September 18, 2020

FINDING OF NO SIGNIFICANT IMPACT

TO ALL INTERESTED AGENCIES AND PUBLIC GROUPS:

As required by the rules of the Texas Water Development Board (TWDB), 31 Texas Administrative Code (TAC) § 371.41, an environmental review consistent with the National Environmental Policy Act (NEPA), 42 United States Code § 4321 *et seq*., has been performed on the project below. This project is proposed to be funded through the Drinking Water State Revolving Fund (DWSRF) Program, which is administered by the TWDB.

City of Willow Park, Parker County, Texas
TWDB DWSRF Project No. 62850
Fort Worth Wholesale Water Project
Total Financing Amount: $13,770,000

The City of Willow Park (City) is proposing to use $ 13,770,000 in financing from the DWSRF program for the Fort Worth Wholesale Water Project to construct a water line and a pump station. The water line will run along the northern side IH-20 in an easement on private property of 20' width and then turn north on El Chico trail. A 14-inch water line will run between the proposed pump station site, along IH-20 in TxDOT right-of-way, to a connection point near the intersection of IH-20 and Primrose Drive on the north side of IH-20. The pump station facility will consist of a pump building, a 0.5 MG ground storage tank, fencing, and ancillary facilities. There will be a crossing of the Clear Fork of the Trinity River.

This Finding of No Significant Impact is completed for the Fort Worth Wholesale Water Project, which is hereafter referred to as the proposed project.

An environmental review of the proposed project consistent with NEPA has been completed following the guidelines provided in 31 TAC § 371.41. This environmental review is documented by the enclosed Environmental Assessment, which contains mitigative environmental conditions that will be applied to the proposed project in order to avoid significant adverse environmental impacts on floodplains, cultural or historical resources, threatened or endangered species, and protected migratory bird species.

The City has committed to the mitigation measures and has the ability and authority to do so. Based on a detailed environmental review of the planning information, Environmental Information Document, and other documentation, the proposed project is considered to be environmentally sound with the following conditions:

- In order to comply with requirements of the Federal Emergency Management Agency regarding implementation of the National Flood Insurance Act, National Disaster Protection Act, National Flood Insurance Reform Act, Federal Executive Orders 11988 and 11990, and to comply with related state statutes, proponents of construction projects in special flood hazard areas must coordinate in advance with the local floodplain administrator who must issue a floodplain permit prior to TWDB approving plans and specifications;
- In order to ensure compliance with the Migratory Bird Treaty Act (MBTA), if clearing vegetation during the nesting season is unavoidable, TPWD recommends surveying the construction area to ensure that no nests with eggs or young will be disturbed by construction. Any vegetation or bare ground areas where occupied nests are located should not be disturbed until the eggs have hatched and the young have fledged;
- Use of directional boring to avoid waters of the United States, including wetlands;
- Standard emergency condition for the discovery of cultural resources; and
- Standard emergency condition for the discovery of threatened and endangered species.

Documentation supporting this decision is on file in the office of the Regional Water Project Development, TWDB, and is available for public review upon request. Comments supporting or disagreeing with this preliminary environmental determination may be submitted to the Director, Regional Water Project Development, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231. After evaluating the comments received, the Executive Administrator will make a final determination. However, no action regarding the provision of federal financial assistance for the proposed project will be taken for at least thirty (30) calendar days after release of this Finding of No Significant Impact.

Sincerely,

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

Enclosure

City of Willow Park, Parker County
Drinking Water State Revolving Fund Project No. 62850
Fort Worth Wholesale Water Project
Environmental Assessment

BACKGROUND

The City of Willow Park (City) proposes to construct a 5-mile-long water line and a pump station. The City proposes to use $13,770,000 in financing from the Clean Water State Revolving Fund (CWSRF) Equivalency Program, which is administered by the Texas Water Development Board (TWDB). The City closed on its commitment [Commitment No. 62850] on August 13, 2019. The Environmental Assessment is based primarily on the Environmental Information Document[1] submitted to the TWDB by the City and other available resources.

Purpose and Need

The City of Willow Park's current and projected water usage has exceeded 85 percent of the City's well capacity. Per TCEQ rules, the City must develop an additional water source to ensure sufficient capacity. The addition of the pump station and water plant improvements would enable the system to be in compliance with state and federal laws on drinking water and provide a better-quality product to the system members. The cities of Willow Park and Hudson Oaks have contracted with the City of Fort Worth for treated water supply in the amount of 3.5 millions of gallons per day (MGD) and 3.23 MGD, respectively. In order to bring the new supply to both entities, transmission facilities must be installed. The water line and associated process equipment upgrades are to improve the quality and pressure of the water system. The proposed project will reduce the risk of health and sanitation concerns due to water line pressure issues and operational improvement to the water plant. The proposed project will bring wholesale drinking water from the City of Fort Worth to the Cities of Willow Park and Hudson Oaks.

PROJECT DESCRIPTION

The proposed project components included in this environmental assessment, include:

- 24-inch water line from the intersection of Interstate Highway 20 (IH-20) and Farm to Market Road (FM) 1187 (where connection will be made to the City of Fort Worth's existing 36-inch water line)
- A pump station to be constructed north of IH-20 near El Chico Trail.

[1] City of Willow Park (5/29/2020). Environmental Information Document: Water Line Improvements (Prepared by Jacob and Martin). Received by TWDB on May 28, 2020. The EID is complete with the supplementary materials submitted to the TWDB on July 29, 2020.

- 14-inch water line between the proposed pump station site, along IH-20 in the Texas Department of Transportation's (TxDOT) rights-of-way (ROW), to a connection point on the North side of IH-20 across from the airport.

The City of Willow Park has entered into an interlocal agreement with the City of Fort Worth and Hudson Oaks to fund the construction of a regional wholesale water supply line. The proposed project will bring wholesale drinking water from the City of Fort Worth to the Cities of Willow Park and Hudson Oaks. The improvements will take place on land already in the ROW and on private property ROW not owned by the Cities of Willow Park or Hudson Oaks.

EVALUATION OF ALTERNATIVES

In addition to the preferred action alternative, the City evaluated the no-action alternative and construction of new wells. Each alternative was evaluated for its potential direct, secondary, and cumulative impacts on the existing environment.

No Action Alternative

The no-action alternative would have less impact than the preferred alternative, however if the no-action alternative was chosen, residents of the Cities of Willow Park and Hudson Oaks and within an adjacent area of the city could eventually be unable to drink well water. The lines may become unable to maintain adequate pressure to service connections. Water well fields are showing failing water chemistry and requiring substantial treatment before being used for public drinking water. The no-action alternative would result in continued water quantity, water quality issues, pressure and supply problems being left unresolved.

Construction of a New Water Well Field - Action Alternative #1 (Not Selected)

Drilling additional wells to meet demand was considered. Groundwater formations in the project area have not proven to have reliably sufficient quality, capacity, or rates. Continued reliance on water wells and undersized water pipelines will not meet the community's water needs. This alternative would have a greater impact to groundwater quality and quantity than the preferred alternative.

Water Line - (Preferred Alternative)

The preferred alternative is described above under the Project Description. The purpose of the preferred alternative is to provide a more reliable and sustainable water source for Cities of Willow Park and Hudson Oaks. The preferred alternative would be anticipated to enhance and maintain long-term viability of the area's shallow groundwater.

ENVIRONMENTAL SETTING

Existing Conditions

The proposed project is located in Parker County. The proposed pipeline would run near and generally parallel to IH-20. This line will run along the northern right-of-way line of IH-20 in an easement on private property of 20' width and then turn north on El Chico trail and run through a 20 ' easement on private property; and a 14-inch PVC water line between the proposed pump station site, along IH-20 TxDOT right-of-way, to a connection point East of Exit 414 IH-20 (between 3761 and 3803 IH-20 on the north side of IH-20).The pump station facility will consist of a pump building, a 0.5 MG ground storage tank, fencing, and ancillary facilities. There will be a crossing of the Clear Fork of the Trinity River.

Geology and Soils

The proposed project is located within the Grand Prairie Physiographic Province of Texas, which is situated north and west of Fort Worth and is generally flat to gently sloping to the southeast, but includes plateau-like surfaces and is dissected by numerous streams. Geologically, the project is underlain by the Cretaceous-age Goodland Limestone Formation (Kgl), Paluxy Sand (Kpa), Walnut Clay (Kwa), Kiamichi Formation (Kki), Duck Creek Limestone (Kdc), and Quaternary-age alluvium (Qal). The Goodland Limestone Formation is characterized by fossiliferous, thinly-bedded limestone. The Paluxy Sand consists of interbedded sandstone, mudstone, and limestone units. The Walnut Clay is comprised of clay, limestone, and thin beds of shale. The Kiamichi Formation features alternating units of clay and limestone. The Duck Creek Limestone is characterized by gray aphanitic limestone. Quaternary-age alluvium comprises a range of clay, silt, sand, and gravel deposited along streams within the region.

Although the project footprint is located on some mapped soil units classified as Prime or Other Important Farmland, the buried water line will allow for farming practices to continue after construction has been completed, and the proposed pump station will be located within the existing WWTP facility site. Soils will not be moved off site and will not be contaminated as a result of the proposed project.

Water Resources

The proposed project is located in the Trinity River Basin. The primary source of the City's water supply is groundwater from the Trinity Aquifer. The City has an emergency connection to Lake Benbrook; however, this supply is for emergency use only. There are no Environmental Protection Agency (EPA-designated) sole source aquifers in the project area.

Some erosion of excavated materials may occur during periods of heavy rainfall but is not anticipated to have an adverse impact on surface water quality. A TCEQ construction storm water permit will be required. Stormwater best management practices (BMPs) must be in effect at all times during construction.

Topography and Floodplains

Elevation across the proposed project area ranges from approximately 810 to 1,045 feet above mean sea level (MSL). The project is in the ROW or adjacent to IH-20 in Parker County, Texas, an area of gently rolling prairie draining to the Clear Fork of the Trinity River. The project is partially located within the floodway and the 100-year floodplains of the Clear Fork of the Trinity River. The City participates in the National Flood Insurance Program (NFIP).

Temporary impacts may occur during construction of the project. The entire easement will be returned to pre-construction contours resulting in no change to the flood elevation along the project corridor.

Wetlands, Streams, and Waters of the United States

A Wetlands delineation report of the subject property was prepared in February of 2020. It found that "three wetlands and three jurisdictional Waters of the United States were located on the Project. In total the Project has a potential to disturb 0.4 acres of wetlands if those areas are crossed. The Project also has 2.017 acres of jurisdictional Waters of the United States that could be disturbed if they are crossed. From East to West along IH-20, the wetlands are situated adjacent to the interstate highway in a riverine area. The wetlands are highly impacted by urban development and highway traffic. The Clear Fork of the Trinity River is perennial, all other are ephemeral or intermittent depending on rainfall."

Biological Elements

The proposed project area is located within the Cross Timbers Ecological Region. A field survey was conducted on February 07, 2020. The majority of plants observed were Texas wintergrass, crabgrass, Johnson grass, rye, Buffalo grass, Bluestem and side-oat grama varieties. Dandelions and ragweed were also evident with briers and poison ivy.

Five federal candidate, threatened, and endangered species are listed for Parker County. Eleven species were listed as state threatened or endangered in Parker County.

Databases of sensitive species maintained by the United States Fish and Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD) were reviewed, to verify any state and/or federally listed threatened or endangered species that occur, or have historically occurred, in Parker County. Some of these listed species are migrants or wintering residents only or may be historic or considered extirpated. The following table from TPWD (July 2020), lists the federal or state-listed endangered, threatened, or rare species in Parker County.

Rare, Threatened and Endangered Species known to occur in Parker County

Taxon	Common Name	Scientific Name	Federal Status	State Status
Amphibians	Woodhouse's toad	Anaxyrus woodhousii		
Amphibians	Strecker's chorus frog	Pseudacris streckeri		
Birds	white-faced ibis	Plegadis chihi		T
Birds	bald eagle	Haliaeetus leucocephalus		
Birds	Black Rail	Laterallus jamaicensis	PT	T
Birds	whooping crane	Grus americana	LE	E
Birds	piping plover	Charadrius melodus	LT	T
Birds	mountain plover	Charadrius montanus		
Birds	Franklin's gull	Leucophaeus pipixcan		
Birds	interior least tern	Sternula antillarum athalassos	LE	E
Birds	western burrowing owl	Athene cunicularia hypugaea		
Birds	black-capped vireo	Vireo atricapilla		
Birds	golden-cheeked warbler	Setophaga chrysoparia	LE	E
Mammals	tricolored bat	Perimyotis subflavus		
Mammals	big brown bat	Eptesicus fuscus		
Mammals	eastern red bat	Lasiurus borealis		
Mammals	hoary bat	Lasiurus cinereus		
Mammals	Mexican free-tailed bat	Tadarida brasiliensis		
Mammals	big free-tailed bat	Nyctinomops macrotis		
Mammals	swamp rabbit	Sylvilagus aquaticus		
Mammals	thirteen-lined ground squirrel	Ictidomys tridecemlineatus		
Mammals	black-tailed prairie dog	Cynomys ludovicianus		
Mammals	woodland vole	Microtus pinetorum		
Mammals	long-tailed weasel	Mustela frenata		
Mammals	mink	Neovison vison		
Mammals	American badger	Taxidea taxus		

Mammals	eastern spotted skunk	Spilogale putorius		
Mammals	plains spotted skunk	Spilogale putorius interrupta		
Mammals	western hog-nosed skunk	Conepatus leuconotus		
Mammals	mountain lion	Puma concolor		
Reptiles	eastern box turtle	Terrapene carolina		
Reptiles	western box turtle	Terrapene ornata		
Reptiles	smooth softshell	Apalone mutica		
Reptiles	slender glass lizard	Ophisaurus attenuatus		
Reptiles	Texas horned lizard	Phrynosoma cornutum		T
Reptiles	Brazos water snake	Nerodia harteri		T
Reptiles	common garter snake	Thamnophis sirtalis		
Reptiles	Texas garter snake	Thamnophis sirtalis annectens		
Reptiles	timber (canebrake) rattlesnake	Crotalus horridus		
Reptiles	massasauga	Sistrurus tergeminus		
Insects	American bumblebee	Bombus pensylvanicus		
Insects	Comanche harvester ant	Pogonomyrmex comanche		
Mollusks	Brazos Heelsplitter	Potamilus streckersoni		T
Mollusks	Texas Fawnsfoot	Truncilla macrodon	C	T
Plants	Topeka purple-coneflower	Echinacea atrorubens		
Plants	Quayle's butterweed	Senecio quaylei		
Plants	Engelmann's bladderpod	Physaria engelmannii		
Plants	earth fruit	Geocarpon minimum	LT	T
Plants	Hall's prairie clover	Dalea hallii		
Plants	Comanche Peak prairie clover	Dalea reverchonii		
Plants	turnip-root scurfpea	Pediomelum cyphocalyx		
Plants	Reverchon's scurfpea	Pediomelum reverchonii		
Plants	earleaf false foxglove	Agalinis auriculata		
Plants	Osage Plains false foxglove	Agalinis densiflora		
Plants	Glen Rose yucca	Yucca necopina		
Plants	Mohlenbrock's sedge	Cyperus grayioides		
Plants	Hall's baby bulrush	Schoenoplectus hallii		

Status Key:
LE, LT - Federally Listed Endangered/Threatened
PE – Federally Proposed Endangered
PT, C - Federally Proposed Threatened, or Candidate Species
SA – Endangered due to similarity of appearance of other species.

DL, PDL - Federally Delisted/Proposed Delisted E, T - State Endangered/Threatened blank - Rare but with no regulatory listing status *extirpated from the area Data Sources: Texas Parks and Wildlife Department, United States Fish and Wildlife Service

No state or national parks, forests, wildlife refuges, wild or scenic rivers, natural areas or similar preserves are located within the project area.

Cultural Resources

An archeological survey[2] was performed by Integrated Environmental Solutions, LLC (IES) in March 2020 under Texas Antiquities Permit Number 9377. There is no National Register Property (NR) in, adjacent or near the proposed project in Parker County. The THC's Texas Historical Sites Atlas was also consulted in August 2019. Sites were studied based on a five-mile buffer around the project, which highlighted 18 sites of historical significance (THC, 2019). During the IES survey, no archeological sites were documented within the area of potential effects. The historic-age Willow Springs Cemetery is located directly northwest of the IH-20 and Mikus Road intersection. Additional care will be exercised in relation to the Willow Springs Cemetery and the Union Soldier grave marked with a Texas Historical Marker.

Based upon the results of the archaeological survey, the IES report concluded that further cultural resource investigations are unwarranted and recommended the city be allowed to construct the proposed water line route without further cultural resource investigations. The recommendation included the condition that if buried cultural materials are uncovered during construction, work should immediately stop in that area and the Archeology Division of the Texas Historical Commission should be notified.

The THC concurred with these results, as described later in the 'Cross-Cutter Compliance and Agency Coordination' section. No direct impacts to cultural resources/historic properties are anticipated as a result of the project.

Hazardous Materials

A search of the EPA National Priorities List and TCEQ Central Registry revealed there is a Superfund site near the project area at 117 Circle Court Willow Park, Texas, 76087. This site is South of IH-20 but not in or associated with the project. There are no Superfund Sites from the EPA National Priorities List located on the subject property or in areas associated with the proposed work for the water line.

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[2] *Cultural Resources Survey of the City of Willow Park Water System Improvement Projects, Parker County. May 2020. City of Willow Park, Texas Antiquities Permit No. 9377 /THC No. 201701061.*

Social Implications and Environmental Justice

In accordance with Executive Order 12898 pertaining to Environmental Justice (EJ), potential environmental impacts to low-income and minority communities have been assessed. The United States Environmental Protection Agency (USEPA) defines environmental justice as conveyed by the Executive Order as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. The goal of fair treatment is not to shift risks among populations, but to identify potential disproportionately high and adverse human health and environmental effects on minority populations and low-income populations and to identify alternatives to mitigate those impacts.

The United States Census Bureau characterizes "Hispanic Origin" as a minority group, but not a separate race. Racial groups include: White, African-American, Asian/Pacific Islander, American Indian, Other Race, and Multiracial. The calculation for "Percent Minority" includes all minority groups and races except non-Hispanic, white persons. The terms "Living below the Poverty Level" is equivalent to the term "Economically Distressed" and includes, according to the 2015 United States Census, a four-person family with an annual income at or below $24,250.

The proposed project was evaluated for EJ impacts using the Environmental Justice Screening and Mapping Tool (EJScreen), a mapping tool designed by the USEPA that allows users to create maps and generate reports on factors that may affect public and environmental health. Data include population, percentage of minority residents, per capita income, etc. for comparison with data for the county and state.

The EJ analysis was performed on January 07, 2020 for the proposed project area, including a 0.5-mile area around the water line alignment and all other project components. The results are listed below with data from the United States Census for the state and county included for comparison.

Area	Population	Percent Minority	Percent Below Poverty Level	Per Capita Income
State	28,701,845	55.2	14.7	$30,143
Parker County	138,371	17	8.3	$34,705
Willow Parks	5,569	4.9	2.1	$43,744
Project Area (0.5-mile buffer)	2025	12	1.9	$46,845

The EJ analysis indicates that the residents within 0.5 mile of the project and the City have similar levels of minority or low-income populations; therefore, these communities would not be disproportionately impacted in a negative way. People or businesses will not be relocated as a result of the project. An increase in the rates due to the proposed project is not anticipated. No new land will be acquired for the proposed project; therefore, the proposed project will not require the use of eminent domain.

The entire population of this project area will benefit from the proposed improvements. The project will not disproportionately impact minority or low-income populations in a negative way.

POTENTIAL IMPACTS AND MITIGATIVE MEASURES

Standard Mitigative and Precautionary Measures

Potential construction-related impacts to the daily activities of the community are amenable to standard mitigative and precautionary measures. Any debris or waste disposal shall be at an appropriately authorized facility. Temporary increases in noise levels may occur during construction of the proposed project. A stormwater prevention plan (SW3P) will be utilized during construction and best management practices will be implemented to control runoff and sedimentation. Areas impacted will be revegetated.

Additional care will be exercised in relation to the Willow Springs Cemetery and the Union Soldier grave marked with a Texas Historical Marker.

TPWD was contacted for its review of the project. Their response dated November 15, 2019 is included in this report. TPWD responded that based on the project description, the Wildlife Habitat Assessment Program does list any specific adverse impacts to rare, threatened or endangered species, or other fish and wildlife resources. Recommendations are to follow best management practices for MBTA, Parks and Wildlife Code chapter 64, Texas Horned Lizard and to contact TPWD for any occurrence of a rare species.

Secondary and Cumulative Impacts

Residential development may increase in the service area for project area because of a more secure supply of water service. It is not anticipated that an increase in development will worsen conditions in the floodplain or raise base flood elevations. It is not anticipated that a slight increase in development will have an adverse effect on wetlands in the project area.

Cross-Cutter Compliance and Agency Coordination

The proposed project has been reviewed for potential impacts to the quality of the environment following the procedures provided in 31 Texas Administrative Code § 371.41, in order to ensure compliance with DWSRF program requirements and federal and state regulations, including the federal cross-cutting environmental authorities from the EPA listed below.

(1) National Environmental Policy Act of 1969, PL 91-190
(2) Archeological and Historic Preservation Act of 1974, PL 93-291
(3) Clean Air Act, 42 USC 7506(c)
(4) Coastal Barrier Resources Act, 16 USC 3501 *et seq*.
(5) Coastal Zone Management Act of 1972, PL 92-583, as amended
(6) Endangered Species Act, 16 USC 1531, *et seq.*
(7) Executive Order 11593, Protection and Enhancement of the Cultural Environment
(8) Executive Order 11988, Floodplain Management
(9) Executive Order 11990, Protection of Wetlands
(10) Farmland Protection Policy Act, 7 USC 4201, *et seq.*
(11) Fish and Wildlife Coordination Act, PL 85-624, as amended
(12) National Historic Preservation Act of 1966, PL 89-665, as amended
(13) Safe Drinking Water Act, § 1424(e), PL 92-523, as amended
(14) Wild and Scenic Rivers Act, PL 90-542, as amended
(15) The Wilderness Act, 16 USC 1131, *et seq*.
(16) Environmental Justice, Executive Order 12898
(17) Flood Insurance Reform Act of 2004, Public Law 108-264
(18) National Flood Insurance Reform Act of 1994, Public Law 103-325
(19) Flood Disaster Protection Act of 1973, as amended, Public Law 93-234
(20) Clean Water Act, PL 92-500, as amended

This environmental review included coordination with various state and federal regulatory agencies and other interested parties including a 30-day public review period of the planning documents. The following section provides a summary of that coordination and provides a discussion of any concerns, recommendations, or conditions pertaining to methods for avoidance, minimization, or mitigation of potential impacts.

<u>Texas Historical Commission</u>

The THC reviewed the *Cultural Resources Survey of the City of Willow Park Water System Improvement Projects*, and in a response dated July 03, 2020, concluded that the proposed project will not adversely affect sites listed on the National Register of Historic Places or State Antiquities Landmarks and that no historic properties would be affected and that the project may proceed.

Pursuant to the conditions of this approval, if archeological sites are discovered during construction, work will cease immediately in that area and Contractor will notify the City, THC, and TWDB of the discovery. The City will then proceed in accordance with the regulations of the Advisory Council on Historic Preservation (36 CFR Part 800) and Antiquities Code of Texas prior to taking any action which would affect the cultural resources. The City's Contractor will take reasonable steps to protect and preserve the discoveries until they have been inspected by the City's representative. The City will promptly coordinate with the State Historic Preservation Officer and any other appropriate agencies to obtain any necessary approvals or permits to enable the work to continue. The Contractor will not resume work in the area of the discovery until authorized to do so by the City.

United States Army Corps of Engineers

USACE reviewed the proposed project in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. The USACE provided a response letter dated April 07, 2020 (Project Number SWF-2019-00360) stating that the based on the project description of the proposed work, and other information available to USACE, USACE determined this project will not involve activities subject to the requirements of Section 404 or Section 10. Therefore, it will not require Department of the Army authorization pursuant to Section 404 and/or Section 10.

Texas Parks and Wildlife Department

The TPWD Wildlife Habitat Assessment Program reviewed the proposed project in accordance with the Texas Parks and Wildlife Code (TPW Code), and provided a response dated November 15, 2019. The TPWD made several recommendations and Jacob and Martin on behalf of the City responded in an email dated July 29, 2020 agreeing to implement all of the recommendations.

TPWD Recommendation: TPWD recommends excluding vegetation clearing activities during the general bird nesting season, March 15 through September 15, to avoid adverse impacts to birds.

If clearing vegetation during the migratory bird nesting season is unavoidable, TPWD recommends surveying the area proposed for disturbance for active nests (nests with eggs or young). Any vegetation (trees, shrubs, and grasses) or bare ground where occupied nests are located should not be disturbed until the eggs have hatched and the young have fledged.

TPWD Recommendation: TPWD recommends the judicious use and placement of sediment control fence to exclude wildlife from the construction area. In many cases, sediment control fence placement for the purposes of controlling erosion and protecting water quality can be modified minimally to also provide the benefit of excluding wildlife access to construction areas. The exclusion fence should be buried at least six inches and be at least 24 inches high. The exclusion fence should be maintained for the life of the project and only be removed after the construction is completed and the disturbed site has been revegetated with site-specific native species.

Construction personnel should be encouraged to examine the inside of the exclusion area daily to determine if any wildlife species have been trapped inside the area of impact and provide safe egress opportunities prior to initiation of construction activities. TPWD recommends that any open trenches or excavation areas be covered overnight and/or inspected every morning to ensure no wildlife species have been trapped. For open trenches and excavated pits, install escape ramps at an angle of less than 45 degrees (l:l) in areas left uncovered. Excavation areas should be inspected for trapped wildlife prior to refilling.

For soil stabilization and/or revegetation of disturbed areas, TPWD recommends erosion and seed/mulch stabilization materials that avoid entanglement hazards to snakes and other wildlife species. TPWD recommends the use of no-till drilling, hydromulching and/or hydroseeding due to a reduced risk to wildlife.

Because the mesh found in many erosion control blankets or mats pose an entanglement hazard to wildlife, TPWD recommends avoiding the use of plastic mesh matting. If erosion control blankets or mats containing netting must be used, the netting should be loosely woven, natural fiber material where the mesh design allows the threads to move, therefore allowing expansion of the mesh openings.

TPWD Recommendation: Please review the Federal Law: Migratory Bird Treaty Act section above for recommendations as they are also applicable for Chapter 64 of the Parks and Wildlife Code compliance.

TPWD Recommendation: The information provided states one of the water lines will cross the Clear Fork of the Trinity River. Trenching or other disturbance to state-navigable streambeds and removal of streambed materials may require a permit from TPWD under Chapter 86 of the Parks and Wildlife Code. More information about the Mari, Sand, Gravel, Shell, or Mudshell Permit can be found on the TPWD website.

TPWD Recommendation: lf applicable, please contact the TPWD Wetlands Conservation Program at the letterhead address or by phone at (512) 389-4583 for additional information and permit application forms.

TPWD Recommendation: Please review the TPWD county list for Parker County, as rare species could be present, depending upon habitat availability. These lists are available on the Rare, Threatened, and Endangered Species of Texas website. If during construction, the project area is found to contain rare species, natural plant communities, or special features, TPWD recommends that precautions be taken to avoid impacts to them. The USFWS should be contacted for species occurrence data, guidance, permitting, survey protocols, and mitigation for federally-listed species. For USFWS threatened and endangered species lists, please see the USFWS Information for Planning and Consultation website.

Determining the actual presence of a species in a given area depends on many variables including daily and seasonal activity cycles, environmental activity cues, preferred habitat, transiency and population density (both wildlife and human). The absence of a species can be demonstrated only with great difficulty and then only with repeated negative observations, taking into account all the variable factors contributing to the lack of detectable presence. If encountered during construction, measures should be taken to avoid impacting wildlife.

United States Fish and Wildlife Service

The USFWS, in accordance with the Endangered Species Act and statutes affecting other federally protected species, was given the opportunity to review the proposed project. No formal response was received. Based on the TPWD recommendations and the City's response, TWDB did not require a formal consultation with the USFWS.

Pursuant to the conditions of this approval, if a threatened or endangered species is encountered during construction, the Contractor will immediately cease work in the area of the encounter and notify the City, who will immediately implement actions in accordance with the Endangered Species of Act and applicable State statutes. These actions will include reporting the encounter to the TWDB, USFWS, and TPWD, obtaining any necessary approvals or permits to enable the work to continue, or implement other mitigation actions. The Contractor will not resume construction in the area of the encounter until authorized to do so by the City.

United States Department of Agriculture, Natural Resources Conservation Service

Although the proposed MGD Pump Station site may involve areas of Prime Farmland; USDA considers the location to be "Land committed to urban development" due to its location within the city limits of Willow Park, Texas. Additionally, the installation of below ground conveyance and appurtenances are not considered a permanent conversion of farmland. Therefore, the proposed project is exempt biological from provisions of FPPA and no further consideration for protection is necessary.

Bureau of Reclamation - Oklahoma-Texas Area Office

The Bureau of Reclamation was given the opportunity to review the proposed project. The review request was dated February 29, 2020. No formal response was received.

Bureau of Land Management

The Bureau of Land Management was given the opportunity to review the proposed project. The review request was dated February 29, 2020. No formal response was received.

Local Floodplain Administrator (National Flood Insurance Program)

The proposed project appears to be partially within a 100-year floodplain, as designated by the Federal Emergency Management Agency (FEMA). Projects involving construction in the 100-year floodplain, including replacement or borings, require a floodplain development permit from the local floodplain administrator prior to construction in the 100-year floodplain.

To ensure compliance with FEMA requirements, the City notified the local floodplain administrator for the City of Willow Park and Parker County in a letter dated October 01, 2019. No response has been received, but receipt has been documented.

This environmental finding is conditioned to require a floodplain development permit prior to clearing or construction activities within any 100-year floodplain or floodway in order to comply with requirements of the Federal Emergency Management Agency regarding implementation of the National Flood Insurance Act, Flood Disaster Protection Act, National Flood Insurance Reform Act, Federal Executive Orders 11988 and 11990, and to comply with related state statutes.

United States Environmental Protection Agency (EPA) - Sole Source Aquifer Program

There are no EPA-designated sole source aquifers in the project area; therefore, coordination with the EPA was not required.

Texas Commission on Environmental Quality

In a response dated October 08, 2019, the TCEQ stated that a review of the project for general conformity impact, in accordance with 40 CFR Part 93, indicates that Parker County is currently classified as nonattainment of the 2008 ozone National Ambient Air Quality Standards. Therefore, general conformity rules apply.

The two primary precursors to ozone are volatile organic compounds (VOCs) and nitrogen oxides (NO_x). A general conformity analysis may be required when a project results in an emission increase of 100 tons per year or greater for either VOCs or NO_x. Because the emissions from this proposed project are expected to be below these thresholds, the TCEQ does not anticipate that it will impact the State Implementation Plan (SIP); therefore, a general conformity analysis is not required.

The TCEQ recommended that debris or waste disposal should be at an appropriately authorized disposal facility. If the facility intends to store hazardous waste for more than 90 days, they need to coordinate with the TCEQ Waste Permits Division. Based on this review, the project is in conformance with the SIP and the Clean Air Act, as amended.

Intergovernmental Review

In letters dated October 01, 2019, members of the local government (Willow Park Mayor Honorable Doyle Moss and Parker County Judge Mark Riley) were given the opportunity to review the Environmental Information Document for the proposed project. The letters noted that a response was not required. No formal responses were received.

DOCUMENTATION, COORDINATION, AND PUBLIC PARTICIPATION

The proposed project is consistent with local, regional, and statewide planning. Coordination with the appropriate governmental agencies has been made and no adverse comments have been received.

Public participation conducted during facilities planning included a public meeting held on April 14, 2020, which was advertised in the Weatherford Democrat, a newspaper of general circulation in the service area. The notice was published on February 28, 2020 and contained information regarding availability of planning documents, including the Environmental Information Document, for public review at 516 Ranch House Road Willow Park, Texas, 76087 during normal business hours (9 a.m. to 4 p.m.). In response to the social distancing requirements related to COVID-19, an updated notification was on April 04, 2020 in the Weatherford Democrat.

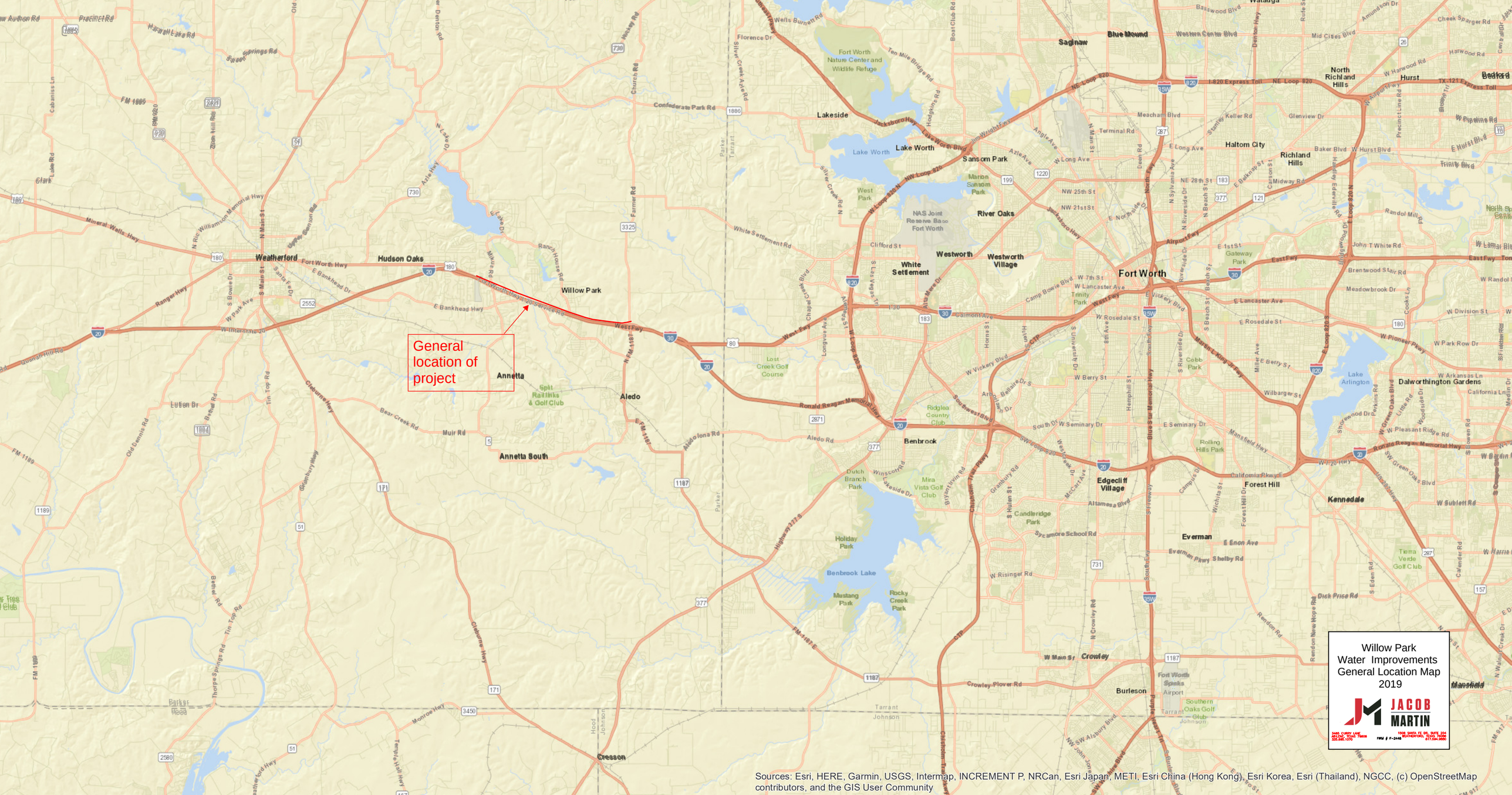
The public meeting was held on April 14, 2020 at 7:00 PM at 516 Ranch House Road, Willow Park, Texas, 76087. Due to the impacts of mandatory stay home orders in response to the COVID-19 decrees, a publicly available video meeting apparatus was used. This availed the public to comply with public health needs and needed information. A total of nine people attended the meeting, only one of whom was a member of the public and not part of the project team. No negative comments were received.

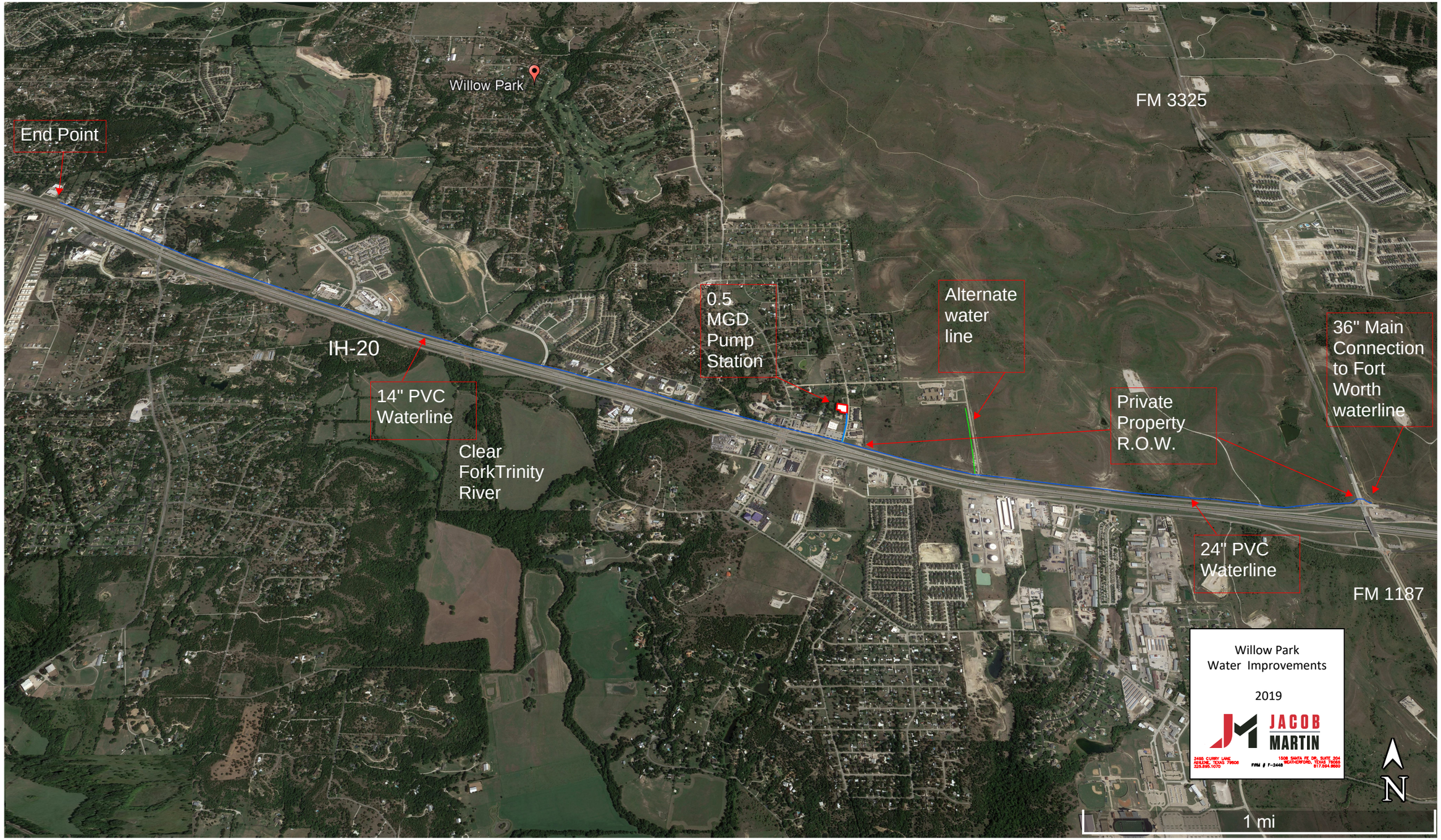
CONDITIONS AND RECOMMENDATIONS

An environmental review of the proposed project consistent with NEPA has been completed following the guidelines provided in 31 TAC § 371.41. This environmental review is documented by the enclosed Environmental Assessment, which contains mitigative environmental conditions that will be applied to the project in order to avoid significant adverse environmental impacts on floodplains, cultural or historical resources, threatened or endangered species, and protected migratory bird species. The City has committed to the mitigation measures and has the ability and authority to do so. Based on a detailed environmental review of the planning information, Environmental Information Document, and other documentation, the proposed project is considered to be environmentally sound with the following conditions:

- In order to comply with requirements of the Federal Emergency Management Agency regarding implementation of the National Flood Insurance Act, National Disaster Protection Act, National Flood Insurance Reform Act, Federal Executive Orders 11988 and 11990, and to comply with related state statutes, proponents of construction projects in special flood hazard areas must coordinate in advance with the local floodplain administrator who must issue a floodplain permit prior to TWDB approving plans and specifications;
- In order to ensure compliance with the Migratory Bird Treaty Act (MBTA), if clearing vegetation during the nesting season is unavoidable, TPWD recommends surveying the construction area to ensure that no nests with eggs or young will be disturbed by construction. Any vegetation or bare ground areas where occupied nests are located should not be disturbed until the eggs have hatched and the young have fledged;
- Use of directional boring to avoid waters of the United States, including wetlands;
- Standard emergency condition for the discovery of cultural resources; and
- Standard emergency condition for the discovery of threatened and endangered species.

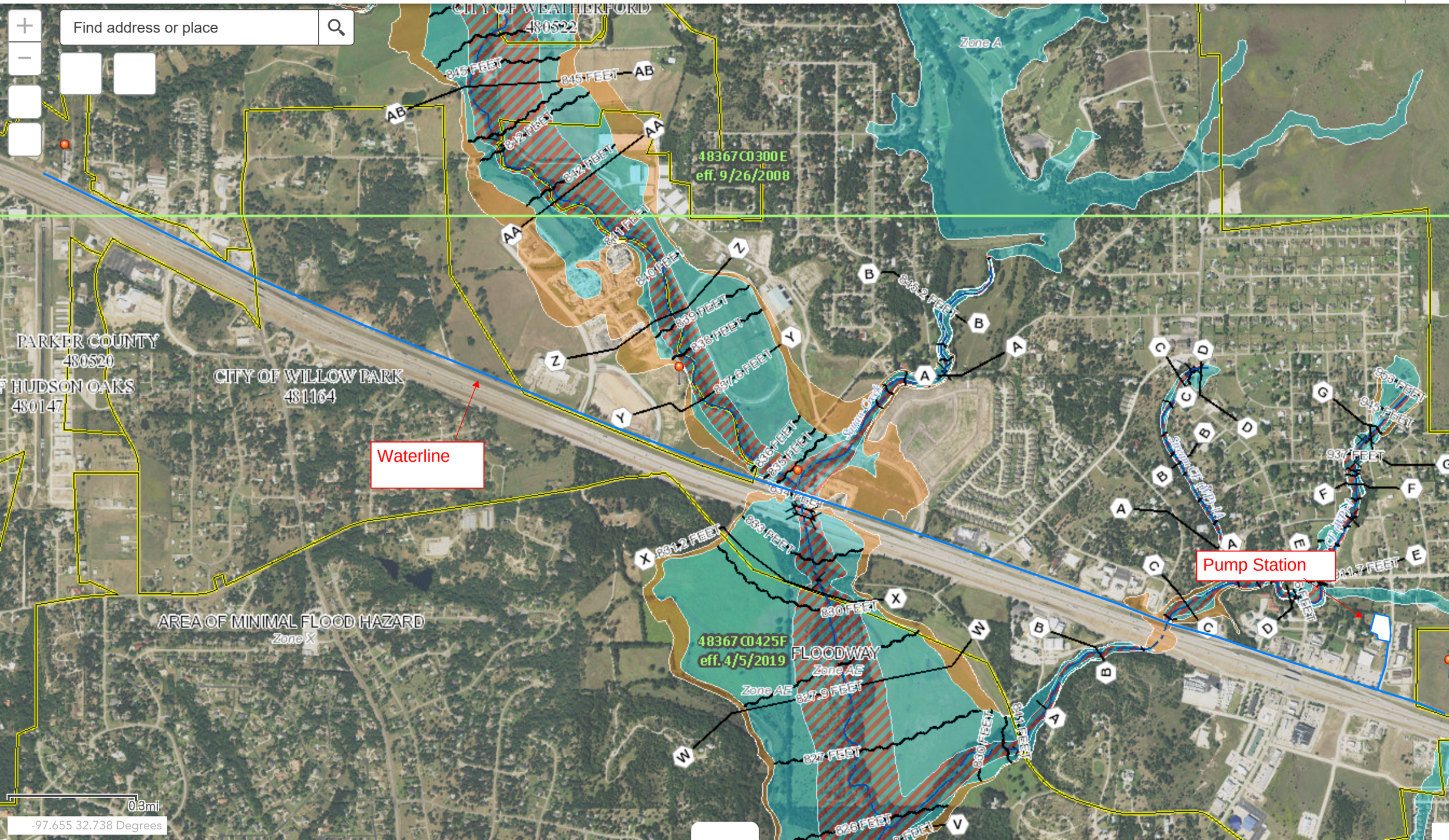
Therefore, it is recommended that a Finding of No Significant Impact be issued.


General location of project
Willow Park
Water Improvements
General Location Map
2019
JACOB MARTIN
Weatherford
Hudson Oaks
Willow Park
Annetta
Annetta South
Aledo
Lakeside
Lake Worth
Sansom Park
River Oaks
Westworth
Westworth Village
White Settlement
Fort Worth
Benbrook
Edgecliff Village
Forest Hill
Kennedale
Everman
Crowley
Burleson
Saginaw
Blue Mound
North Richland Hills
Hurst
Bedford
Haltom City
Richland Hills
Dalworthington Gardens
Cresson
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community


Willow Park
End Point
FM 3325
0.5 MGD Pump Station
Alternate water line
36" Main Connection to Fort Worth waterline
IH-20
14" PVC Waterline
Private Property R.O.W.
Clear ForkTrinity River
24" PVC Waterline
FM 1187
Willow Park
Water Improvements
2019
JACOB MARTIN
3406 CURRY LANE
ABILENE, TEXAS 79606
325.695.1070
1508 SANTA FE DR. SUITE 204
WEATHERFORD, TEXAS 76086
817.594.9050
FIRM # F-2448
N
1 mi

FEMA's National Flood Hazard Layer (NFHL) Viewer

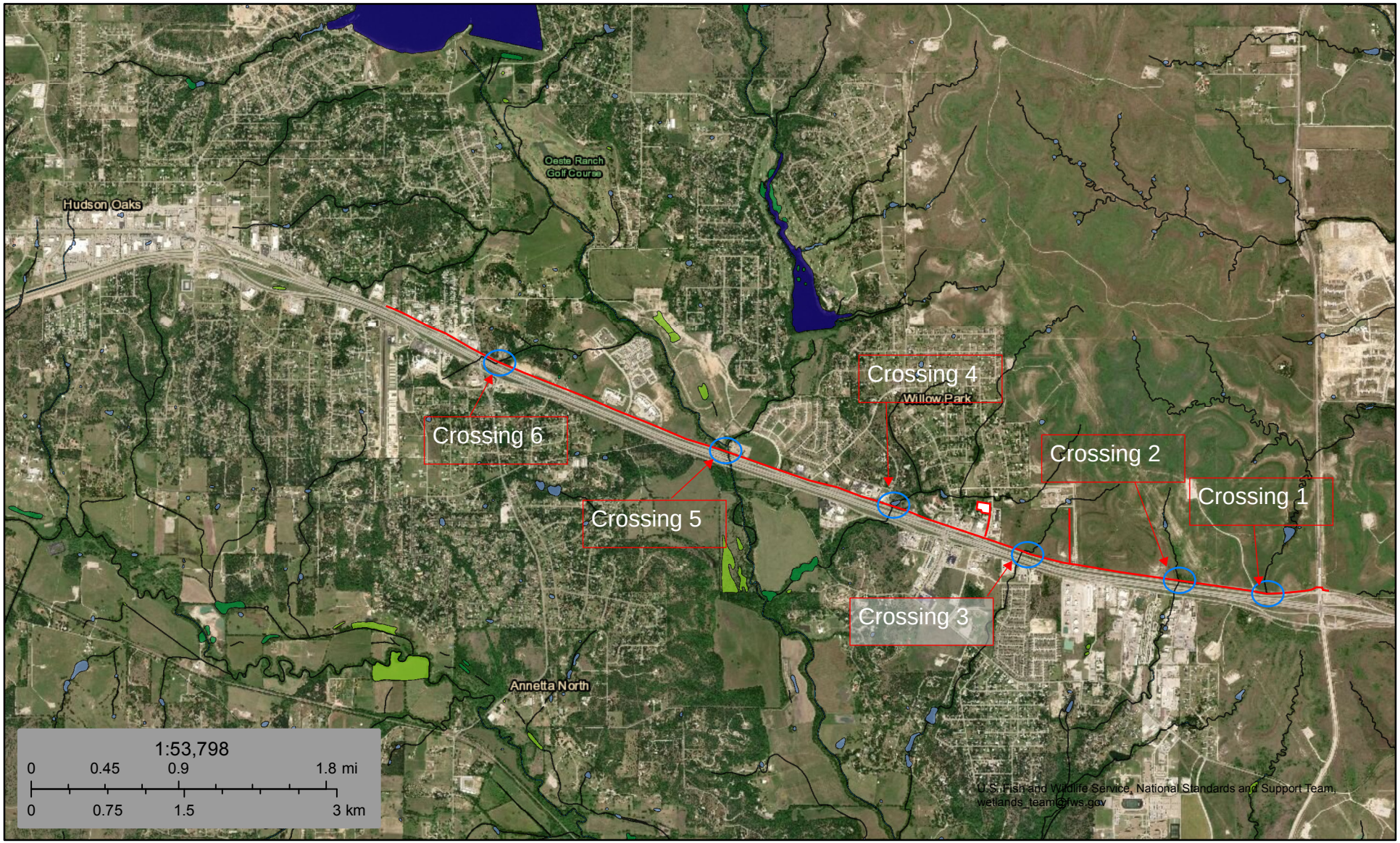
with Web AppBuilder for ArcGIS



U.S. Fish and Wildlife Service

National Wetlands Inventory

wetlands



August 28, 2019

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper