

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.

The project has been developed and is designed to address flooding issues by improving the community's resilience to future flooding and alleviating current flooding conditions of adjacent communities. Although the primary purpose of the project is to alleviate current flooding conditions of adjacent communities, this project also intends to restore and enhance the existing floodplain and natural aquatic systems. Restoration and enhancement of the adjacent floodplain's natural conditions will include transitioning some of the currently drained (previously converted) wetland soils into native herbaceous wetlands. Grade controls, where appropriate, will be installed. These controls will lead to enhanced stabilization of the stream channels, reducing upgradient erosion and downstream sediment loading. North of Big Creek, improvements to the existing levee and the construction of a pump station and supporting flood control elements are also planned.

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