

Final Notice and Public Explanation of a Proposed Activity in a Federal Flood Risk Management Standard Designated Floodplain

To: All interested Agencies, the Houston Housing Authority, U.S. Department of Housing and Urban Development, FEMA, Texas Division of Emergency Management, Groups and Individuals

This is to give notice that the Responsible Entity under 24 CFR 58, City of Houston, Housing & Community Development Department (HCD) has determined that the following proposed action under HUD Section 8 Project Based Voucher program is located in the Federal Flood Risk Management Standard (FFRMS) floodplain, and HCD has identified and evaluated all practicable alternatives to locating the action within the floodplain and the potential impacts on the floodplain from the proposed action and confirmed there is no alternative to floodplain development, as required by Executive Order 11988, and amended by Executive Order 13690 and/or Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands. The proposed project is named Independence Heights II, and it is located at the SW Corner of Crosstimbers Street and Main Street in Houston, Harris County, Texas 77022. The project entails construction of a 221-unit affordable multifamily apartment complex for low to moderate income individuals and families. It is anticipated the project will receive roughly \$50,568,000 of subsidy in the form of Project Based Vouchers from the U.S. Department of Housing and Urban Development. The extent of the FFRMS floodplain was determined using a 0.2 percent flood approach. Climate Informed Science Approach (CISA) data is not available since the Federal Flood Standard Support Tool (FFSST) is no longer available as of May 7, 2025. An estimated 0.66 acres (28,750 square feet) of FFRMS Floodplain is impacted. The total site is approximately 4.939 acres. FEMA Flood Panel Number is FM48201C0660M, effective date 6/9/2014.

Responsible Entity has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial functions and intrinsic values of the existing floodplain/wetland:

- (i) The project must be constructed in the floodplain in order to provide the maximum number of affordable housing units on the site and to develop a financially feasible development;
- (ii) Alternatives to constructing the project on the floodplain include:
 - 1. Finding another site for the project;
 - 2. Constructing the project on a smaller footprint that does not encroach on floodplain;
 - 3. Not building the project (No Action); and
 - 4. Building without consideration of the floodplain.

None of the above options were viable alternatives. First, the site for the project is being provided at below-market costs and the project would not be financially feasible if the cost of acquiring the land was higher. The first alternative site, 9.31 acres located at 0 Victoria Drive, Houston, TX 77022, has an appraised tax-value of \$1,469,198 and was not available at below-market cost. Additionally, this site has a larger portion of the site located in the 500-year floodplain as well as a portion within a floodway. The second alternative site, 6.58 acres located to the east of 300 Victoria Drive, Houston, TX 77022, has an appraised value of \$2,225,000 and was not available at below-market cost. There were no other sites that were available for acquisition at a rate similar to the project. Second, a smaller site plan would lower the number of units the project can support and would result in a project that was not financially feasible. Third, there is a great

need for affordable housing in the area surrounding the project location and not proceeding with the development of the project was not a viable alternative. Lastly, building the project without consideration of the floodplain would not be possible considering the local floodplain requirements and requirements of investors/lenders.

- (iii) The project is constructed so that all runoff from the floodplain will flow to a detention area under the project and minimize adverse effects on adjacent parcels of land. The project's construction is in compliance with state and local floodplain/wetland protection procedures. The project will be constructed at an elevation above the floodplain/wetland to ensure compliance with both City of Houston Chapter 19 and regulations found at 24 CFR 55. The Elevation Certificate (OMB Control No. 1660-0008) with a 6/30/2026 expiration date for the project site, based on construction drawings, shows a proper elevation of 66.60 feet. This permitting-stage elevation certificate will be renewed as needed, and the final elevation certificate will be issued once building slab is constructed.
- (iv) Furthermore, since project site contains a relatively small amount of floodplain relative to its size, and since the site has been extensively disturbed due to previous development, existing natural and beneficial functions (e.g. floodwater storage and conveyance, groundwater discharge or recharge, erosion control, water quality maintenance, and habitat for flora and fauna) as well as intrinsic values (e.g. recreational, educational, scientific, historic, and cultural) of the floodplain potentially adversely affected by the activity is very limited. Emergency warning systems for flood hazards and evacuations, including from property management as well as City of Houston and Harris County, will be made available to residents as required.

HCD as Responsible Entity has reevaluated alternatives to building in the floodplain and has determined that it has no practicable alternative to floodplain development. Environmental files documenting compliance with Executive Order 11988, as amended by Executive Order 13690, and/or Executive Order 11990, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplain and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplain 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 floodplain, it must inform those who may be put at greater or continued risk.

This notice is running concurrently with the Finding of No Significant Impact/Notice of Intent for Request for Release of Funds (FONSI/NOIRROF). Written comments must be received by HCD at the following address on or before September 25, 2025 City of Houston, Housing & Community Development Department, 2100 Travis Street, 9th Floor, Houston, Texas, 77002, Attention: Matthew Jenkins, Environmental Investigator V. A full description of the project may also be reviewed from 8:00 AM - 5:00PM CT at the above address or upon request to hcdenvironmental@houstontx.gov. Comments may also be submitted via email to the aforementioned address, or left at (832) 394-6319. HCD reserves the right to request verbal messages be followed up in writing if possible. This notice along with the FONSI

notice are published on the HCD website at <https://houstontx.gov/housing/public-notices.html> as of September 10, 2025.

Date: **September 10, 2025**