

Shelby County Government Office of Resilience

125 N. Main Street, Room 443, MEMPHIS, TENNESSEE 38103 Tel: (901) 636-7170 Fax: (901) 636-6603

Lee Harris Mayor

October 30, 2019

DHS/FEMA R4

Attention: E0l1988/NEPA Reviewer 3003 Chamblee Tucker Road Atlanta, GA 30341-4112

Dear E011988/NEPA Reviewer:

Attached is a Public Notice which will be published locally on October 31st, November 1st, and November 3rd, 2019 for the 15-day review period in Shelby County, Tennessee. This Notice indicates Shelby County's Finding of No Significant Impact and Shelby County's intent to Request a Release of Funds for the use of National Disaster Resilience Grant funds.

The notification addresses activities under the Big Creek Wetland and Restoration Project area and seeks to improve Millington's resilience to future flooding and alleviate current flooding conditions of surrounding communities by establishing a large floodway between the existing levee north of Big Creek and Paul Barrett Parkway. This would allow flood waters to bypass the community and provide flood protection for nearby neighborhoods and the Naval Support Activity Mid-South. The Big Creek Activity would also provide broader community benefits through connectivity of greenway trails, walking paths, multipurpose fields and other recreational amenities including multipurpose fields and trails, an amphitheater, playground, and disc golf course.

Shelby County has completed the review process associated with this project and will publish the attached Combined FONSI/RROF from October 31- November 25, 2019. The Notice is being forwarded to you to inform you of the activity, the review period associated with this particular activity, and to directly solicit any final comments that FEMA may have on the activity itself.

The project is being carried out by Shelby County Government in partnership with the City of Millington, Tennessee and will create a more resilient community in the Big Creek Wetland and Restoration Project area. Written comments may be submitted to Shelby County Department of Roads, Bridges and Engineering, 6449 Haley Road, Memphis, TN 38134. I can also be reached at (901) 636-7170 or at Jim.Vazquez@memphistn.gov

Respectfully.

Jim Vazquez, Administrator

Office of Resilience

Attachment

Combined Public Notice [1] Notice of Finding of No Significant Impact on the Environment; and [2] Notice of Intent to Request Release of Funds

On or about November 25, 2019, Shelby County Government will submit a request to the United States Department of Housing and Urban Development for the release of grant funds under Grant Number B-13-US-470002 of the HUD National Disaster Resiliency Grant under Title 1 of the Housing and Community Development Act of 1984 P.L. 93-383 to undertake a project known as the Big Creek Wetland and Restoration Project for the purpose of helping the community address unmet recovery needs from the 2011 flood and preparing the community to weather future storms better than in prior flooding events.

Nature/Scope of the Project:

The proposed project includes watershed restoration within the Big Creek Wetland and Restoration Project area and seeks to improve Millington's resilience to future flooding and alleviate current flooding conditions of surrounding communities by establishing a large floodway between the existing levee north of Big Creek and Paul Barrett Parkway. This would allow flood waters to bypass the community and provide flood protection for nearby neighborhoods and the Naval Support Activity Mid-South. The Big Creek Activity would also provide broader community benefits through connectivity of greenway trails, walking paths, multipurpose fields and other recreational amenities.

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The proposed actions would include grading, filling and earth moving to lower land elevations and provide additional floodwater conveyance and storage. Recreational activities, including multipurpose fields and trails, are planned throughout the project area. In addition to trails, other recreational amenities such as an amphitheater, playground, and disc golf course are to be included in the Big Creek Wetland and Restoration Project. As part of the project, tree planting will occur for any cleared area to ensure no net loss of the tree canopy. Shelby County will work with property owners to acquire or establishment easements needed for the development of the Big Creek Wetland Restoration Project.

Project Location Descriptions:

The proposed project is located within Millington, Tennessee and is bounded by Big Creek to the North and Paul Barrett Parkway to the South, Sledge Road to the East and US Highway 51 to the West.

Estimated Funding Sources:

Funding Source: U.S. Department of HUD National Disaster Resilience Grant Funds

Estimated Funding: \$25,146,022.00

Funding Source: State of Tennessee Estimated Funding: \$6,000,000.00

[1] FINDING OF NO SIGNIFICANT IMPACT

It has been determined that the proposed project will not constitute an action significantly affecting the quality of the human environment and, accordingly, Shelby County has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 as amended ([P.L. 91-1 190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, § 4(b), Sept. 13, 1982).

Environmental Review Records regarding the proposed project have been made available by Shelby County and document the environmental review of the project and more fully set forth the reasons why such a Statement is not required. Environmental Review Records are on file and available for public examination and copying upon request at the Shelby County Department of Roads, Bridges and Engineering, 6449 Haley Road, Memphis, TN 38134 between the hours of 8:00 a.m. and 3:00 p.m. Monday through Friday. No further environmental review of this project is proposed to be conducted prior to the request of release of Federal funds.

All interested agencies, groups, and persons disagreeing with this decision are invited to submit written comments for consideration by Shelby County Department of Roads and Bridges. Comments may not be sent by facsimile (fax). Such written comments should specify that these comments are to be considered for the FONSI and should be received at Shelby County Department of Roads, Bridges, and Engineering 6449 Haley Road, Memphis, TN 38134 on or before November 25, 2019. All such comments so received will be considered and the County will not request release of Federal funds or take any administrative action on the proposed project prior to November 25, 2019.

[2] NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS [NOI / RROF]

At least one day after the termination of the public comment period for the FONSI, but not before comments on the FONSI have been considered and resolved, Shelby County will submit a Request for Release of Funds [RROF] and Certification to HUD. By doing so, the County will ask HUD to allow it to commit funds to the project, certifying that [1] It has performed the environmental review prescribed by HUD regulations ["Environmental Review Procedures for Title 1 Community Development Block Grant Program" -24 C.F.R. Part 58, and [2] Shelby County and Lee Harris in his official capacity as Mayor consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to the environmental review or resulting decision making and action. The legal effect of the certification is that by

approving it, HUD will have satisfied its responsibilities under the National Environment Policy Act, thus allowing the County to commit Community Development Block Grant funds to the project.

HUD will accept objections to its approval of the release of funds and Shelby County's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only on one of the following bases: [a] that the certification was not in fact executed by the Certifying Officer; [b] that applicant's Environmental Review Record for the project indicated omission of a required decision, finding, or step applicable to the project in the environmental review process required by HUD regulations at 24 CFR Part 58, [c] the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; 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 address specifically the RROF separately from the FONSI comments and these comments must be prepared and submitted in accordance with the required procedure [24 CFR Part 58] and may be addressed to the U. S. Department of HUD, Office of Community Planning and Development, Knoxville Field Office, John J. Duncan Federal Building, 710 Locust Street S.W., Suite 300, Knoxville, Tennessee 37902-2526.

Objections to the release of funds on bases other than those stated above will not be considered by HUD. Potential objectors should contact HUD to verify the actual last day of the objection period.

Lee Harris, Mayor Shelby County, Tennessee

Combined Public Notice [1] Notice of Finding of No Significant Impact on the Environment; and [2] Notice of Intent to Request Release of Funds

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Nature/Scope of the Project:

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It has been determined that the proposed project will not constitute an action significantly affecting the quality of the human environment and, accordingly, Shelby County has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 as amended ([P.L. 91-1 190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July

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Environmental Review Records regarding the proposed project have been made available by Shelby County and document the environmental review of the project and more fully set forth the reasons why such a Statement is not required. Environmental Review Records are on file and available for public examination and copying upon request at the Shelby County Department of Roads, Bridges and Engineering, 6449 Haley Road, Memphis, TN 38134 between the hours of 8:00 a.m. and 3:00 p.m. Monday through Friday. No further environmental review of this project is proposed to be conducted prior to the request of release of Federal funds.

All interested agencies, groups, and persons disagreeing with this decision are invited to submit written comments for consideration by Shelby County Department of Roads and Bridges. Comments may not be sent by facsimile (fax). Such written comments should specify that these comments are to be considered for the FONSI and should be received at Shelby County Department of Roads, Bridges, and Engineering 6449 Haley Road, Memphis, TN 38134 on or before November 25, 2019. All such comments so received will be considered and the County will not request release of Federal funds or take any administrative action on the proposed project prior to November 25, 2019.

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At least one day after the termination of the public comment period for the FONSI, but not before comments on the FONSI have been considered and resolved, Shelby County will submit a Request for Release of Funds [RROF] and Certification to HUD. By doing so, the County will ask HUD to allow it to commit funds to the project, certifying that [1] It has performed the environmental review prescribed by HUD regulations ["Environmental Review Procedures for Title 1 Community Development Block Grant Program" -24 C.F.R. Part 58, and [2] Shelby County and Lee Harris in his official capacity as Mayor consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to the environmental review or resulting decision making and action. The legal effect of the certification is that by approving it, HUD will have satisfied its responsibilities under the National Environment Policy Act, thus allowing the County to commit Community Development Block Grant funds to the project.

HUD will accept objections to its approval of the release of funds and Shelby County's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only on one of the following bases: [a] that the certification was not in fact executed by the Certifying Officer; [b] that applicant's Environmental Review Record for the project indicated omission of a required decision, finding, or step applicable to the project in the environmental review process required by HUD regulations at 24 CFR Part 58, [c] the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; 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 address specifically the RROF separately from the FONSI comments and these comments must be prepared and submitted in accordance with the required procedure [24 CFR Part 58] and may be addressed to the U. S. Department of HUD, Office of Community Planning and Development, Knoxville Field Office, John J. Duncan Federal Building, 710 Locust Street S.W., Suite 300, Knoxville, Tennessee 37902-2526.

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Lee Harris, Mayor Shelby County, Tennessee Combined Public Notice
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Lee Harris, Mayor Shelby County, Tennessee Nov. 1, 2019 Mod72578

[1] Notificación de Hallazgo de Impacto No Significativo sobre el Medio Ambiente; [2] Notificación de Intención de Solicitar una Liberación de Fondos Notificación Pública Combinada

Alrededor del 25 de noviembre del 2019, el Gobierno del Condado de Shelby presentará una solicitud al Departamento de Vivienda y Desarrollo Urbano de EE.UU. (U.S Department of Housing and Urban Development — HUD, por sus siglas en inglés) para la liberación de fondos bajo la Subvención Número B-13-US-470002 de la Subvención Nacional de Resiliencia Ante Desastres del HUD bajo el Título 1 de la Ley de Vivienda y Desarrollo Comunitario de 1984 P.L. 93-383 y poder así emprender lo que se conoce como el Proyecto de Humedales y Restauración de Big Creek (Big Creek Wetland and Restoration Project) con el fin de ayudar a la comunidad a abordar las necesidades de recuperación insatisfechas de la inundación del 2011 y preparar a la comunidad para que puedan enfrentar las tormentas futuras mejor que en eventos de inundaciones anteriores.

Naturaleza/Alcance del proyecto

El proyecto propuesto incluye la restauración de cuencas hidrográficas dentro del área del Proyecto de Humedales y Restauración de Big Creek y busca mejorar la resiliencia de Millington ante futuras inundaciones y aliviar las condiciones actuales de inundación en las comunidades circundantes mediante el establecimiento de un gran vaso (o canal) de inundación (a large floódway, en inglés) entre el dique existente al norte de Big Creek y Paul Barrett Parkway, Esto permitirá que las aguas de inundaciones para los vecindarios cercanos y la Base Naval de Apoyo del Medio Sur (The Naval Support Activity Mid-South). La Actividad de Big Creek también proporcionaria beneficios comunitarios más amplios a través de la conectividad de vías verdes, senderos para caminar, campos de usos múltiples y otras comodidades recreativas.

El proyecto se ha desarrollado y está diseñado para abordar los problemas de inundación mejorando la resiliencia de la comunidad ante futuras inundaciones y aliviando las condiciones actuales de inundación de las comunidades adyacentes, este proyecto también tiene la intención de restaurar y mejorar la llanura de inundación de las condiciones actuales de inundación adyacente incluirá la transición de algunos de los suelos de humedales actualmente drenados (previamente convertidos) en humedales herbáceos nativos. Se instalarán controles de nivel, cuando corresponda. Estos controles conducirán a una mayor estabilización de los canales de la corriente, reduciendo la erosión mejorada y la carga de sedimentos aguas abajo. Al norte de Big Greek, también se planean mejoras al dique existente y la construcción de bombeo y elementos de control de inundaciones de apoyo.

acciones propuestas incluirían nivelación, relleno y movimiento de tierra para reducir las elevaciones del terreno y proporcionar transporte y almacenamiento de agua de inundación adicional. Las actividades recreativas, incluidos los senderos y campos de usos múltiples, están planificadas en toda el árboles ocurrirá en cualquier área despejada para asegurar que no haya pérdida neta de la copa de la copa de Shelby trabajará con los propietarios para adquirir o establecer las de big Creek. Como parte del proyecto, la plantación de árboles ocurrirá en cualquier área despejada para asegurar que no haya pérdida neta de los árboles. El Condado de Shelby trabajará con los propietarios para adquirir o establecer las comodidades necesarias para el desarrollo del Provecto de Restauración de Humedales de Big Creek.

<u>Descripciones de la ubicación del proyecto:</u> El proyecto propuesto se encuentra en Millington, Tennessee, y está delimitado por Big Creek en el norte y Paul Barrett Parkway en el sur, Sledge Road en el este y US Highway 51 en el oeste.

Fuentes estimadas de financiamiento:

Fuente de financiamiento: Fondos de la Subvención de Resiliencia Nacional Ante Desastres del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos Financiamiento estimado: \$25,146,022.00

Fuente de financiamiento: Estado de Tennessee

Financiamiento estimado: \$6,000,000.00

[1] HALLAZGO DE IMPACTO NO SIGNIFICATIVO

Se ha determinado que el proyecto propuesto no constituirá una acción que afecte significativamente la calidad del medio ambiente humano y, en consecuencia, el Condado de Shelby ha decidido no preparar una Declaración de Impacto Ambiental bajo la Ley enmendada de 1970, según fue enmendada por Pub. L. 94-52, el 3 de julio de 1975, Pub. L. 94-83, el 9 de agosto de 1975, y Pub. L. 97-258, § 4 (b), el 13 de septiembre de 1982).

El Condado de Shelby ha puesto a disposición los Registros de Revisión Ambiental sobre el proyecto propuesto que documentan la revisión ambiental del proyecto propuesto que documentan la revisión ambiental están archivados y disponibles para la evaluación pública y copiado por medio de una solicitud previa en el Departamento de Carreteras, Puentes e Ingeniería del Condado de Shelby (Shelby County Department of Roads, Bridges, and Engineering), ubicado en el 6449 Haley Road, Memphis, TN 38134, entre las 8:00 a.m. y las 3:00 p.m., de lunes a viennes. No se propone realizar más revisiones ambientales de este proyecto antes de la solicitud de liberación de fondos federales

Todas las agencias, grupos y personas interesadas que no estén de acuerdo con esta decisión están invitados a enviar comentarios por escrito para su consideración al Departamento de Carreteras, Puentes el Benley. Los comentarios no pueden ser recibidos por fax. Dichos comentarios por escrito deben específicar que los mismos deben ser considerados para el FONSI (Finding of No Significant Impact) y deben ser recibidos por escrito deben específicar que los mismos deben ser considerados para el 6449 Haley Road, Memphis, TN 38134, el 25 de noviembre del 2019 o días antes. Todos los comentarios recibidos serán tomados en consideración y el Condado no solicitará la liberación de fondos federales ni tomará ninguna acción administrativa sobre el proyecto propuesto antes del 25 de noviembre del 2019.

[2] AVISO DE INTENCIÓN DE SOLICITAR LA LIBERACIÓN DE FONDOS [NO! / RROF]

Fondos (RRDF) y Certificación al HUD. Al hacerlo, el Condado solicitará al HUD que le permita comprometer fondos para el proyecto, certificando que: [1] Ha realizado la revisión ambienta por las regulaciones del HUD ["Procedimientos de Revisión Ambiental para el Programa de Subvención de Community Development, Titulo 1" - 24 C.F.R. Parte 58]; y [2] Shelby County y Lee Harris, en su calidad oficial como alcalde, dan su consentimiento para aceptar la jurisdicción de los tribunales federales si se presenta una acción para hacer cumplir las responsabilidades en relación con la revisión ambiental o la toma de decisiones y acciones resultantes. El efecto legal de la certificación es que, al ser aprobada, el HUD habrá cumplido con sus responsabilidades en menos un día después de la finalización del período de comentarios públicos para el FONSI, pero no antes de que dichos comentarios sobre el FONSI hayan sido considerados y resueltos, el Condado de Shelby presentará una Solicitud de Liberación de virtud de la Lev Nacional del Medio Ambiente, lo que permitirá al Condado comprometer fondos de la Subvención de Desarrollo Comunitario para el proyecto.

El Departamento de Vivienda y Desarrollo Urbano de EE.UU. (HUD) aceptará objeciones a su aprobación para la liberación de fondos y la certificación del Condado de Shelby por un período de quince días después de la fecha de presentación and la certificación and la certificación no fue ejecutada por el Oficial de Certificación; [b] El Registro de Revisión Ambienta para el proyecto indicaba la omisión de una decisión, hallazgo o paso requerido para el proyecto en el proceso de revisión ambiental requerido por las regulaciones de HUD en 24 CFR, Parte 58; [c] El beneficiario de la subvención u otros participantes en el proceso de revisión ambiental requerido por las regulaciones de HUD en 24 CFR, Parte 58; [c] El beneficiario de la subvención u otros participantes en el proceso de desarrollo han comprometido fondos, incurrido en costos o emprendieron activa de conformidad con el 40 CFR, Parte 58, antes 68 antes 68 antes 69 ordos por HUD; o (d) Otro organismo federal que activa de conformidad con el 40 CFR, Parte 1504 ha presentado una constatación escrita de que el proyecto es insatisfactorio desde el punto de vista de la calidad ambiental.

Las objectiones deben abordar específicamente el RROF por separado de los comentarios de FONSI, y estos comentarios deben prepararse y presentarse de acuerdo con el procesión processe 37902-2526 (U.S. Departament of HUD, Office de la Officia de Campo en Knoxville, en el Edificio Federal John J. Duncan, ubicado en el 710 Locust Street SW, Suite 300, Knoxville, Tennessee 37902-2526 (U.S. Department of HUD, Office of Community Planning and Development, Knoxville Field Office, John J. Duncan Federal Building, 710 Locust Street S.W., Suite 300, Knoxville, Tennessee 37902-2526)

HUD no considerará las objeciones a la liberación de fondos en bases diferentes a las mencionadas anteriormente. Los posibles obletores deben comunicarse con HUD para verificar el último día real del período de objeción

Alcalde, Condado de Shelby Lee Harris