

## Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

To: All interested agencies, groups, and individuals

This is to give notice that the City of Anniston under 24 CFR Part 58 has conducted an evaluation of the proposed construction of a 20X24 gable end shelter with a concrete pad underneath that will be constructed by removing the ground for the thickness of the pad and pouring the concrete pad (minimum thickness of 4 inches with 6 inch wide footings that will be 8 inches deep around the perimeter) back to the approximate original ground elevation, one set of aluminum bleachers and 2 each 36-gallon trash receptacles are also to be installed on original ground as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activity in the floodplain and wetland will have on the human environment for Nettles Park Improvements under HUD Community Development Block Grant B-14-MC-01-0001.

The following serves as the City's response to the Eight-Step Decision Making Process for Executive Order 11988:

**STEP 1 – Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions)**  
Response: The proposal has been found to be in a known 100 –year floodplain, Zone AO with a flood elevation depth of one foot, as shown in the attached NFIP Flood Insurance Rate Map Panel 0314D, 314 of 450, Map No. 01015C0314D, Effective Date September 28, 2007. This project consists of adding trash receptacles, bleachers and a pavilion to an existing park.

**STEP 2 – Notify the public for early review of the proposal and involve the affected and interested public in the decision making process**

Response: The public was made aware of the proposed improvements through a Notice in the local Anniston Star Newspaper. The Notice appeared in the April 15<sup>th</sup> edition and the required 15 calendar days were allowed for public comment. The ad targeted local residents, including those in the floodplain. An affidavit of the Notice is available for review in the City of Anniston records. As required by regulation, the notice also included the name, proposed location and description of the activity, total number of floodplain acres involved and the City of Anniston as the responsible entity contact for information as well as the location and hours of the office at which a full description of the proposed action can be viewed. No comments were received as a result of the Notice.

**STEP 3 – Identify and evaluate practicable alternatives**

Response: The City evaluated a total of three (3) alternatives to the proposal

- A. Locate the Project Outside of the Floodplain\_– An alternative site for the pavilion, aluminum bleachers and appurtenances would not serve Nettles Park as intended. The relocation of the aluminum bleachers out of the floodplain would negate their purpose, which is to allow park visitors to observe tennis matches, ultimately leading to the bleachers not being utilized. The pavilion site was also chosen due to its proximity to the other existing features in the park. This alternative was eliminated.
- B. Locate the Project Inside the Floodplain – The location proposed for the pavilion, aluminum bleachers and appurtenances lies within a floodplain and was chosen in order to better serve the existing facilities such as the tennis court and baseball field. The proximity to these existing facilities was ultimately the reason why the proposed improvements were planned in the floodplain area.
- C. No Action – A no action alternative was considered and ultimately rejected. The purpose of the project is to add features to an existing park, which will increase park visitor participation and improve their experience once at the park, which is located in a low-moderate income area. The alternative of No Action would not accomplish these objectives. This alternative was eliminated.

**STEP 4 – Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development**

Response: No adverse impacts have been identified. The beneficial impacts are listed in the Response C of Step 3.

**STEP 5 – Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property and natural values within the floodplain and to restore, and preserve the values of the floodplain.**

Response: No adverse impacts to lives, property and natural values within the floodplain are known to exist, therefore no restoration is warranted.

STEP 6 – Re-evaluate the Alternatives

Response: The improvements to be located in the floodplain are still considered practicable due to the fact that they will not adversely impact the floodplain and also because the potential flooding will not harm the improvements. Additional City of Anniston staff reviewed the alternatives and agrees with the elimination of each one.

STEP 7 – Determination of No Practicable Alternative

Response: No practicable alternative was identified due to the necessity of having the improvements in close proximity to the existing park features. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 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. This activity will have no significant impact on the environment as it will not adversely affect the property or natural values within the floodplain.

Step 8: Implement the Proposed Action

The city will assure that this plan, as modified and described above, is executed and necessary language will be included in all agreements with participating parties. The city will also take an active role in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken.

Written comments must be received by the City of Anniston at the following address on or before May 13, 2015: City of Anniston, P.O. Box 2168, Anniston AL 36202-2168, and 256-231-7705, Attention: Brian L. Johnson, City Manager, during the hours of 8:00 a.m. to 5:00 p.m. Comments may also be submitted via email at [bjohnson@anniston.al.gov](mailto:bjohnson@anniston.al.gov).