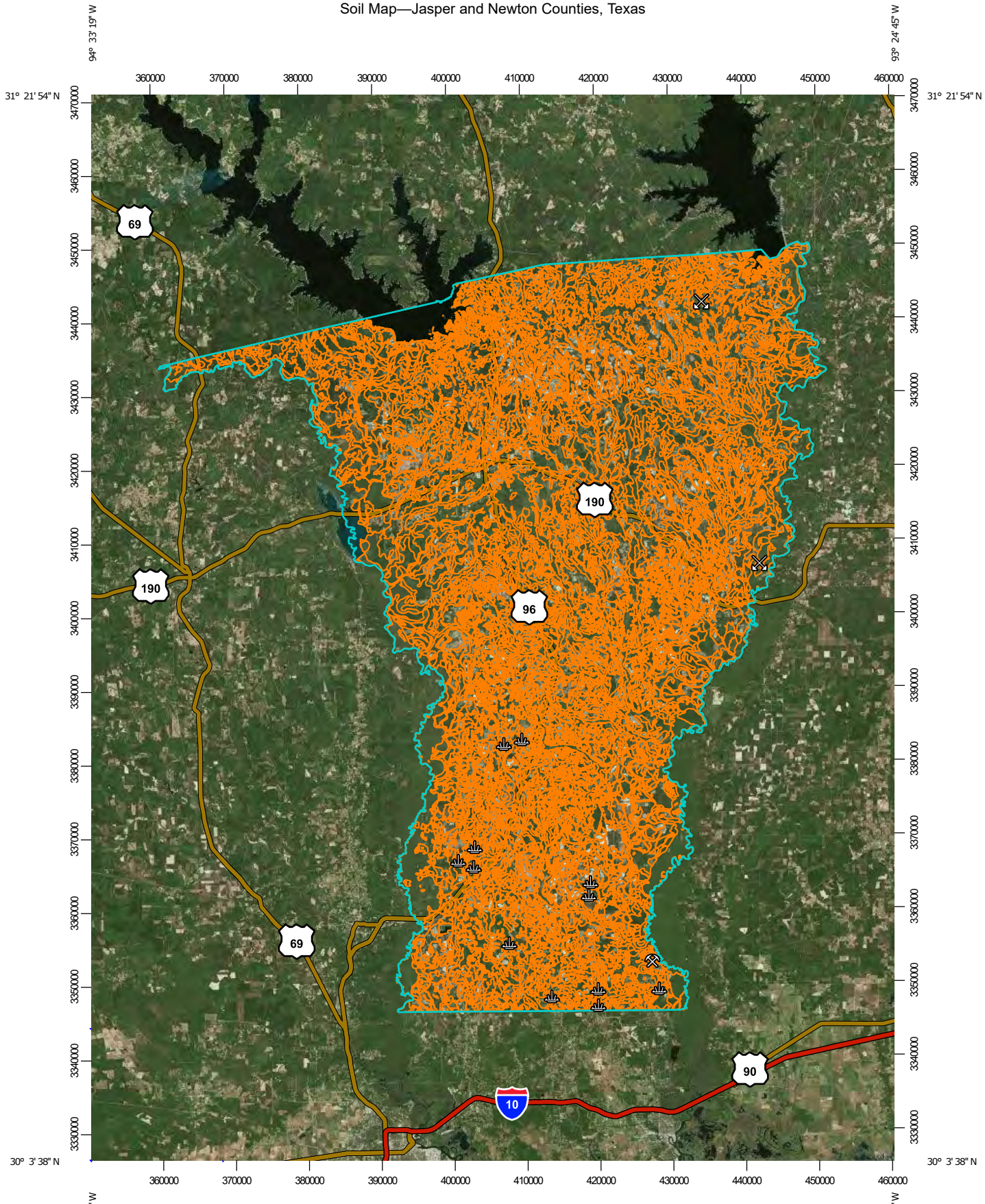
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Project sites are already in development and therefore exempt Farmland Protection.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No



Map Scale: 1:706,000 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 10000 20000 40000 60000

Feet
0 30000 60000 120000 180000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Jasper and Newton Counties, Texas
Survey Area Data: Version 17, Sep 12, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 1, 1999—Dec 31, 2003

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

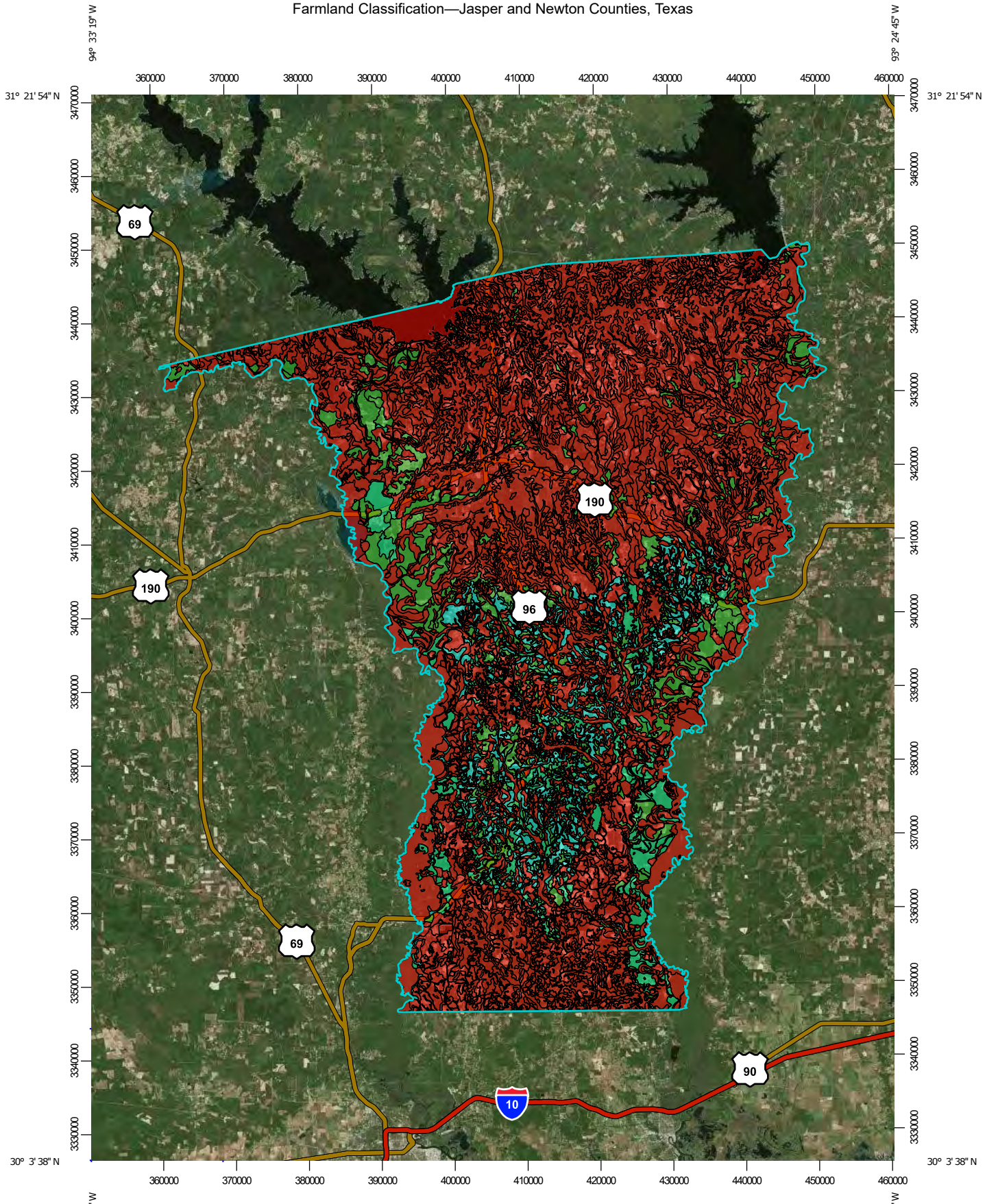
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AtA	Attoyac fine sandy loam, 0 to 3 percent slopes	1,733.2	0.1%
BaB	Bernaldo-Besner complex, gently undulating	24,375.7	2.0%
BatA	Batson very fine sandy loam, 0 to 1 percent slopes	56.8	0.0%
BeB	Besner-Mollville complex, gently undulating	28,824.4	2.4%
BelB	Belrose loamy fine sand, 0 to 3 percent slopes	5,148.2	0.4%
BemA	Belrose-Caneyhead frequently ponded complex, 0 to 1 percent slopes	28,831.7	2.4%
BIB	Bienville-Alaga association, gently undulating	25,417.1	2.1%
BOE	Bonwier-Stringtown association, hilly	3,844.1	0.3%
BrD	Browndell-Rock outcrop complex, sloping	3,447.8	0.3%
BuD	Burkeville clay, 3 to 12 percent slopes	5,479.5	0.4%
BunD	Buna very fine sandy loam, 3 to 8 percent slopes	2,521.7	0.2%
CamA	Camptown silt loam, 0 to 1 percent slopes, frequently ponded	17,563.2	1.4%
CapA	Camptown frequently ponded-Batson complex, 0 to 1 percent slopes	2,327.6	0.2%
CowA	Cowmarsh mucky silty clay, 0 to 1 percent slopes, frequently flooded, frequently ponded	5,985.8	0.5%
CRB	Corrigan-Rayburn association, gently undulating	11,286.0	0.9%
DAM	Dams	82.1	0.0%
DewA	Deweyville mucky silt loam, 0 to 1 percent slopes, frequently flooded, frequently ponded	3,455.0	0.3%
DUB	Doucette-Boykin association, undulating	49,694.0	4.1%
EvaA	Evadale silt loam, 0 to 1 percent slopes	25,535.0	2.1%
EvdA	Evadale-Aldine complex, 0 to 1 percent slopes	19,273.2	1.6%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
EvgA	Evadale-Gist complex, 0 to 1 percent slopes	51,851.1	4.2%
GAB	Gallime-Spurger association, gently undulating	4,940.5	0.4%
Gw	Gladewater soils, frequently flooded	920.6	0.1%
HatA	Hatliff-Pluck-Kian complex, 0 to 1 percent slopes, frequently flooded	25,676.9	2.1%
Iu	Iuka soils, frequently flooded	26,096.1	2.1%
JasA	Jasco silt loam, 0 to 1 percent slopes, frequently ponded	1,921.8	0.2%
JayA	Jayhawker silt loam, 0 to 1 percent slopes, frequently ponded	263.3	0.0%
KAE	Kisatchie-Rayburn association, hilly	18,915.0	1.5%
KefB	Kenefick very fine sandy loam, 0 to 3 percent slopes	3,246.2	0.3%
KenA	Kenefick-Caneyhead frequently ponded complex, 0 to 1 percent slopes	8,556.8	0.7%
KibB	Kirbyville fine sandy loam, 0 to 2 percent slopes	23,225.3	1.9%
KinB	Kirbyville-Niwana complex, 0 to 2 percent slopes	32,526.0	2.7%
KouB	Kountze very fine sandy loam, 0 to 2 percent slopes	3,892.6	0.3%
LAFX	Landfill	186.6	0.0%
LelA	Lelavale silt loam, 0 to 1 percent slopes, frequently ponded	1,480.5	0.1%
LTC	Letney-Tehran association, undulating	63,996.9	5.2%
M-W	Miscellaneous water	95.9	0.0%
McnC	McNeely sand, 1 to 5 percent slopes	1,542.4	0.1%
Mn	Mantachie and Bleakwood soils, frequently flooded	25,044.3	2.0%
Mo	Melhomes soils, frequently flooded	10,087.6	0.8%
MomA	Mollco frequently ponded-Craigen complex, 0 to 1 percent slopes, rarely flooded	117.9	0.0%
Mr	Mooreville soils, occasionally flooded	8,290.8	0.7%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
NEB	Newco-Urland association, gently undulating	8,700.0	0.7%
NEE	Newco-Urland association, hilly	23,095.5	1.9%
NfC	Nikful fine sandy loam, 0 to 8 percent slopes	3,168.5	0.3%
NonA	Nona-Dallardsville complex, 0 to 1 percent slopes	11,900.4	1.0%
Oc	Ochlockonee soils, occasionally flooded	2,258.3	0.2%
OlvA	Olive frequently ponded-Dallardsville complex, 0 to 1 percent slopes	68.6	0.0%
OtaB	Otanya very fine sandy loam, 1 to 3 percent slopes	55,801.1	4.6%
OtbC	Otanya very fine sandy loam, 3 to 5 percent slopes	20,375.4	1.7%
PIC	Pinetucky-Doucette association, undulating	38,725.8	3.2%
PITX	Pits	253.0	0.0%
PlaA	Plank silt loam, 0 to 1 percent slopes	2,956.9	0.2%
RAB	Rayburn-Corrigan association, undulating	8,132.2	0.7%
RBE	Rayburn-Kisatchie association, hilly	11,444.0	0.9%
REB	Redco-Woodville association, gently undulating	13,822.2	1.1%
RPB	Rogan-Pinetucky association, gently undulating	9,539.8	0.8%
SBC	Shankler-Boykin association, undulating	4,973.0	0.4%
SBE	Shankler-Boykin association, hilly	38,289.8	3.1%
SilC	Silsbee fine sandy loam, 3 to 5 percent slopes	4,634.6	0.4%
SilD	Silsbee loamy fine sand, 5 to 12 percent slopes	2,042.2	0.2%
SimA	Simelake clay, 0 to 1 percent slopes, frequently flooded	3,874.6	0.3%
SipA	Simelake-Pluck complex, 0 to 1 percent slopes, frequently flooded	35,580.5	2.9%
SomA	Sorter-Dallardsville complex, 0 to 1 percent slopes	14,333.6	1.2%
SovA	Sourlake loam, 0 to 1 percent slopes, frequently flooded	14,680.3	1.2%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
SpuB	Spurger very fine sandy loam, 0 to 3 percent slopes	6,330.7	0.5%
SpyA	Spurger-Caneyhead frequently ponded complex, 0 to 1 percent slopes	12,533.6	1.0%
STE	Stringtown-Bonwier association, hilly	4,465.9	0.4%
SXC	Stringtown-Bonwier association, graded	3,554.7	0.3%
TaB	Tahoula clay, 1 to 5 percent slopes	588.1	0.0%
TaD	Tahoula clay, 5 to 15 percent slopes	983.0	0.1%
TelB	Texla silt loam, 0 to 2 percent slopes	2,982.0	0.2%
TeuB	Texla-Urban land complex, 0 to 2 percent slopes	410.1	0.0%
TLE	Tehran-Letney association, hilly	117,956.1	9.7%
TurB	Turkey sand, 1 to 3 percent slopes	2,390.7	0.2%
TybA	Tyden frequently ponded-Babco complex, 0 to 1 percent slopes	502.0	0.0%
Um	Urbo and Mantachie soils, frequently flooded	26,145.7	2.1%
UPB	Urland-Pinetucky association, undulating	2,826.0	0.2%
VidA	Vidor silt loam, 0 to 1 percent slopes	11,262.0	0.9%
VigA	Vidor-Gist complex, 0 to 1 percent slopes	12,486.2	1.0%
VtaA	Votaw fine sand, 0 to 1 percent slopes	7,451.9	0.6%
W	Water	26,818.7	2.2%
WalA	Waller silt loam, 0 to 1 percent slopes	4,915.9	0.4%
WarA	Waller-Dallardsville complex, 0 to 1 percent slopes	27,197.6	2.2%
WgC	Wiergate clay, 1 to 8 percent slopes	11,206.9	0.9%
WTB	Woodville-Redco association, gently undulating	32,673.3	2.7%
Totals for Area of Interest		**1,222,088.4**	**100.0%**

Farmland Classification—Jasper and Newton Counties, Texas



Map Scale: 1:706,000 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 10000 20000 40000 60000

Feet
0 30000 60000 120000 180000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

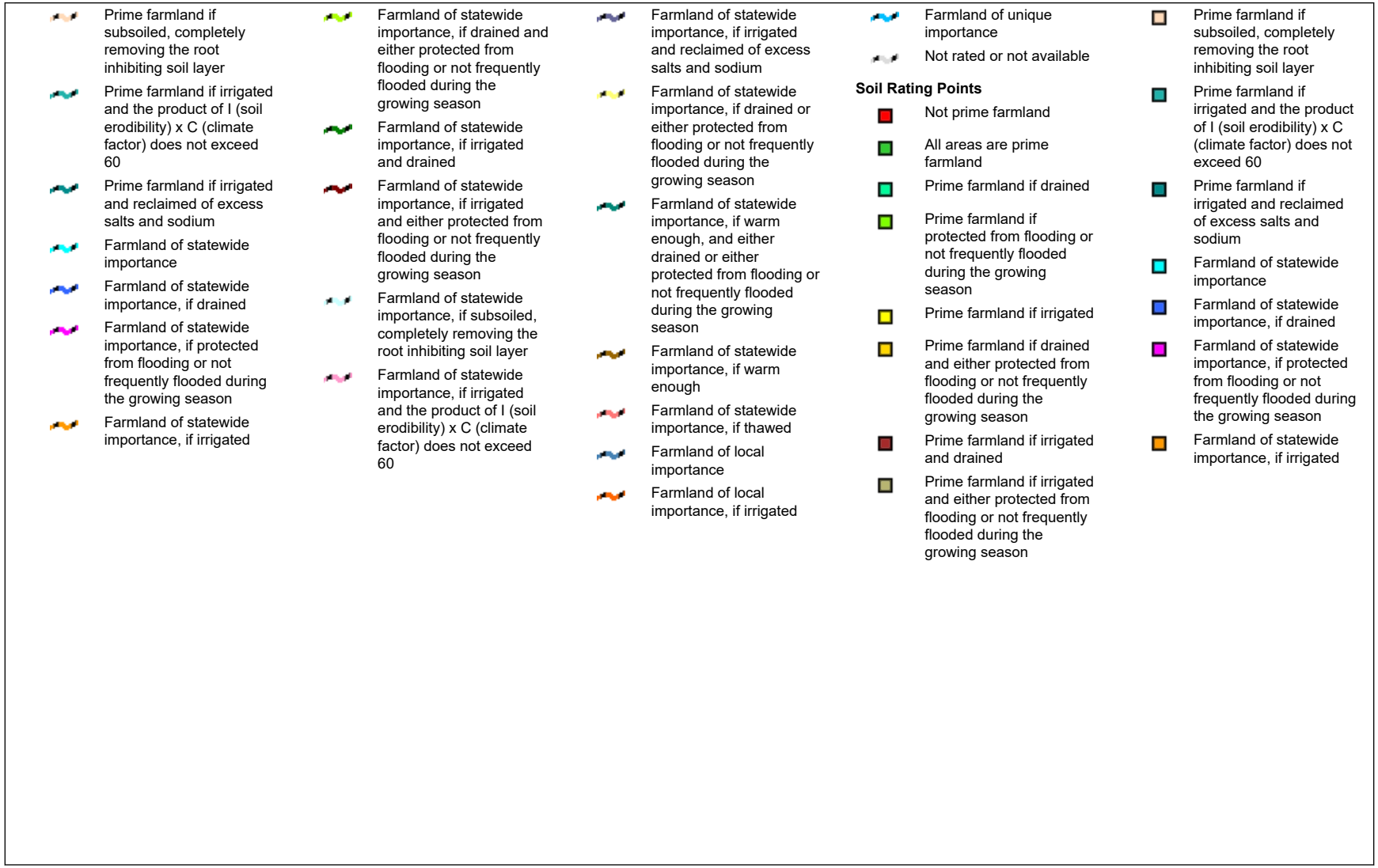
Soils

Soil Rating Polygons

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Lines

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season


Prime farmland if subsoiled, completely removing the root inhibiting soil layer
Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
Prime farmland if irrigated and reclaimed of excess salts and sodium
Farmland of statewide importance
Farmland of statewide importance, if drained
Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if irrigated
Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if irrigated and drained
Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if warm enough
Farmland of statewide importance, if thawed
Farmland of local importance
Farmland of local importance, if irrigated
Farmland of unique importance
Not rated or not available
Soil Rating Points
Not prime farmland
All areas are prime farmland
Prime farmland if drained
Prime farmland if protected from flooding or not frequently flooded during the growing season
Prime farmland if irrigated
Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
Prime farmland if irrigated and drained
Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
Prime farmland if subsoiled, completely removing the root inhibiting soil layer
Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
Prime farmland if irrigated and reclaimed of excess salts and sodium
Farmland of statewide importance
Farmland of statewide importance, if drained
Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if irrigated

- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Jasper and Newton Counties, Texas
Survey Area Data: Version 17, Sep 12, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 1, 1999—Dec 31, 2003

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
AtA	Attoyac fine sandy loam, 0 to 3 percent slopes	All areas are prime farmland	1,733.2	0.1%
BaB	Bernaldo-Besner complex, gently undulating	All areas are prime farmland	24,375.7	2.0%
BatA	Batson very fine sandy loam, 0 to 1 percent slopes	Not prime farmland	56.8	0.0%
BeB	Besner-Mollville complex, gently undulating	All areas are prime farmland	28,824.4	2.4%
BelB	Belrose loamy fine sand, 0 to 3 percent slopes	Not prime farmland	5,148.2	0.4%
BemA	Belrose-Caneyhead frequently ponded complex, 0 to 1 percent slopes	Prime farmland if drained	28,831.7	2.4%
BIB	Bienville-Alaga association, gently undulating	Not prime farmland	25,417.1	2.1%
BOE	Bonwier-Stringtown association, hilly	Not prime farmland	3,844.1	0.3%
BrD	Browndell-Rock outcrop complex, sloping	Not prime farmland	3,447.8	0.3%
BuD	Burkeville clay, 3 to 12 percent slopes	Not prime farmland	5,479.5	0.4%
BunD	Buna very fine sandy loam, 3 to 8 percent slopes	Farmland of statewide importance	2,521.7	0.2%
CamA	Camptown silt loam, 0 to 1 percent slopes, frequently ponded	Not prime farmland	17,563.2	1.4%
CapA	Camptown frequently ponded-Batson complex, 0 to 1 percent slopes	Not prime farmland	2,327.6	0.2%
CowA	Cowmarsh mucky silty clay, 0 to 1 percent slopes, frequently flooded, frequently ponded	Not prime farmland	5,985.8	0.5%
CRB	Corrigan-Rayburn association, gently undulating	Not prime farmland	11,286.0	0.9%
DAM	Dams	Not prime farmland	82.1	0.0%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
DewA	Deweyville mucky silt loam, 0 to 1 percent slopes, frequently flooded, frequently ponded	Not prime farmland	3,455.0	0.3%
DUB	Doucette-Boykin association, undulating	Not prime farmland	49,694.0	4.1%
EvaA	Evadale silt loam, 0 to 1 percent slopes	Not prime farmland	25,535.0	2.1%
EvdA	Evadale-Aldine complex, 0 to 1 percent slopes	Not prime farmland	19,273.2	1.6%
EvgA	Evadale-Gist complex, 0 to 1 percent slopes	Not prime farmland	51,851.1	4.2%
GAB	Gallime-Spurger association, gently undulating	All areas are prime farmland	4,940.5	0.4%
Gw	Gladewater soils, frequently flooded	Not prime farmland	920.6	0.1%
HatA	Hatliff-Pluck-Kian complex, 0 to 1 percent slopes, frequently flooded	Not prime farmland	25,676.9	2.1%
Iu	Iuka soils, frequently flooded	Not prime farmland	26,096.1	2.1%
JasA	Jasco silt loam, 0 to 1 percent slopes, frequently ponded	Not prime farmland	1,921.8	0.2%
JayA	Jayhawker silt loam, 0 to 1 percent slopes, frequently ponded	Not prime farmland	263.3	0.0%
KAE	Kisatchie-Rayburn association, hilly	Not prime farmland	18,915.0	1.5%
KefB	Kenefick very fine sandy loam, 0 to 3 percent slopes	All areas are prime farmland	3,246.2	0.3%
KenA	Kenefick-Caneyhead frequently ponded complex, 0 to 1 percent slopes	Prime farmland if drained	8,556.8	0.7%
KibB	Kirbyville fine sandy loam, 0 to 2 percent slopes	All areas are prime farmland	23,225.3	1.9%
KinB	Kirbyville-Niwana complex, 0 to 2 percent slopes	Not prime farmland	32,526.0	2.7%
KouB	Kountze very fine sandy loam, 0 to 2 percent slopes	Not prime farmland	3,892.6	0.3%
LAFX	Landfill	Not prime farmland	186.6	0.0%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
LelA	Lelavale silt loam, 0 to 1 percent slopes, frequently ponded	Not prime farmland	1,480.5	0.1%
LTC	Letney-Tehran association, undulating	Not prime farmland	63,996.9	5.2%
M-W	Miscellaneous water	Not prime farmland	95.9	0.0%
McnC	McNeely sand, 1 to 5 percent slopes	Not prime farmland	1,542.4	0.1%
Mn	Mantachie and Bleakwood soils, frequently flooded	Not prime farmland	25,044.3	2.0%
Mo	Melhomes soils, frequently flooded	Not prime farmland	10,087.6	0.8%
MomA	Mollco frequently ponded-Craigen complex, 0 to 1 percent slopes, rarely flooded	Not prime farmland	117.9	0.0%
Mr	Mooreville soils, occasionally flooded	Not prime farmland	8,290.8	0.7%
NEB	Newco-Urland association, gently undulating	All areas are prime farmland	8,700.0	0.7%
NEE	Newco-Urland association, hilly	Not prime farmland	23,095.5	1.9%
NfC	Nikful fine sandy loam, 0 to 8 percent slopes	Not prime farmland	3,168.5	0.3%
NonA	Nona-Dallardsville complex, 0 to 1 percent slopes	Not prime farmland	11,900.4	1.0%
Oc	Ochlockonee soils, occasionally flooded	All areas are prime farmland	2,258.3	0.2%
OlvA	Olive frequently ponded-Dallardsville complex, 0 to 1 percent slopes	Not prime farmland	68.6	0.0%
OtaB	Otanya very fine sandy loam, 1 to 3 percent slopes	Farmland of statewide importance	55,801.1	4.6%
OtbC	Otanya very fine sandy loam, 3 to 5 percent slopes	Not prime farmland	20,375.4	1.7%
PIC	Pinetucky-Doucette association, undulating	Not prime farmland	38,725.8	3.2%
PITX	Pits	Not prime farmland	253.0	0.0%
PlaA	Plank silt loam, 0 to 1 percent slopes	Not prime farmland	2,956.9	0.2%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
RAB	Rayburn-Corrigan association, undulating	Not prime farmland	8,132.2	0.7%
RBE	Rayburn-Kisatchie association, hilly	Not prime farmland	11,444.0	0.9%
REB	Redco-Woodville association, gently undulating	Not prime farmland	13,822.2	1.1%
RPB	Rogan-Pinetucky association, gently undulating	All areas are prime farmland	9,539.8	0.8%
SBC	Shankler-Boykin association, undulating	Not prime farmland	4,973.0	0.4%
SBE	Shankler-Boykin association, hilly	Not prime farmland	38,289.8	3.1%
SilC	Silsbee fine sandy loam, 3 to 5 percent slopes	Not prime farmland	4,634.6	0.4%
SilD	Silsbee loamy fine sand, 5 to 12 percent slopes	Not prime farmland	2,042.2	0.2%
SimA	Simelake clay, 0 to 1 percent slopes, frequently flooded	Not prime farmland	3,874.6	0.3%
SipA	Simelake-Pluck complex, 0 to 1 percent slopes, frequently flooded	Not prime farmland	35,580.5	2.9%
SomA	Sorter-Dallardsville complex, 0 to 1 percent slopes	Not prime farmland	14,333.6	1.2%
SovA	Sourlake loam, 0 to 1 percent slopes, frequently flooded	Not prime farmland	14,680.3	1.2%
SpuB	Spurger very fine sandy loam, 0 to 3 percent slopes	Not prime farmland	6,330.7	0.5%
SpyA	Spurger-Caneyhead frequently ponded complex, 0 to 1 percent slopes	Not prime farmland	12,533.6	1.0%
STE	Stringtown-Bonwier association, hilly	Not prime farmland	4,465.9	0.4%
SXC	Stringtown-Bonwier association, graded	Not prime farmland	3,554.7	0.3%
TaB	Tahoula clay, 1 to 5 percent slopes	All areas are prime farmland	588.1	0.0%
TaD	Tahoula clay, 5 to 15 percent slopes	Not prime farmland	983.0	0.1%
TelB	Texla silt loam, 0 to 2 percent slopes	Not prime farmland	2,982.0	0.2%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
TeuB	Texla-Urban land complex, 0 to 2 percent slopes	Not prime farmland	410.1	0.0%
TLE	Tehran-Letney association, hilly	Not prime farmland	117,956.1	9.7%
TurB	Turkey sand, 1 to 3 percent slopes	Not prime farmland	2,390.7	0.2%
TybA	Tyden frequently ponded-Babco complex, 0 to 1 percent slopes	Not prime farmland	502.0	0.0%
Um	Urbo and Mantachie soils, frequently flooded	Not prime farmland	26,145.7	2.1%
UPB	Urland-Pinetucky association, undulating	All areas are prime farmland	2,826.0	0.2%
VidA	Vidor silt loam, 0 to 1 percent slopes	Not prime farmland	11,262.0	0.9%
VigA	Vidor-Gist complex, 0 to 1 percent slopes	Not prime farmland	12,486.2	1.0%
VtaA	Votaw fine sand, 0 to 1 percent slopes	Not prime farmland	7,451.9	0.6%
W	Water	Not prime farmland	26,818.7	2.2%
WalA	Waller silt loam, 0 to 1 percent slopes	Prime farmland if drained	4,915.9	0.4%
WarA	Waller-Dallardsville complex, 0 to 1 percent slopes	Prime farmland if drained	27,197.6	2.2%
WgC	Wiergate clay, 1 to 8 percent slopes	Not prime farmland	11,206.9	0.9%
WTB	Woodville-Redco association, gently undulating	Not prime farmland	32,673.3	2.7%
Totals for Area of Interest			**1,222,088.4**	**100.0%**

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

Attachment J
Floodplain Management

Floodplain Management (CEST and EA)

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55
Reference		
https://www.hudexchange.info/environmental-review/floodplain-management		

1. **Does 24 CFR 55.12(c) exempt this project from compliance with HUD's floodplain management regulations in Part 55?**

   ☒ Yes

   Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

   A covenant or comparable restriction will be placed on the property's continued use to preserve the floodplain; See Project Description.

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

   ☐ No → *Continue to Question 2.*

2. **Provide a FEMA/FIRM or ABFE map showing the site.**

   The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Advisory Base Flood Elevations (ABFEs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

   Does your project occur in a floodplain?

   ☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

   ☐ Yes

   Select the applicable floodplain using the FEMA map or the best available information:

   ☐ Floodway → *Continue to Question 3, Floodways*

☐ Coastal High Hazard Area (V Zone) → *Continue to Question 4, Coastal High Hazard Areas*

☐ 500-year floodplain (B Zone or shaded X Zone) → *Continue to Question 5, 500-year Floodplains*

☐ 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step Process*

3. <u>Floodways</u>

Is this a functionally dependent use?

☐ Yes

<u>The 8-Step Process is required.</u> Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→*Continue to Question 6, 8-Step Process*

☐ No

<u>Federal assistance may not be used at this location *unless a 55.12(c) exception applies*. You must either choose an alternate site or cancel the project at this location.</u>

4. <u>Coastal High Hazard Area</u>

Is this a critical action?

☐ Yes

<u>Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.</u>

☐ No

Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

☐ Yes, there is new construction.

<u>New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).</u>

☐ No, this action concerns only a functionally dependent use, existing construction(including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ *Continue to Question 6, 8-Step Process*

5. **500-year Floodplain**

Is this a critical action?

☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

☐Yes → *Continue to Question 6, 8-Step Process*

6. **8-Step Process**.

Does the 8-Step Process apply? Select one of the following options:

☐ 8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 7, Mitigation*

☐ 5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process.

Select the applicable citation:

- ☐ *55.12(a)(1)* HUD actions involving the disposition of HUD-acquired multifamily housing projects or "bulk sales" of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).
- ☐ *55.12(a)(2)* HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.
- ☐ *55.12(a)(3)* HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.
- ☐ *55.12(a)(4)* HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the

Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

☐ 8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

☐ *55.12(b)(1)* HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.

☐ *55.12(b)(2)* Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for "substantial improvement" under § 55.2(b)(10)

☐ *55.12(b)(3)* HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.

☐ *55.12(b)(4)* HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.

☐ *55.12(b)(5)* The approval of financial assistance to lease an existing structure located within the floodplain, but only if—

(i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);

(ii) The project is not a critical action; and

(iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

7. <u>Mitigation</u>

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- ☐ Permeable surfaces
- ☐ Natural landscape enhancements that maintain or restore natural hydrology
- ☐ Planting or restoring native plant species
- ☐ Bioswales
- ☐ Evapotranspiration
- ☐ Stormwater capture and reuse
- ☐ Green or vegetative roofs with drainage provisions
- ☐ Natural Resources Conservation Service conservation easements or similar easements
- ☐ Floodproofing of structures
- ☐ Elevating structures including freeboarding above the required base flood elevations
- ☐ Other

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

To be eligible for the buyout program, Newton County requires that Project Sites be located in a floodplain or floodway. Sites are located in Zones A and AE of the 100- year floodplain. Eligible homes will be demolished and the land will be converted to a use compatible with open space. Due to a permanent covenant being placed on the property's continued use to preserve the floodplain, the project is exempt from the 8 step process.

As specific addresses are known a floodplain determination will be made.

Are formal compliance steps or mitigation required?

- ☐ Yes
- ☒ No

Attachment K
Historic Preservation

As addresses are known a site specific historical clearance will be requested from THC.

Historic Preservation (CEST and EA)

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties"
References		
https://www.hudexchange.info/environmental-review/historic-preservation		

Threshold

Is Section 106 review required for your project?

☐ No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:

→ *Continue to the Worksheet Summary.*

☐ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].
Either provide the memo itself or a link to it here. Explain and justify the other determination here:

→ *Continue to the Worksheet Summary.*

☒Yes, because the project includes activities with potential to cause effects (direct or indirect). → *Continue to Step 1.*

The Section 106 Process

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

Step 1 - Initiate Consultation

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the When To Consult With Tribes checklist within Notice CPD-12-006: Process for Tribal Consultation to determine if you should invite tribes to consult on a particular project. Use the Tribal Directory Assessment Tool (TDAT) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

Select all consulting parties below (check all that apply):

☒State Historic Preservation Officer (SHPO)

☐Advisory Council on Historic Preservation

☐Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native

☐Hawaiian Organizations (NHOs)

List all tribes that were consulted here and their status of consultation:

N/A -Tribal Consultation was not required.

☐Other Consulting Parties

List all consulting parties that were consulted here and their status of consultation:

Describe the process of selecting consulting parties and initiating consultation here:

Reviewed When to Consult with Tribes worksheet.

Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.

Step 2 - Identify and Evaluate Historic Properties

Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.

As addresses are identified a site specific historical clearance will be requested from Texas Historical Commission.

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.
Refer to HUD's website for guidance on identifying and evaluating historic properties.

In the space below, list historic properties identified and evaluated in the APE.
Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination.

Was a survey of historic buildings and/or archeological sites done as part of the project?
If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

☒ Yes → *Provide survey(s) and report(s) and continue to Step 3.*
Additional notes:

☐ No → *Continue to Step 3.*

Step 3 - Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per HUD guidance.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

☐ No Historic Properties Affected
Document reason for finding:

☐ No historic properties present. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

☒ Historic properties present, but project will have no effect upon them. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to (36 CFR 800.4(d)(1)) and consult further to try to resolve objection(s).

☒ No Adverse Effect

Document reason for finding:

Properties not eligible for National Register of Historic Places.

Does the No Adverse Effect finding contain conditions?

☐ Yes

Check all that apply: (check all that apply)

☐ Avoidance

☐ Modification of project

☐ Other

Describe conditions here:

→ *Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

☒ No → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to (36 CFR 800.5(c)(2)) and consult further to try to resolve objection(s).

☐ Adverse Effect

Document reason for finding:

Copy and paste applicable Criteria into text box with summary and justification.
Criteria of Adverse Effect: 36 CFR 800.5]

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in 36 CFR 800.11(e). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ *Continue to Step 4.*

Step 4 - Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and 36 CFR 800.6 and 800.7.

Were the Adverse Effects resolved?

☐ Yes

Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary.*

☐ No

The project must be cancelled unless the "Head of Agency" approves it. Either provide approval from the "Head of Agency" or cancel the project at this location.

Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and "Head of the Agency":

Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Provide correspondence, comments, documentation of decision, and "Head of Agency" approval. Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

SHPO was consulted and properties were not eligible for listing in National Register of Historic Places. See attached THC letter and photographs.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

When To Consult With Tribes Under Section 106

Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, and transfer, lease or sale of properties of the types listed above.

If a project includes any of the types of activities below, invite tribes to consult:

☐ **significant ground disturbance (digging)**
Examples: new sewer lines, utility lines (above and below ground), foundations, footings, grading, access roads

☐ **new construction in undeveloped natural areas**
Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas

☐ **incongruent visual changes**
Examples: construction of a focal point that is out of character with the surrounding natural area, impairment of the vista or viewshed from an observation point in the natural landscape, or impairment of the recognized historic scenic qualities of an area

☐ **incongruent audible changes**
Examples: increase in noise levels above an acceptable standard in areas known for their quiet, contemplative experience

☐ **incongruent atmospheric changes**
Examples: introduction of lights that create skyglow in an area with a dark night sky

☐ **work on a building with significant tribal association**
Examples: rehabilitation, demolition or removal of a surviving ancient tribal structure or village, or a building or structure that there is reason to believe was the location of a significant tribal event, home of an important person, or that served as a tribal school or community hall

☐ **transfer, lease or sale of a historic property of religious and cultural significance**
Example: transfer, lease or sale of properties that contain archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, plant and animal communities, or buildings and structures with significant tribal association

☑ **None of the above apply**

2016 Newton County Buyout	Christel Kiker	1-17-2020
Project	**Reviewed By**	**Date**

Attachment L
Noise Abatement and Control

Noise (CEST Level Reviews)

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

1. **What activities does your project involve? Check all that apply:**

☐ New construction for residential use
NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.
→ *Continue to Question 4.*

☐ Rehabilitation of an existing residential property
NOTE: For modernization projects in all noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.
→ *Continue to Question 2.*

☐ A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

☒ None of the above
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. **Do you have standardized noise attenuation measures that apply to all modernization and/or minor rehabilitation projects, such as the use of double glazed windows or extra insulation?**

☐ Yes

Indicate the type of measures that will apply (check all that apply):

☐ Improved building envelope components (better windows and doors, strengthened sheathing, insulation, sealed gaps, etc.)

☐ Redesigned building envelope (more durable or substantial materials, increased air gap, resilient channels, staggered wall studs, etc.)

☐ Other

Explain:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below and provide any supporting documentation.*

☐ No

→ *Continue to Question 3.*

3. **Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport). Describe findings of the Preliminary Screening:**

→ *Continue to Question 6.*

4. **Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport). Indicate the findings of the Preliminary Screening below:**

☐ There are no noise generators found within the threshold distances above.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.*

☐ Noise generators were found within the threshold distances.

→ *Continue to Question 5.*

5. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

☐ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: ☐

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.*

☐ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here: ☐

Is the project in a largely undeveloped area[1]?

☐ No

→*Your project requires completion of an Environmental Assessment (EA) pursuant to 51.104(b)(1)(i). Elevate this review to an EA-level review.*
Provide noise analysis, including noise level and data used to complete the analysis.
Continue to Question 6.

☐ Yes

→*Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.*
Provide noise analysis, including noise level and data used to complete the analysis.
Continue to Question 6.

[1] A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses and does not have water and sewer capacity to serve the project.

☐ Unacceptable: (Above 75 decibels)

Indicate noise level here:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

☐ Convert to an EIS
→ *Provide noise analysis, including noise level and data used to complete the analysis.*
Continue to Question 6.

☐ Provide waiver
→ *Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.*
Continue to Question 6.

6. **HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.**

☐ Mitigation as follows will be implemented:

→ *Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures.*
Continue to the Worksheet Summary.

☐ No mitigation is necessary.
Explain why mitigation will not be made here:

→ *Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

☐ Yes

☐ No

Attachment M
Sole Source Aquifers

Sole Source Aquifers (CEST and EA)

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149
Reference		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

1. **Does your project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?**

   ☐Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

   ☒No → *Continue to Question 2.*

2. **Is the project located on a sole source aquifer (SSA)[1]?**

   ☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*

   ☐Yes → *Continue to Question 3.*

3. **Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?**

   Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

   ☐Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

   ☐No → *Continue to Question 5.*

4. **Does your MOU or working agreement exclude your project from further review?**

   ☐Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

[1] A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

☐No → *Continue to Question 5.*

5. **Will the proposed project contaminate the aquifer and create a significant hazard to public health?**

   Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

   ☐No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination*.

   ☐Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. <u>If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied.</u> Continue to Question 6.*

6. **In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.**

   → *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

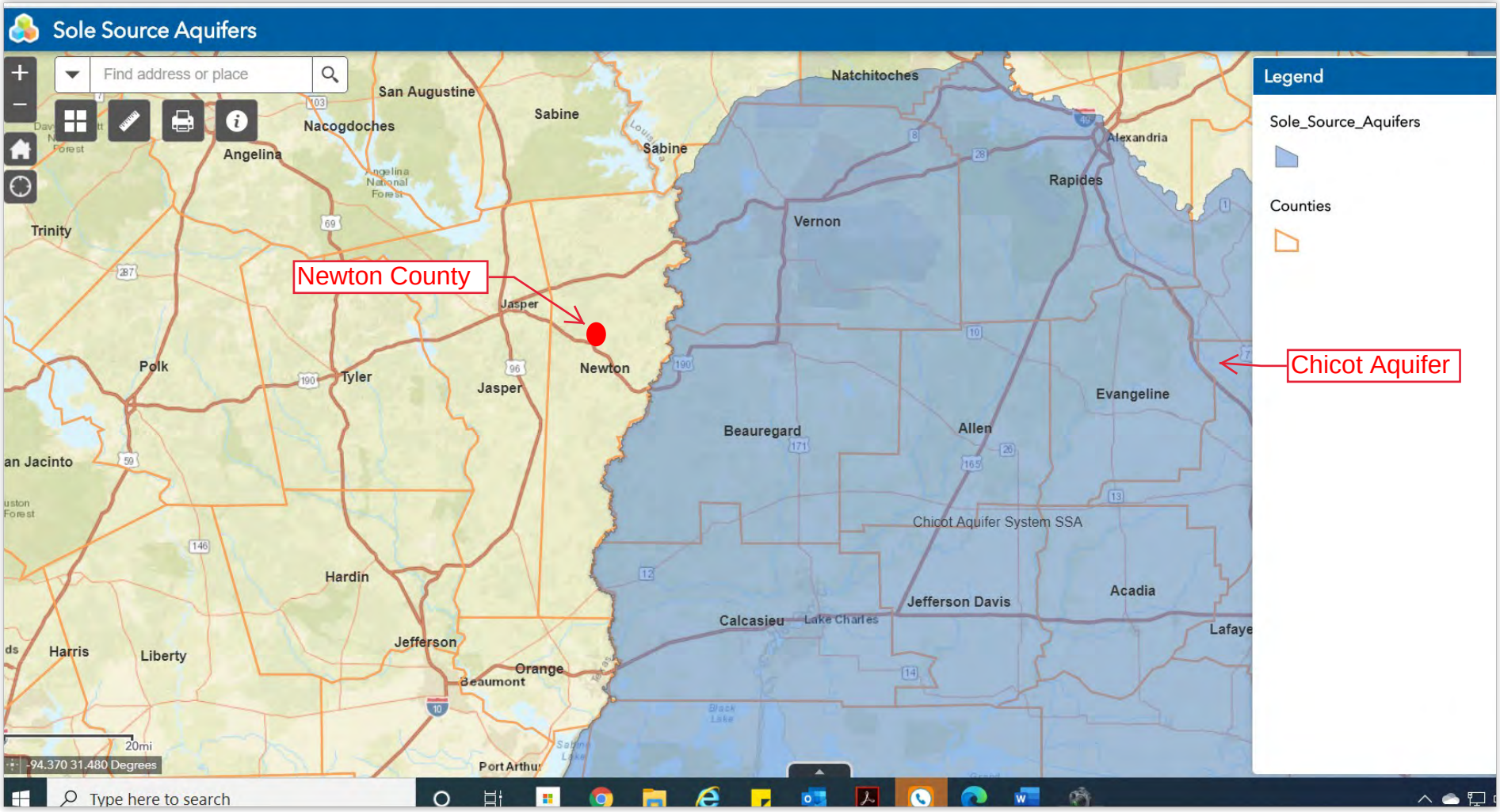
Chicot Aquifer is present in the adjacent portion of Louisiana. The regulatory requirements end at the Sabine River and therefore no mitigation requirements apply withing Texas Counties. Project is located approximately 286 miles from the Edwards Aquifer-the only sole source aquifer in Texas. See Sole Source Aquifer Map

Are formal compliance steps or mitigation required?

☐ Yes

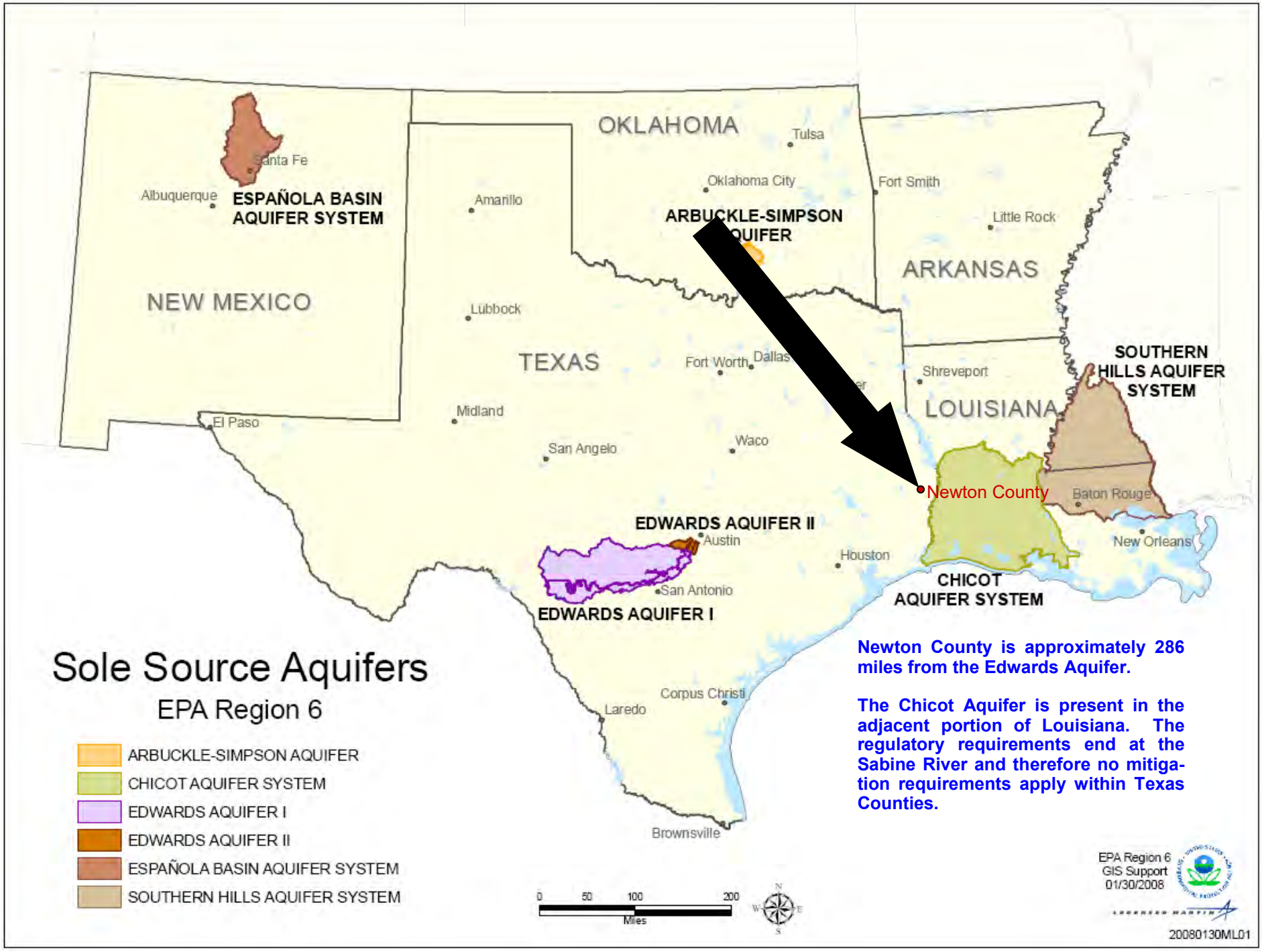
☒ No

Sole Source Aquifers—Newton County, Texas



Map created: 2/28/2020

https://www.epa.gov/dwssa/map-sole-source-aquifer-locations



http://epa.gov/region6/water/swp/ssa/maps.htm

Attachment N

Wetlands Protection

As addresses are known a site specific wetlands determination will be made.

Wetlands (CEST and EA)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.
References		
https://www.hudexchange.info/environmental-review/wetlands-protection		

1. **Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?**
   The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

   ☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

   ☒ Yes → *Continue to Question 2.*

2. **Will the new construction or other ground disturbance impact an on- or off-site wetland?**
   The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

   ☒ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.
   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

   ☐ Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

→*You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.*
Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.
Continue to Question 3.

3. **For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Which of the following mitigation actions have been or will be taken? Select all that apply:

- ☐ Permeable surfaces
- ☐ Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- ☐ Native plant species
- ☐ Bioswales
- ☐ Evapotranspiration
- ☐ Stormwater capture and reuse
- ☐ Green or vegetative roofs with drainage provisions
- ☐ Natural Resources Conservation Service conservation easements
- ☐ Compensatory mitigation

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

These projects will not include new construction. Existing homes and other manmade structures will be demolished. Existing wells will be capped and existing septic systems will be crushed and filled. None of these activities are expected to have an impact on wetlands.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Attachment O
Wild and Scenic Rivers

As addresses are known a site specific determination will be made.

Wild and Scenic Rivers (CEST and EA)

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297
References		
https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers		

1. **Is your project within proximity of a NWSRS river as defined below?**
   Wild & Scenic Rivers: These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational
   Study Rivers: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.
   Nationwide Rivers Inventory (NRI): The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

   ☒ No
   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.*

   ☐ Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.
   → *Continue to Question 2.*

2. **Could the project do *any* of the following?**
   - Have a direct and adverse effect within Wild and Scenic River Boundaries,
   - Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
   - Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.
Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

☐ No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

☐ Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Texas Study Segments of the Sabine River are located in Newton County, but the project sites are not in close proximity.

Are formal compliance steps or mitigation required?

☐ Yes

☐ No

Map of Rio Grande (river), North America

Newton County is approximately 493 miles from the Rio Grande.

Newton County

km 100 200 300 400
mi 100 200

http://encarta.msn.com/map_701516008/Rio_Grande_(river).html

Populated Places

Yellow symbols represent national capitals. Red symbols represent state, provincial, or other first-level political capitals. White symbols represent county or second-level political capitals.

- Pop. Places 1,000,000+
- Pop. Places 500,000 - 999,999
- Pop. Places 100,000 - 499,999
- Pop. Places 20,000 - 99,999
- Pop. Places 5,000 - 19,999
- Pop. Places 1 - 4,999
- Other Places
- Urban Area
- City Limits
- SOHO — Section of Populated Place

Boundaries

- International
- Disputed
- Treaty or Ceasefire
- Indefinite or Unsurveyed
- State, Provincial, or Other Internal
- County, Second-Level Administrative
- Urban Inset

Elevation (in meters)

- Over 5000
- 3500 to 5000
- 2000 to 3500
- 1000 to 2000
- 500 to 1000
- 200 to 500
- 50 to 200
- 0 to 50
- Below Sea Level

Depth (in meters)

- 0 to 50
- 50 to 200
- 200 to 2000
- 2000 to 4000
- 4000 to 6500
- Over 6500

Other Features

- Point of Interest
- Point of Interest with Content
- Ruin
- Castle
- Palace
- Fort
- Wall
- Observatory
- Church
- Mosque
- Mine
- Lighthouse
- Shipwreck

Transportation

- Major Road
- Minor Road
- Tunnel
- Track, Trail
- Ferry
- Railroad
- Railroad Tunnel
- Airport
- Rail Station

Water Features

- Spot Depth
- Falls, Rapids
- River, Stream
- Intermittent River or Stream
- Canal
- Lake
- Intermittent Lake
- Reef
- NORTH — Ocean, Sea
- Magellan — Other Water Feature

Physical Features

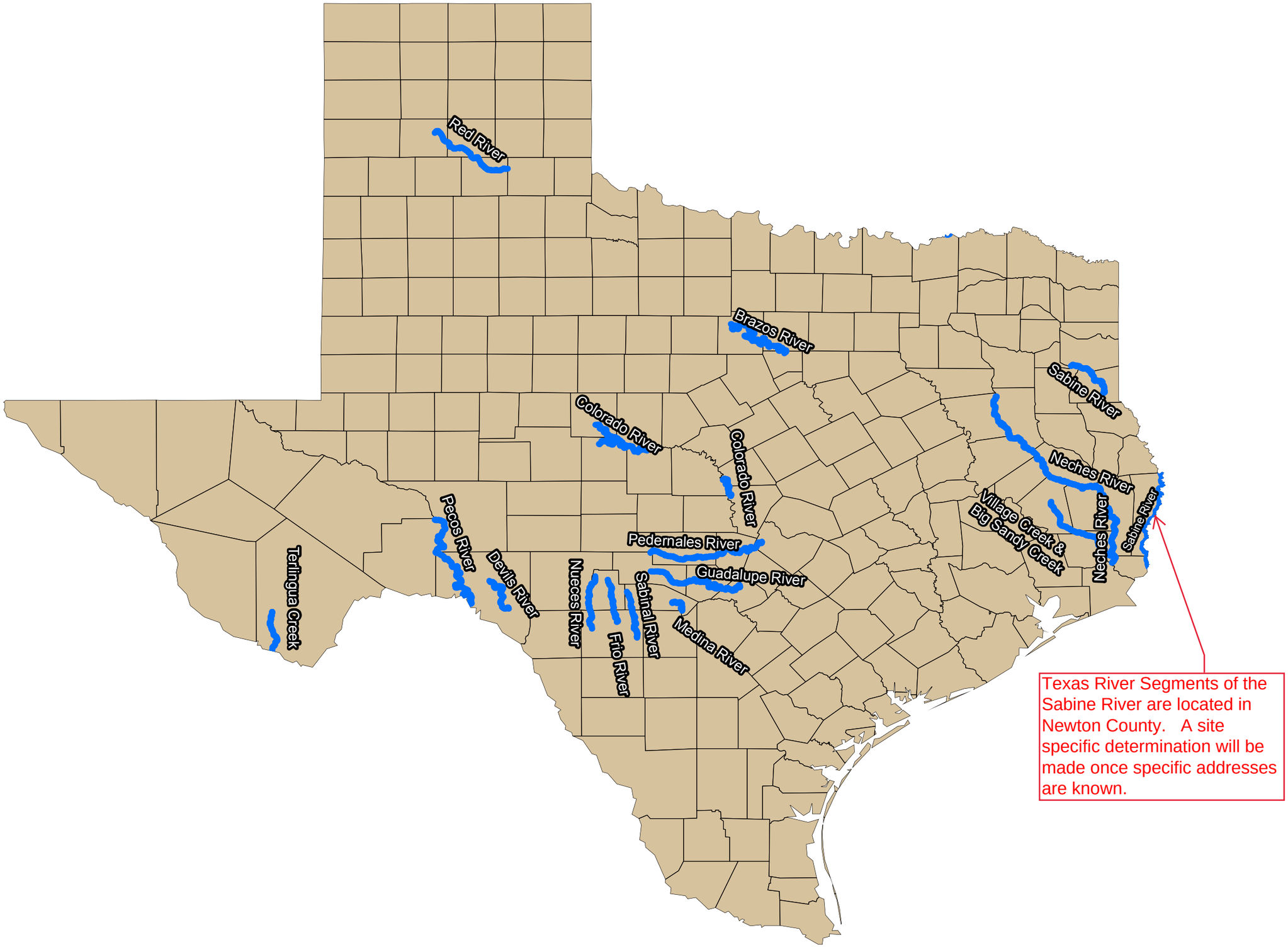
- Peak
- Highest Mountain Peak
- Volcano
- Highest Volcano Peak
- Seamount
- Glacier, Ice Feature
- Swamp
- ASIA — Continent
- SICILY — Island
- GOBI — Land Feature
- Cape Arm — Coastal Feature

Parks and Reserves

- National Park
- Other Park or Reserve
- Administrative Area
- Reservation

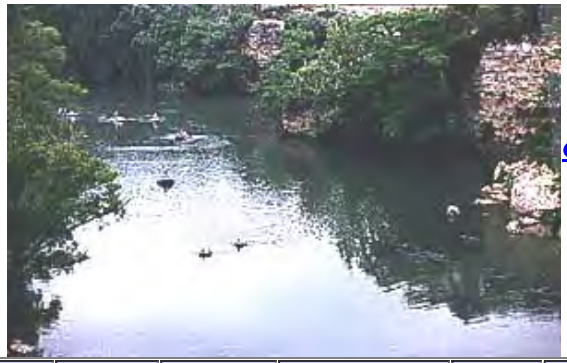
Map Abbreviations

Nat'l	National
N.P.	National Park
N.H.P.	National Historic Park
N.M.	National Monument
N.R.A.	National Recreation Area
I.R.	Indian Reservation


Red River
Brazos River
Colorado River
Colorado River
Sabine River
Neches River
Village Creek &
Big Sandy Creek
Neches River
Sabine River
Pedernales River
Guadalupe River
Pecos River
Devils River
Nueces River
Sabinal River
Medina River
Frio River
Terlingua Creek
Texas River Segments of the Sabine River are located in Newton County. A site specific determination will be made once specific addresses are known.

Texas Segments

Attila Bality
National Park Service
Rivers, Trails, and Conservation Assistance
UNM Hibben Center Rm 307
450 University Blvd. NE
Albuquerque, NM 87106
(505) 346- 2871 ext 213



Authorizations / History / Eligibility Descriptions / Outstandingly Remarkable Values / Potential Classification / Wild and Scenic Rivers System

Return to NRI Page

River	County	Reach	Length (miles)	Year Listed/ Updated	Potential Classification	ORVs	Description	Other States
Brazos River	Hood, Parker, Palo, Pinto	From headwaters Lake Granbury (AKA De Cordove Bend Reservoir) upstream to Possum Kingdom Dam (AKA Morris Sheppard Dam)	120	1982		S, R, W, O	Within migration route of Whooping Crane, a federally listed endangered species. Recommended for inclusion in proposed Texas Natural Rivers System. Rated as #1 scenic and recreational river in the northern half of state by River Recreationist Survey; one of top 10 in the state. Flow regulated by Possum Kingdom Dam, often only 20 cfs, but is heavily used for recreation. Barber Mountain-Pollard Bend area is one of the state's 100 top rated natural areas because of scenic, vegetation and wildlife values. Texas Natural Areas Survey indicated that rare plants occur at springs along the bluffs. Boy Scouts use area extensively for training and badge qualifications.	

Colorado River	Burnet, San Saba, Lampasas	From headwaters of Lake Buchanan upstream to Bend	26	1982		S, R, G	Corridor is within migration route of Whooping Crane, a federally listed endangered species. This segment of the river is part of a longer segment recommended for inclusion in proposed Texas Natural Rivers System. Among its attributes are high limestone bluffs, vistas of rugged cedar-covered hills and the existence of one of the most spectacular waterfalls in Texas, Gorman Falls. Gorman Creek enters the river over a high limestone bluff and many ferns and mosses grow on the rocks in this area (called an "ecological gem"). Elm, sycamore and pecan trees line the river. A large limestone outcropping called "flat rock" covers several acres near Bend. Although the river is shallow during dry months, there is sufficient water for canoeing and periods of heavy rainfall create excellent recreation opportunities.	
Colorado River	McCulloch, Coleman, Concho, Runnels	From US 283 bridge south of Rockwood upstream to US 67 bridge at Ballinger	65	1982		S, R, F, W, H, C	The most outstanding feature along these segments is the quality and quantity of archeological and historical sites. Prehistoric sites include Paleo-Indian sites, some 12,000 years old. It is likely that human remains associated with extinct mammoth, camel and horse are present. Human burials and numerous (probably the greatest concentration in Texas) burned rock middens from the Archaic Period are present. Hearths and shell deposits can be found to depths of 15'. Some sites contain central Texas and Mexican pottery.	

							Historically, the Spanish visited the area of the confluence in 1684, and in the 1850's, the first Anglos settled. John Chisholm had a ranch here before moving to New Mexico. One of the first attempts to use barbed wire on a large scale was in this area. A number of the houses from this era are still standing, and in use. The river segments provide high quality recreational experiences, such as floating, camping, hiking and fishing. The river corridors, with cliffs, bluffs, large trees, and abundant wildlife, provide sharp contrast to the uplands through which they flow. The Concho is noted as one of the few Texas rivers which flows through semi-arid lands, creating an unusual and unique vegetative cover, including mesquite, willow, elm, pecan, yucca, and cacti. This segment of the Colorado is recommended for inclusion in the proposed state rivers system. The Colorado below the Concho consists of riffles running over ledges of sandstone and limestone into large pools. Cliffs and bluffs up to 200' are common. Wild turkeys are common, with one of the highest densities in the state.	
Concho River	Concho	From confluence with Colorado River in the extreme SE corner of Runnels County upstream to US 83 bridge near Paint Rock	18	1982		S, R, F, W, H, C	See Colorado River comments.	
Devils River	Val Verde	From Amistad Reservoir	44	1982		S, R, G, F,	Historic habitat of Goodenough	

		upstream to Bakers Crossing (southernmost crossing of SH 163)				W, H, C	Gambusia, a federally listed endangered species which is extinct in the wild. Recommended as a potential component of the National Wild and Scenic Rivers System. Provides an outstanding float trip experience, considered by many to be the clearest and cleanest naturally flowing stream in Texas. #1 priority of 100 significant state natural areas. This segment is a transitional area for three biotic and botanical provinces and possesses varied and unusual fish and reptile populations. Pecan, oak and sycamore line the river banks. It is a spring-fed river, and is bordered by limestone cliffs and formations. Prehistoric evidence is abundant in numerous caves and rock shelters, which reveal pictographs and burned rock middens, and represents a higher density of sites than in other parts of southwest Texas.	
Frio River	Uvalde, Real	From Concan upstream to headwaters	40	1982		S, R, W, H	Frio Cave, potential National Natural Landmark, is in vicinity. Recommended for inclusion in proposed Texas Natural Rivers System. One of top 10 rivers in the state- very popular recreational river for canoeing and tubing. Most recreational use based at Garner State Park. It is a clear, spring-fed river. The banks are lined with bald-cypress, pecans and oaks, with limestone outcroppings and bluffs. Springs which form the Frio River issue from a 3,000 acre ranch north of Leakey. Black phoebes nest in canyons- deer and	

							other mammals present. Old wagon tracks are visible in the rock of river bed.	
Guadalupe River	Comal, Kendall, Kerr	From headwaters of Canyon Lake upstream to headwaters near Kerrville	81	1982		S, R, G, O	Rated as #1 recreational river in the state, and #2 scenic river. A segment of the river was previously recommended as a Scenic Waterway. It is heavily used by canoeists, kayakers and tubers. At Edge Falls (on Curry Creek tributary), existence of extremely rare Styrax plantnifolia (silverbell tree) has been noted. Many Spring fed streams supply the river with a constant flow of good quality water. There are two major waterfalls and numerous rapids. Limestone bluffs line the river. Interesting limestone formations occur, such as travertine and flowstone/dripstone.	
Medina River	Bandera	From headwaters of Lake Medina upstream to SH 173 bridge in Bandera	12	1982		S, R	This segment is recommended for inclusion in the proposed state rivers system and is #4 in popularity in the state for floating. The river flows through an extremely scenic portion of the Hill Country. It is a small but beautiful stream, containing crystal clear water and many limestone outcroppings. The water flows swiftly over a limestone bottom and forms numerous small rapids. The Medina River is spring fed and always has a steady flow of water. It flows through rugged cedar and live oak covered hills. The corridor also contains stately bald cypress trees, draped with Spanish moss. The Medina River is a potential state parkway.	
			180	1982				

Neches River	Jasper, Tyler, Angelina, Polk, Trinity, Houston, Cherokee, Anderson	From the north end of B. A. Steinhagen Lake upstream to Lake Palestine				S, R, F, W	This segment provides habitat for the Red-Cockaded Woodpecker and American Alligator, and wintering grounds for the Bald Eagle, federally listed endangered species. It partially forms the boundaries of the Davey Crockett and Angelina National Forests and is recommended for inclusion in the proposed state rivers system. This segment has good water quality; heavy rainfall and numerous tributaries provide sufficient water for recreation use. The segment flows through gently rolling hills covered with pine and hardwood forests, with trees forming a canopy over the river. The river receives significant recreation use by canoeist and fishermen. The upper reaches contain the Big Slough area, which is designated a loop canoe trail by the Forest Service and is considered a wilderness-type area. It is an area of a wide variety of vegetative types, and is highly scenic. Below Big Slough, the river is very remote and extremely scenic with forests of cypress, oak, sweetgum and pine. It is an important recreation area, and a quality recreation waterway. Public boat ramps, Forest Service campgrounds and numerous sandbars are available for recreation use. Swimming conditions are ideal at sandy beaches.	
Neches River	Orange, Hardin, Jasper, Tyler	From confluence with Pine Island Bayou just north of Beaumont upstream to	60	1982		S, R, W, O	This segment provides habitat for the Red Wolf, Red-Cockaded Woodpecker and American Alligator, and wintering grounds for the Bald Eagle,	

		B. A. Steinhagen Lake					federally listed endangered species. The river flows through the Big Thicket National Preserve which is characterized as a transitional zone between the arid southwest and the tropical coastal marsh, and the central prairie and eastern woodlands. It has been called the ecological crossroads of North America and this unique transitional characteristic, combined with 60" of annual rainfall, provides a rich habitat for plant and animal life. It also offers vast and varied recreation and education opportunities. There are over 300 bird species, 40 wild orchid species and 9 carnivorous plant species. This segment is one of the more popular and scenic waterways in the state. Overall scenic beauty is outstanding, with thickly forested banks of pine, hardwoods, stately bald cypress and water tupelo. Water quality is good, and heavy rainfall and numerous tributaries provide sufficient water for a quality recreation experience. Public boat ramps are available and large sandbars are used for camping and day use. The southern reaches contain a maze of sloughs and swamps. The middle reaches contain hardwoods and are laced with sloughs. Jack Gore Baygall is an important natural feature, a wild, swampy area. The entire river is ideal for swimming at sandy beaches and provides good catfish fishing. It is a year-round mecca for recreationists and nature lovers.	
Nueces	Uvalde,	From	54	1982		S. R.	Devil's Sinkhole, a	

Nueces River (AKA East Nueces River)	Uvalde, Real, Edwards	From southernmost SH 55 crossing (NW of Uvalde) upstream to headwaters	64	1982		S, R, G, F, W	designated National Natural Landmark, occurs near headwaters. Montell Creek and Indian Creek Cave, potential National Natural Landmarks, are also in the vicinity. Recommended for inclusion in proposed Texas Natural Rivers System. Referred to as "purest, cleanest stretch of stream this size in Texas". Canoeable in all seasons. The river is springfed, has numerous rapids, and the banks are lined with oaks and pecans. Included in the top 100 natural areas in the state. Geologic oddities, such as "pin-ball rapids", occur. Banks are lined with ferns, sedges, switch grass, cardinal lobelia, frog fruit, and water cress. Green herons, spotted sandpipers, green kingfishers, turkey vultures and others live in river corridor.	
Pecos River	Val Verde, Terrell, Crockett	From Amistad Reservoir upstream to US 290 crossing near Sheffield	108	1982		S, R, G, F, W, H, C	Independence Creek, a potential National Natural Landmark, is a tributary to the Pecos River. The upper end is within the habitat of Lloyd's Hedgehog Cactus, a federally listed endangered species. Fort Lancaster State Park and Live Oak Creek Archaeological District, listed in the National Register of Historic Places, are also located near the upper end of the segment. Recommended for inclusion in the proposed Texas Natural Rivers System. Flows through wild and rugged country with many sections of rapids. There are numerous canyons, the most spectacular ones occurring on the	

							lower end. The Southern Pacific Railroad Bridge (lower end) was once the tallest bridge in the nation. The Pecos River is included in the listing of significant state natural areas. It is a transitional zone for three biotic and botanical provinces and supports a variety of species, with ten protected species. Numerous species reach the limits of their ranges in the watershed. The river is bordered by limestone cliffs and formations. Numerous rock shelters and a few caves reveal prehistoric evidence, such as burned rock middens, pictographs and petroglyphs.	
Pedernales River	Travis, Hays, Blanco, Gillespie	From confluence with Lake Travis upstream to headwaters	99	1982		S, R, W, H	LBJ National Historic Site is adjacent to river between Stonewall and Hye. River corridor is within migration route of the Whooping Crane, a federally listed endangered species. The Texas Blind Salamander, is known to exist in the upper part of Hays County. Recommended as potential component of National Wild and Scenic Rivers System. River Recreationist Survey ranked it 5th as state recreational river. LBJ State Park is adjacent to river near Stonewall. Pedernales Falls State Park provides access to Pedernales Falls, a major waterfall. River is spring-fed with many limestone formations and bluffs. Cypress Canyon-Hamilton's Pool is a significant natural area. In this area, near-unique survival conditions exist for many Edwards plateau species. West Cave Canyon is the most beautiful spot in	

							central Texas. Bald cypress, red columbine and native orchids grow along the river, which provides habitat for abundant wildlife.	
Red River, Prairie Dog Town Fork	Hall, Brisco, Armstong, Randall	Highway 70 crossing at Briscoe-Hall County Line upstream to Lake Tanglewood.	80	1982		S, R, G, H, C	Flows through Palo Duro Canyon State Park, a designated National Natural Landmark, which is significant as a "superb example of a landform that has been created by the geologic work of running water". JA Ranch, Palo Duro Canyon in Armstrong County, has been designated a National Historic Landmark. There is also evidence of the use of the Canyon by prehistoric man as well as several Plains Indian Tribes. River is used by canoeists when stream flow is sufficient.	
Sabinal River	Uvalde, Bandera	From US 90 crossing in Sabinal upstream to headwaters	37	1982		S, R, G, W, O	Within habitat of Tobusch Fishook Cactus, a federally listed endangered species. Lost Maples State Natural Area, a designated National Natural Landmark is near headwaters. Recommended for inclusion in proposed Texas Natural Rivers System. Hiking trail in Lost Maples Natural Area recommended for inclusion in proposed Texas Trails System. Sabinal Canyon is a wooded canyon with the only good stand of Big Tooth Maples in central Texas Hill Country. Many canyon wrens and other birds. Scenic limestone canyon walls (to 300 feet). River is spring-fed. Gorgeous fall colors. New National Champion Texas Ash and Escarpment Black Cherry north of Vanderpool.	
Sabine River	Orange, Newton	From I-10 crossing	110	1982		S, R, W	Federally listed endangered species	LA

	(Calcasieu, Beauregard and Vernon Parishes in LA)	above Sabine Lake upstream to Toledo Bend Reservoir					occurring in the area are: Red Wolf, Bald Eagle, Red-Cockaded Woodpecker, American Alligator and Arctic Perigrine Falcon migration corridor. Recommended for inclusion in proposed Texas Natural Rivers System. River maintains larger flow of water due to heavy rainfall and numerous tributaries and springs, with long isolated stretches. Forested, gently rolling hills in area. Banks are heavily vegetated with stately cypress trees and other hardwoods. River is popular for float trips. Swampy terrain provides habitat for a wide variety of wildlife. Fine white sand bars utilized for camping and day use.	
Sabine River	Panola, Harrison, Rusk	From headwaters of Toledo Bend Reservoir upstream to town of Easton (near Lake Cherokee)	50	1982		S, W, H	The Red-Cockaded Woodpecker and the American Alligator, federally listed endangered species, inhabit the area. Part of a segment of the Sabine River recommended for inclusion in a proposes state system in 1973. This segment is characterized by: (1) a low gradient streambed with associated marshes, sloughs, bayous, oxbows and backwaters; (2) a near total lack of riffle rapid and waterfall areas; (3) a broad, deeply cut channel; (4) a diverse mixture of bottomland hardwood forests, pine ecosystems and wetland habitats with all stages of the hydric-xeric successional continuum being well represented; (5) diverse plant and animal assemblages; (6) archaeological and historical sites of potential importance; (7) a minimum of human development	

							within sight of the river; and (8) outstanding scenic qualities. At least 7 Natural Areas are present, including "Woodland Cathedral", a natural oxbow lake amphitheater containing a nearly pristine oak-cypress-sweetgum forest, which is being leased by the Nature Conservancy. A number of state listed threatened/endangered species potentially occur in the corridor.	
Terlingua Creek	Brewster	From confluence with Rio Grande to Adams Ranch	51	1982		S, G, O	Joins the Rio Grande at Santa Elena Canyon, one of the most spectacular canyons along the Rio Grande. Terlingua Creek is partially within Big Bend National Park and possesses similar qualities. Corridor is rugged and barren with scenic canyons and cliffs. Although intermittent, the creek provides water for a unique desert environment, which prompts limited recreational use in the corridor.	
Village Creek and Big Sandy Creek	Hardin, Polk	From confluence with Neches River upstream to headwaters	81	1982		S, R, F, W	The Red Wolf, Red-Cockaded Woodpecker and American Alligator, federally listed endangered species, inhabit the area. The rivers flow through portions of Big Thicket National Preserve. Recommended for inclusion in proposed Natural Rivers System. River Recreationist Survey rated Village Creek as the #1 scenic and recreational river in East Texas. Heavily used by canoeists floating through Big Thicket National Preserve. Noted as a high priority significant natural area, associated with Big Thicket National Preserve. Attributes of	

							the Preserve apply to these waterways (outstanding botanical, zoological, ecological, scenic, natural and recreational values). Many species of flora and fauna represent a variety of ecotypes.	

Attachment P
Environmental Justice

Environmental Justice (CEST and EA)

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	
References		
https://www.hudexchange.info/environmental-review/environmental-justice		

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. **Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

   ☐Yes → *Continue to Question 2.*

   ☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. **Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?**

   ☐Yes

   Explain:

   → *Continue to Question 3. Provide any supporting documentation.*

   ☐No

   Explain:

   → *Continue to the Worksheet Summary and provide any supporting documentation.*

3. **All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

☐Mitigation as follows will be implemented:

→ *Continue to Question 4.*

☐No mitigation is necessary.

Explain why mitigation will not be made here:

→ *Continue to Question 4.*

4. **Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.**

→ *Continue to the Worksheet Summary and provide any supporting documentation.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Project does not adversely affect disadvantaged populations. Project will benefit low income populations by allowing them to relocate to a less disaster prone area.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

EJSCREEN Census 2010 Summary Report

Location: User-specified polygonal location
Ring (buffer): 0-miles radius
Description: Newton County

Summary	Census 2010
Population	16,834
Population Density (per sq. mile)	18
Minority Population	4,305
% Minority	26%
Households	6,410
Housing Units	8,221
Land Area (sq. miles)	939.62
% Land Area	99%
Water Area (sq. miles)	6.07
% Water Area	1%

Population by Race	Number	Percent
Total	16,834	-------
Population Reporting One Race	16,588	99%
White	12,881	77%
Black	3,347	20%
American Indian	104	1%
Asian	76	0%
Pacific Islander	3	0%
Some Other Race	177	1%
Population Reporting Two or More Races	246	1%
Total Hispanic Population	577	3%
Total Non-Hispanic Population	16,257	97%
White Alone	12,529	74%
Black Alone	3,333	20%
American Indian Alone	101	1%
Non-Hispanic Asian Alone	76	0%
Pacific Islander Alone	1	0%
Other Race Alone	0	0%
Two or More Races Alone	217	1%

Population by Sex	Number	Percent
Male	8,559	51%
Female	8,275	49%

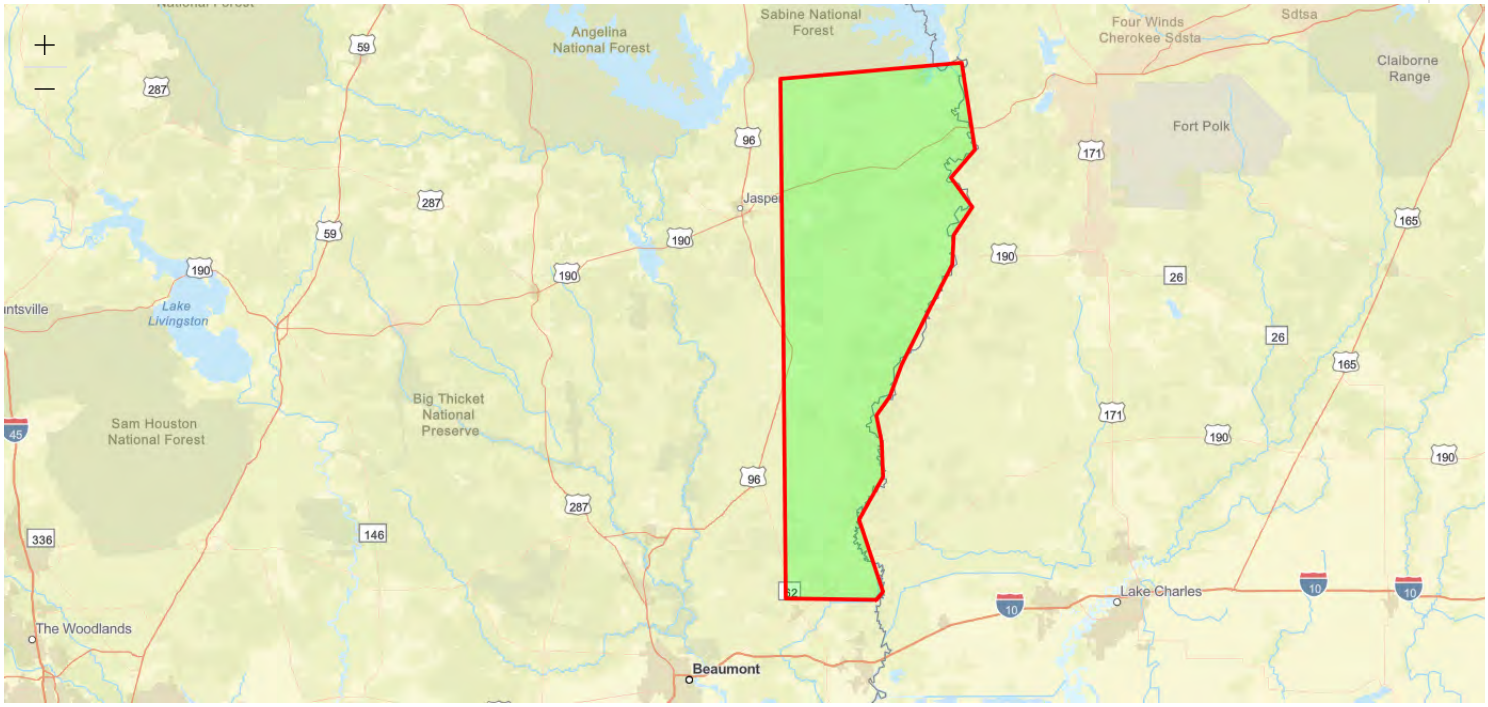
Population by Age	Number	Percent
Age 0-4	1,049	6%
Age 0-17	3,999	24%
Age 18+	12,835	76%
Age 65+	2,735	16%

Households by Tenure	Number	Percent
Total	6,410	
Owner Occupied	5,172	81%
Renter Occupied	1,238	19%

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
Source: U.S. Census Bureau, Census 2010 Summary File 1.

EJSCREEN **EPA's Environmental Justice Screening and Mapping Tool (Version 2019)** EJSCREEN Home (//www.epa.gov/ejscreen/) | Mobile (mobile/index.html) | Glossa

Select Location | Add Maps | Clear Selected Locations | Print | Measure | Bookmarks | Basemap | Newton County, TX, USA



20 km

20 mi

EnviroMapper®

Esri, HERE, Garmin, FAO, METI/NASA, USGS, EPA, NPS

Powered by Esri (http://www.esri.com/)

EA Checklist

Newton County
Commercial & Retail Facilities

Newton Feed Store
5.0 ★★★★★ (5)
Animal Feed Store · 203 State Hwy 87
Open until 2:00 PM

Dollar General
4.0 ★★★★☆ (53)
$ · Dollar Store · 618 Court St
Wide array of items at discount prices
Open until 10:00 PM

Fran Liquor Store
Liquor Store · 105 Kaufman St

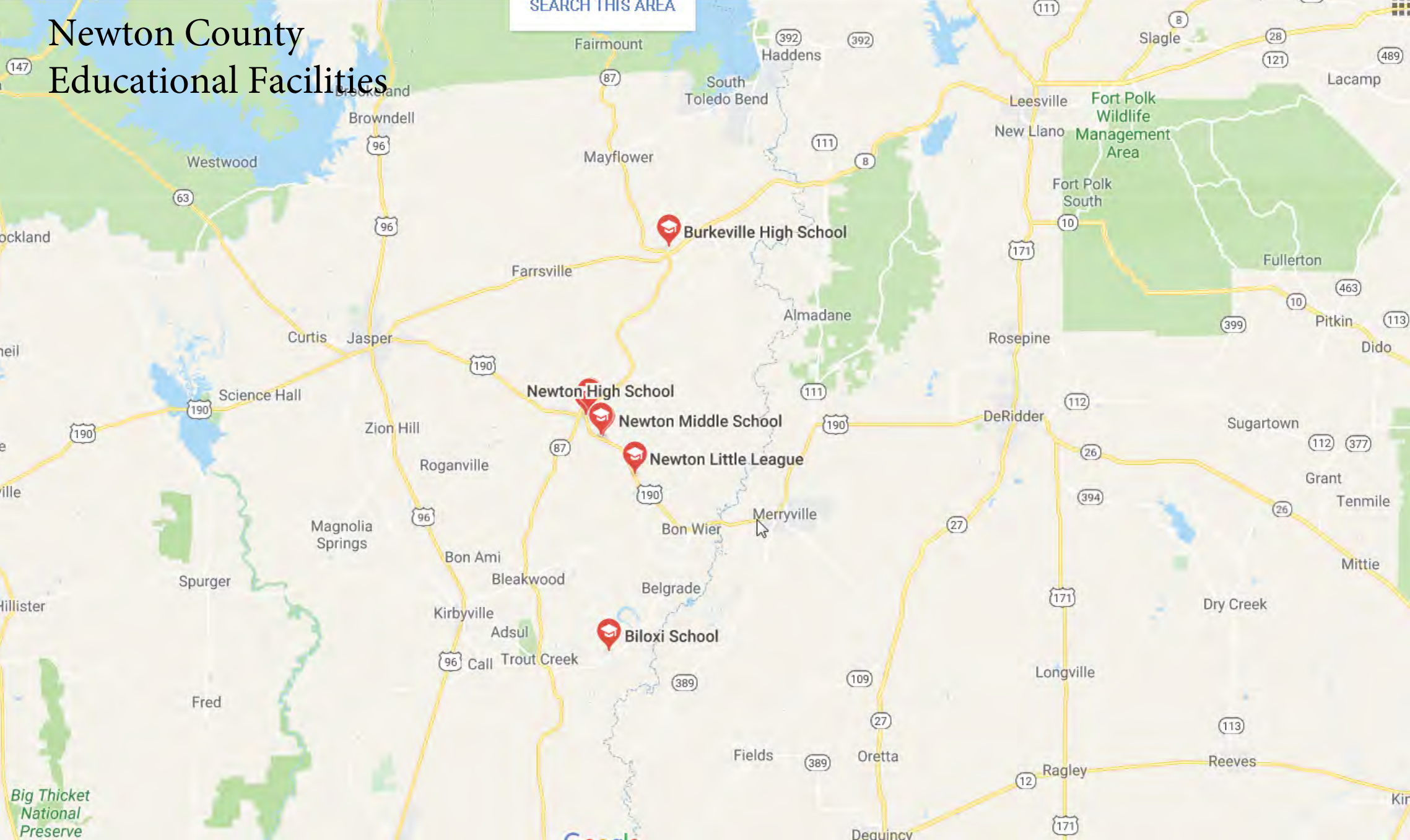
Family Dollar
3.8 ★★★★☆ (11)
$ · Dollar Store · 515 Court St
Bargain retailer with an array of goods
Open until 9:00 PM

Friend's Liquor
3.8 ★★★★☆ (6)
Liquor Store · 402 Kaufman St
Open until 9:00 PM

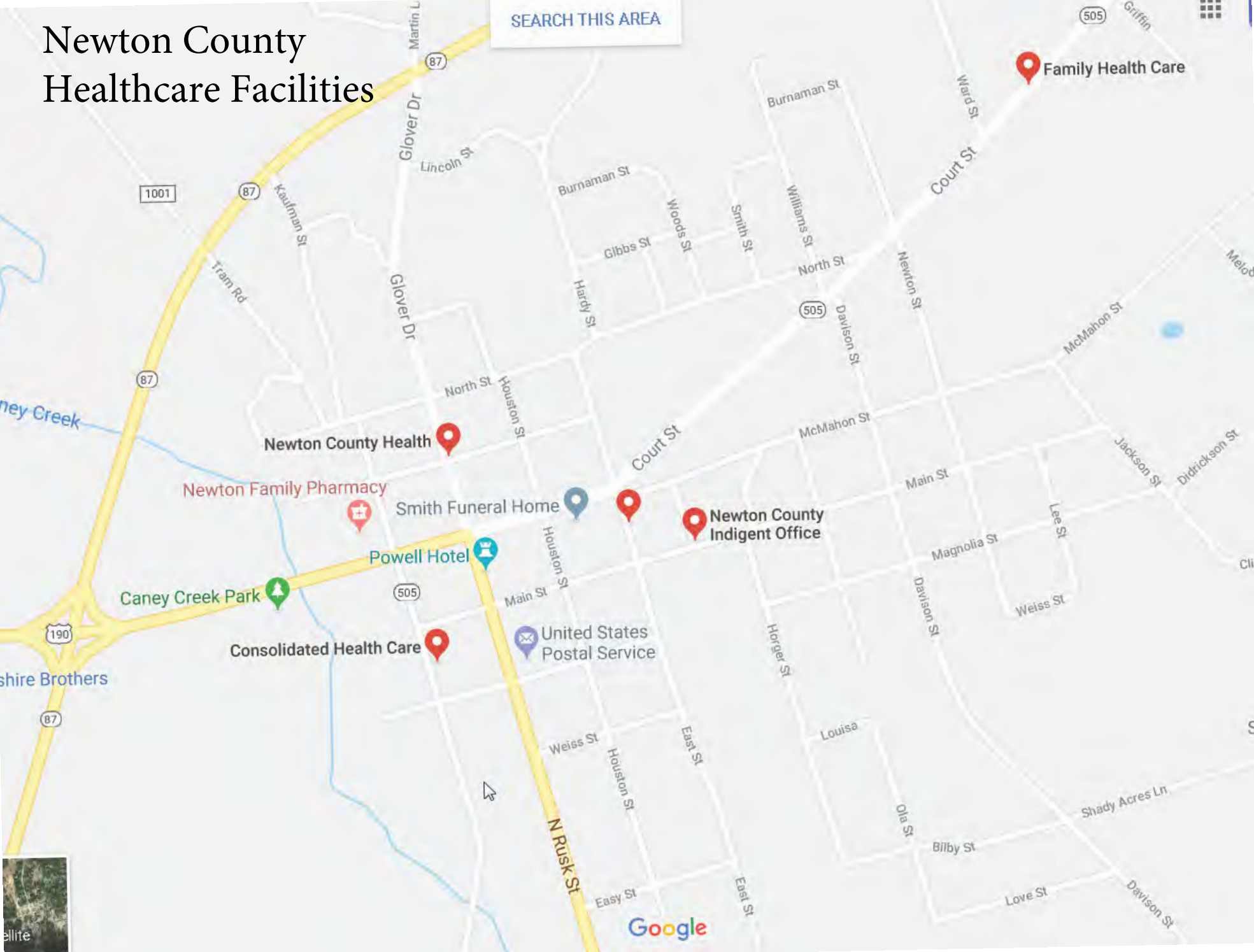
Showing results 1 - 9

hunting shops USA
Caney Creek
Newton Feed Store
Newton Jiffy Market
Friend's Liquor
Family Dollar
Bargain retailer with an array of goods
Caney Creek Park
Dairy Queen
Longtime ice cream & fast-food chain
Brookshire Brothers
First Financial Bank
United States Postal Service
1001
87
190
505
Kaufman St
Tram Rd
Glover Dr
Lincoln St
Burnaman St
Woods St
Gibbs St
Hardy St
North St
Houston St
High St
Court St
East St
Parker St
Main St
Weiss St
N Rusk St
Herrin
Henson
Bean St

Newton County Educational Facilities



Newton County Healthcare Facilities



Martin Lake

City: Tatum, Texas

Size: 5,020 surface acres

Location: On Martin Creek, a tributary of the Sabine River. Approximately 4 miles southwest of Tatum via SH 43, and local road south from FM 1716 intersection.

Description: Steam-electric power generation reservoir

Facilities: Martin Creek State Park is located on north shore and offers camping, picnic area, 4-lane concrete boat ramp, bait, tackle.

Activities: 

Web Link: Additional Information

Toledo Bend Reservoir

City: Burkeville, Texas

Size: 186,000 surface acres

Location: Located along the Texas/Louisiana border

Description: The lake extends up the Sabine River 65 miles and is surrounded by typical mixed pine, hardwood forests. It is the largest man-made reservoir in the south. The lake was built on the Sabine River and numerous large creeks feed the reservoir. The reservoir is used for water supply, hydroelectric power and recreation.

Facilities: There are numerous marinas and camping facilities around the lake. The Sabine National Forest operates several campgrounds.

Activities: 

Web Link: Additional Information

State and Local Government Campgrounds and Parks

Claiborne West Park

City: Vidor, Texas

Location: From IH-10; Exit 864 and go to north access road, east 2 miles.

Proof of Publication

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