

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT and NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

POSTED

08/30/23

City of Burton, 12200 E. Mulberry St Spur 125, Burton TX, 77835
(979) 289-3402

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

REQUEST FOR RELEASE OF FUNDS

On or about 09/19/23, the City of Burton will submit a request to the Texas Department of Agriculture (Department), Office of Rural Affairs for the release of 2022 Community Development Block Grant funds under Section 104(f) of Title I of the Housing and Community Development Act of 1974 as amended, to undertake a project known as 2022 CDBG City of Burton Water System Improvement Project #CDV21-0440 to address the old, deteriorating, and undersized waterlines which are causing water loss and inadequate pressure. Project Description: Install approximately two-thousand one-hundred and thirty linear feet (2,130 LF) of waterline, valves, fire hydrants, tie-ins, and all necessary appurtenances, to include administrative services and engineering fees at the following locations: Main St. from Branch St to approximately one thousand and ninety-two linear feet (1,092 LF) south; Railroad St from Hickory St to approximately five hundred thirty-eight linear feet (538 LF) southeast; Brazos Street from at fire hydrant on west side and extending approximately five hundred linear feet (500 LF) southeast. If funds allow, as an alternative the Railroad St line will extend approximately 1,050 linear feet (1,050 LF).

Funding: CDBG \$350,000; Matching funds from the Fund \$17,500. Total Estimated Project Cost: \$367,500.

FINDING OF NO SIGNIFICANT IMPACT

The City of Burton has determined that the project will have no significant impact on the human environment; therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR). The ERR will be made available to the public for review electronically or by U.S. mail. Please submit your request by U.S. mail to the City of Burton at the address above or by email to **burtosecr@cityofburton-tx.gov**.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Burton. All comments received by 9/18/23 will be considered by the City of Burton prior to authorizing submission of a request for release of funds. Objections must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the City of Burton at **burtosecr@cityofburton-tx.gov**. Comments should specify which Notice they are addressing. Potential objectors should contact the City of Burton via email to verify the actual last day of the objection period.

ENVIRONMENTAL CERTIFICATION

The City of Burton certifies to the Texas Department of Agriculture (TDA), Office of Rural Affairs that Karen Buck, in her capacity as Mayor, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The Department's approval of the certification satisfies its

responsibilities under NEPA and related laws and authorities and allows the City of Burton to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The Texas Department of Agriculture will accept objections to its release of funds and the City of Burton's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request, (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Burton; (b) the City of Burton has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the Department; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Environmental Review Specialist, Texas Department of Agriculture by email at **CDBG_ENVReview@TexasAgriculture.gov**. Potential objectors should contact the TDA Environmental Review Specialist at **CDBG_ENVReview@TexasAgriculture.gov** to verify the actual last day of the objection period.

Karen Buck, Mayor