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Texas Department of Housing and Community Affairs

Notice of Funding Availability

The Texas Department of Housing and Community Affairs ("Department") is making available 2015 HOME Investment Partnerships Program ("HOME") funding for single family activities.

Funds will be available through two separate HOME Single Family Program Notices of Funding Availability ("NOFAs"). One NOFA will be competitive in nature and will make \$10,006,619 available for non-set aside activities. The second NOFA will be for participation in the Reservation System and will add \$4,078,781 for set-aside activities to the system. The Reservation System NOFA may be increased from time to time as funds become available. Selection of an applicant under the competitive NOFA will result in the award of funds, while approval to receive a Reservation System Participant ("RSP") agreement is not a guarantee of funding availability.

The availability and use of these funds are subject to the Department's Administrative Rule at 10 TAC Chapter 1, Enforcement Rule at 10 TAC Chapter 2, Single Family Umbrella Rules at 10 TAC Chapter 20, the Minimum Energy Efficiency Requirements for Single Family Construction Activities at 10 TAC Chapter 21, the Department's 2015 HOME Program Rule at 10 TAC Chapter 23, and the federal regulation governing the HOME Program at 24 CFR Part 92.

The NOFAs are available on the Department's website at <http://www.tdhca.state.tx.us/nofa.htm>.

All Application materials including manuals, both NOFAs, program guidelines, and applicable HOME rules and regulations are available on the Department's website at <http://www.tdhca.state.tx.us/home-division/applications.htm>.

Applications submitted in response to the Competitive NOFA must be received on or before 5:00 p.m., CDT, Monday, October 19, 2015, regardless of method of delivery.

Applications submitted in response to the RSP NOFA will be accepted on an ongoing basis until 5:00 p.m. CDT, Thursday, June 30, 2016, unless the Department cancels the NOFA before that date.

TRD-201503644

James "Beau" Eccles

General Counsel

Texas Department of Housing and Community Affairs

Filed: September 9, 2015

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Texas Parks and Wildlife Department

Notice of Modification of Restoration Location

AGENCIES: Texas Parks and Wildlife Department (TPWD), Texas Commission on Environmental Quality (TCEQ), Texas General Land Office (GLO), United States Department of the Interior (DOI), and National Oceanic and Atmospheric Administration (NOAA) (collectively, the Trustees).

ACTION: After the partial completion of restoration activities within Swan Lake, the Trustees will fulfill remaining restoration obligations

related to the natural resource damage assessment settlement for the Tex-Tin Corporation National Priorities List (NPL) Site in the Pierce Marsh, West Bay complex.

SUMMARY: Notice is hereby given that the Trustees, after having completed the construction of 76.7 acres of tidal marsh within the Swan Lake system, have decided to complete the remaining obligation for 16.7 acres of tidal marsh construction to compensate the public for natural resources injuries and service losses attributable to the Tex-Tin Corporation NPL Site (Site) at an alternate location. The Trustees have determined that completing Site restoration requirements within the Pierce Marsh complex is more efficient and cost effective than continuing work in Swan Lake.

SUPPLEMENTARY INFORMATION

The Tex-Tin Corporation NPL Site, located in Texas City, Galveston County, Texas, released hazardous substances from the Tex-Tin facility into the surrounding estuarine environment. The U.S. Government, acting through now defunct wartime agencies, commissioned the construction of a tin smelting plant at the Site in support of World War II activities. The plant was operated under government contract between 1941 and 1956. The Wah Chang Corporation bought the Site in 1957 and operated the tin smelter for 11 years. Teledyne Corporation purchased Wah Chang Corporation in 1967. In 1968, Teledyne sold the smelter to Fred H. Lenway Corporation, which sold the eastern portion of the Site to Amoco Chemical Company in 1969. The Gulf Chemical and Metallurgical Company purchased the smelting plant from Lenway in 1970. In 1978, the Associated Metals and Minerals Corporation purchased Gulf Chemical. The portion of the Site controlled by Associated Metals and Minerals Corporation came under the control of the Tex-Tin Corporation in 1985. Tex-Tin Corporation continued operations at the Site into the early 1990s. At various times, industrial activities at the Site have included tin ore processing, acid recovery operations, heavy metals recovery, copper washing operations using ammonia, secondary copper smelting, land filling of low-level radioactive materials, and still bottom and waste oil recovery. The Tex-Tin smelter complex included a processing area, a small power-generation station, fuel oil tanks, acid tanks, five wastewater treatment ponds, several large abandoned acid ponds, a ferric chloride pond, and numerous slag piles and drums. The trace metals (aluminum, antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, nickel, silver, tin, vanadium and zinc) are the primary contaminants at the Site. To a lesser degree, polycyclic aromatic hydrocarbons, volatile and semivolatile organic compounds, and polychlorinated biphenyls have also been detected at the Site.

NOAA, DOI, TPWD, TGLO and TCEQ are designated natural resource trustees under Section 107(f) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9607(f); Section 311 of the Federal Water Pollution and Control Act (FWPCA), 33 U.S.C. Section 1321; Subpart G of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Sections 300.600 and 300.605; and other applicable federal or state laws. The Trustees are authorized to act on behalf of the public under these authorities to protect and restore natural resources injured or lost as a result of discharges or releases of hazardous substances.

Paralleling the Remedial Investigation/Feasibility Study (RI/FS) process for the Site conducted by the U.S. Environmental Protection Agency, the Trustees undertook an assessment of the natural resource injuries and service losses attributable to hazardous substances at the Site. The assessment focused on natural resource injuries or services losses of an ecological nature caused by the hazardous substances at the Site based on known contamination and anticipated response actions.

On July 9, 2001, the Trustees released a Draft Restoration Plan/Environmental Assessment (RP/EA) for public review and comment. No public comments were received and the Trustees subsequently finalized the document. The Final RP/EA provided the information and methods used to define the natural resource injuries and losses of an ecological nature, including the scale of restoration actions based on the final Site remedy, and identified the construction of 93.4 acres of tidal marsh within Swan Lake as the preferred restoration action to restore, replace or acquire resources and services equivalent to those lost.

The Trustees subsequently restored tidal marsh in the northwestern corner of Swan Lake by constructing planting platforms that would support emergent vegetation through the addition of sediments from an adjacent U.S. Army Corps of Engineers (USACE) Dredge Materials Management Unit (DMMP). However, due to a combination of issues related to the availability of suitable materials and the USACE need for the DMMP for a planned dredging activity, the Trustees were not able to secure sufficient material to fulfill the entire restoration requirement for the Tex-Tin case. The Trustees completed the construction and planting of 76.7 acres of the required 93.4 acres of tidal marsh.

Since the partial completion of the Tex-Tin Site restoration obligations, the Trustees continued to plan for the completion of the remaining 16.7 acres of tidal marsh construction. Until recently, those planning effort focused on completing the restoration requirement within Swan Lake. However, an opportunity has become available to create the same type of habitat that would provide benefits to the same variety of injured natural resources in a location that is geographically very close to the identified preferred restoration location, Swan Lake. Specifically, the Trustees became aware of and evaluated the prospect of constructing tidal marsh within the Pierce Marsh complex, located two miles southwest of the Site and 4 miles southwest of the Swan Lake restoration location. Like Swan Lake, the Pierce Marsh complex has experienced a loss of wetlands due to historical subsidence which resulted in the drowning of the previously existing emergent wetlands. Pierce Marsh has been the site of a number of successful restoration projects to counteract this loss of emergent wetlands. The next phase of Pierce Marsh restoration, of which the Tex-Tin restoration would be a part, calls for the construction of 70.0 acres of tidal marsh. This project would increase shallow bay bottom elevations to levels that would support emergent vegetation through the beneficial use of dredge materials from a nearby USACE Gulf Intracoastal Waterway dredge project. Levees to hold hydraulically placed sediments already exist, though they may require some fortification and increase in elevation. Once placed and allowed to dewater, the constructed sediment platforms would be planted with wetland vegetation. Adequate acreage is available within the project site to complete Tex-Tin restoration obligations. Completion of Tex-Tin restoration obligations within the Pierce Marsh complex presents a number of advantages. The Trustees have determined that the restoration project in Pierce Marsh is substantively similar in location and type to the preferred alternative identified in the final Tex-Tin RP/EA. Specifically, the RP/EA describes "the Galveston Bay system in the vicinity of Virginia Point (Swan Lake/Jones Bay/West Bay)" as "the relevant geographical area for siting restoration actions." Pierce Marsh is part of Jones Bay. As such, the Trustees have determined that the analysis of impacts presented in the final RP/EA sufficiently describes the work to be performed in Pierce Marsh, and that the slight change in project location does not necessitate further evaluation pursuant to the National Environmental Policy Act. As mentioned above, the remaining Tex-Tin restoration would be a part of larger ongoing restoration effort and would benefit from the economies of scale associated with a much larger project. Also, restoration implementation within the Pierce marsh complex would occur on a quicker timeline than is possible for additional restoration within Swan Lake. Planning for marsh construction within the Pierce Marsh complex has

progressed to the state that construction of the Tex-Tin restoration obligations could be completed in the fall of 2015. Though still being evaluated for potential marsh restoration, planning efforts for the construction of marsh within Swan Lake will require additional geotechnical evaluations of both the potential restoration locations as well as to determine the location of an appropriate nearby sediment source. In addition, areas along the western shoreline of Swan Lake targeted for marsh restoration due to their relatively shallow water depths present the potential for the re-suspension of Site related contaminant laden sediments. Resolution of this issue will require the detailed evaluation of engineering options to minimize or eliminate this concern before restoration actions could proceed in Swan Lake.

Based on the current Pierce Marsh budget, remaining Tex-Tin Restoration funds are sufficient to construct slightly more than the remaining restoration requirements. In contrast, the complexities associated with additional evaluation and continued work in Swan Lake would make it difficult to fulfill the Trustees restoration obligations for the Tex-Tin Site with the remaining funds. Because of these factors, restoration within Swan Lake would be on a slower timeline for completion and would likely cost more to accomplish than the construction of the same acreage of tidal marsh within Pierce Marsh. Given the results of this evaluation, the Trustees have elected to alter the site of the remaining obligations for the construction of tidal marsh associated with the Tex-Tin Site from Swan Lake to the Pierce Marsh complex.

For further information, contact Don Pitts at (512) 389-8754 or don.pitts@tpwd.texas.gov.

TRD-201503630

Ann Bright

General Counsel

Texas Parks and Wildlife Department

Filed: September 8, 2015



Notice of Modification of Restoration Location

AGENCIES: Texas Parks and Wildlife Department (TPWD), Texas Commission on Environmental Quality (TCEQ), and Texas General Land Office (GLO) (collectively, the Trustees).

ACTION: After further evaluation of the potential for undertaking restoration activities within Swan Lake, the Trustees have elected to fulfill restoration obligations related to the natural resource damage assessment settlement for the November 3, 2003 Martin Product Sales, LLP sulfuric acid spill within the Pierce Marsh, West Bay complex.

SUMMARY: Notice is hereby given that the Trustees, after having further evaluated the potential for constructing 3.8 acres of tidal marsh within the Swan Lake system, have decided to relocate the restoration required to compensate the public for natural resources injuries and service losses attributable to the Martin Product Sales, LLC (Martin) sulfuric acid spill to an alternate location. The Trustees have determined that completing spill restoration requirements within the Pierce Marsh complex is more efficient and cost effective than undertaking the work within the originally identified Swan Lake restoration site.

SUPPLEMENTARY INFORMATION

On November 3, 2003, a barge owned and operated by Echo Towing and carrying a cargo owned by Martin Products L.L.C. ("Martin") of approximately 235,000 gallons of concentrated sulfuric acid, capsized at the Sterling Chemicals Terminal and began leaking concentrated sulfuric acid into the Texas City Harbor and Texas City Ship Channel ("the Channel") in Galveston Bay, Galveston County, Texas ("Incident"). During attempts to stabilize the capsized barge, the barge rolled again, further degrading its stability and allowing salt water to mix with