

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

To: All interested Agencies FEMA, HUD, Groups and Individuals

This is to give notice that City of Merced has conducted an evaluation 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 Economic Development Initiative – Special Projects under B09SPCA0149. The project has restored the Merced Theater to its opening 1931 grandeur. When the theater opened; it was the largest auditorium in the County. It served the community by providing a venue for numerous live performances and theatrical films. The theater consisted of a house seating approximately 1600 visitors, 10 residential units, and five retail units. The theater was designed in a Spanish/Moorish castle motif, with the house designed to allow the audience to feel as though they were sitting in the courtyard of a Spanish Castle. In the early 1970's the theater house was gutted and transformed into a four-plex movie theater. After the transformation, little was reinvested in the theater, causing severe decay that culminated in a ceiling collapse around 2002/2003. The size of the parcel is 0.52 acres. The proposed project(s) is located 503 West Main Street in City of Merced, Merced County. The project is located in flood zone AO-1 (1 foot depth) on FEMA Map #06047C0440G.

The City of Merced considered the following alternatives to the proposed action, restoration of the theater: 1) no action 2) locating the building out of the base floodplain. The no action alternative was determined not practicable because impact on the floodplain would be the same as the impact of theater restoration, but benefits to the City's and downtown's cultural, artistic, and aesthetic qualities would not be realized. Locating out of the floodplain was not practicable because the proposed action is rehabilitation of an existing historic property within the floodplain. Therefore, after reevaluating these alternatives, the City determined that it had no practicable alternative to the proposed action. Most of the City is in a floodplain and it was not practicable to move the historic structure, rebuild a replacement or allow the structure to remain in a deteriorated state. The project has had no significant impact on the environment for the following reasons: During the project, every effort was taken by the City to preserve natural and beneficial values. Additionally, the activity was completed in compliance with all state and local floodplain requirements.

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.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains 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 about floodplains can facilitate and enhance Federal efforts to reduce the risks 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 floodplains, it must inform those who may be put at greater or continued risk.

Written comments must be received by City of Merced at the following address on or before February 8, 2013: City of Merced, 678 W. 18<sup>th</sup> Street and (209) 385-6863, Attention: John M. Bramble, City Manager. A full description of the project may also be reviewed from 8 am to 5 pm at 678 W. 18<sup>th</sup> Street, Merced CA 95340. Comments may also be submitted via email at [hamiltonm@cityofmerced.org](mailto:hamiltonm@cityofmerced.org).

**Date: January 31, 2013**