

P.O. Box 13231, 1700 N. Congress Ave. Austin, TX 78711-3231, www.twdb.texas.gov Phone (512) 463-7847, Fax (512) 475-2053

DETERMINATION OF NO EFFECT

TO ALL POTENTIALLY INTERESTED AGENCIES:

Pursuant to the environmental assessment requirements of 31 Texas Administrative Code (TAC) § 363.14, the Texas Water Development Board (TWDB) has determined that the proposed action identified below may be exempted from formal environmental review requirements:

Chatt Water Supply Corporation, Hill County, Texas TWDB DFUND Project No. 21816 Chatt Water Supply Corporation Water Well Total Financing Amount: \$3,000,000 Loan No. L1001683

The Chatt Water Supply Corporation (Corporation) is proposing to use \$3,000,000 in financing from the Texas Water Development Fund (DFund) Program to drill a new groundwater well. The project also plans a chloramine (chlorine and ammonia) disinfection system, site piping, site fencing, and a gravel driveway. As funding allows, storage tanks, a pump station and emergency generator may be included.

Construction is proposed on a half-acre parcel of land adjacent to County Road 3106, about six miles southeast of Hillsboro. This location is owned by the Corporation and maintained as pastureland. Water will flow from the new well to chlorine disinfection then to ammonia disinfection. The treated water will then be pumped through a new water line to connect with an existing water main, directly across the street on County Road 3106.

The TWDB cannot fund testing, remediation, removal, disposal, or related works for contaminated or potentially contaminated materials. However, the project proponent should ensure that, if found, such materials are tested, removed, and disposed of in accordance with applicable state and federal laws.

The project is not located within the 100-year floodplain; therefore, coordination with the local floodplain administrator was not required. In addition, construction within the existing right-of-way (ROW) and easements is not expected to impact threatened or endangered species or habitat.

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To ensure that there will be no adverse environmental impacts associated with construction, the Corporation coordinated with four regulatory agencies: the Texas Historical Commission (THC), the United States Army Corps of Engineers (USACE), the United States Fish and Wildlife Service (USFWS), and the Texas Parks and Wildlife Department (TPWD). By letter dated September 3, 2024 (SWF-2024-00409), the USACE-Fort Worth District advised the project will not require Department of the Army authorization as there are no waters of the United States present. In an email dated September 9, 2024 (Tracking No. 202413239), the THC advised no historic properties are present or affected by the project as proposed and no effect on identified archeological sites or other cultural resources is anticipated. The project proponent consulted the USFWS Information for Planning and Consultation (IPaC) system on September 12, 2024. Although the project intersects potential territory of threatened and endangered species, no adverse effects are anticipated as suitable habitat from project activities.

In an email dated September 10, 2024, the TPWD (Project No. 52788) recommended avoidance of permanent outdoor nighttime lighting. Should outdoor lighting be required, it is recommended the project's contribution to skyglow be minimized by focusing light downward, with shields or cutoff luminaires. Avoidance of light emitting above the horizontal and utilization of dark-sky compliant lighting was recommended.

The decision to grant a Determination of No Effect (DNE) is allowed because the specified project elements should not cause significant adverse impacts to the quality of the environment. Documentation supporting this determination is on file at the TWDB.

This determination shall be revoked if it is found that

- (1) the project no longer meets the requirements for categorical exclusion from full environmental review as a result of changes in the project;
- (2) the project involves extraordinary circumstances as described in 31 TAC § 363.14; or
- (3) the project may violate or has violated federal, state, local, or tribal laws.

The proposed project must comply with the following standard environmental conditions:

Standard Environmental Conditions

- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0552), the Corporation will abide by the standard emergency condition for the discovery of cultural resources.
- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB– 0552), the Corporation will abide by the standard emergency condition for the discovery of threatened and endangered species.

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Comments regarding this determination may be submitted to the Director of Regional Water Project Development, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231 or via email at <u>RWPD-Environmental@twdb.texas.gov</u>.

Sincerely,

T. Clay Schultz, Ph.D., Director Regional Water Project Development

Enclosures







