

Early Notice and Public Review of a Proposed Activity in a Wetland

To: All Interested Agencies, Groups, Tribes, and Individuals

This is to give notice that Orange County has determined that the following proposed action under Community Development Block Grant – Mitigation Contract No. 24-065-061-E571 is located within the 100-year floodplain according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map. The proposed action is also within areas denoted as wetlands according to the USFWS National Wetlands Inventory (NWI) map and on-site analysis by Hydrex Environmental (Hydrex). Orange County will be identifying and evaluating practicable alternatives to locations and impacts on these areas from the proposed action. Action alternatives are required by Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

The Orange County Drainage District (OCDD) proposes to build detention ponds with approximately 3,600 ac-ft capacity in total at the upper reaches of Tiger Creek in Orange County, Texas. The purpose of this project is for flood mitigation to alleviate flooding in Vidor, Texas and northwestern Orange County. The project site consists of an approximate 500-acre project boundary (delineation area), which encompasses three (3) areas for proposed detention ponds, totaling 450 acres, and drainage easement right-of-ways (ROWs) along Tiger Creek and Cole Road Ditch. The approximate acreages of the proposed detention ponds are listed below.

- West Pond: 53 Acres
- East Pond: 357 Acres
- South Pond: 40 Acres

In addition to the proposed detention ponds, this project includes the installation of stormwater control features, including one intake weir, one outfall, two siphons, and a 180-gpm pump station.

The South East Texas Regional Planning Commission (SETRPC) has allocated a total of \$31,091,100.00 to OCDD to fund the construction and implementation of all projects pertaining to flood and drainage infrastructure under CDBG-MIT.

Approximately 415 acres of the 500-acre project area are located within the federal flood risk management standard (FFRMS) floodplain. The freeboard value approach (FVA) was utilized to calculate the FFRMS floodplain for the project area. The FVA added an additional 2 feet to the estimated base flood elevation (24.5 MSL), provided by FEMA's Flood Risk Information Report, to calculate the FFRMS (26.5 MSL).

Portions of the project ROWs cross through areas designated on the National Wetlands Inventory Map as wetlands (PFO, PSS, and PEM). These areas are not typically ground truthed, therefore a delineation of waters of the U.S., including wetlands, was performed. During the delineation 118 acres of wetlands were identified within the project area. Ongoing coordination with the U.S. Army Corps of Engineers is in progress to determine the jurisdictional status of these wetlands. Based on this coordination, project designs will be modified to avoid and minimize impacts to wetlands as much as practicable or mitigate impacts that cannot be avoided.

The project site is located within Orange County, Texas, situated 4.9 miles northeast of Vidor, Texas. The approximate NAD83 geographical coordinates for the center of the project site are N 30.206518 and W 93.993890.

There are three primary purposes for this notice. First, people who may be affected by activities in wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the wetlands, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in wetlands, it must inform those who may be put at greater or continued risk.

Written comments or requests for additional information will be received by mail or delivery to Neal Ford at Orange County Drainage District, 8081 Old Hwy 90, Orange, Texas 77630 if submitted within 15 calendar days of this posting. Citizens with disabilities, alternative language requests, or those who need technical assistance can contact (409) 745-3225 for further assistance.

DATE POSTED: