

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

#### **ENVIRONMENTAL DETERMINATION**

**TO:** File

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

**DATE:** March 7, 2024

**RE:** North Hunt Special Utility District, Hunt and Fannin Counties, Texas

TWDB DFUND Project No. 21805 Capital Improvements Project

Total Commitment Amount: \$3,275,000

Loan No. L1001501

The environmental review for the Capital Improvements Project proposed by the North Hunt Special Utility District (District) has been completed consistent with 31 Texas Administrative Code (TAC) §363.14. The District is proposing to use \$3,275,000 in financing from the Texas Water Development Fund (DFUND) program to construct a new water well and pressure tank; to demolish and replace an existing pump station, including a new disinfection and control building; to construct a new booster pump station; to install approximately 46,000 linear feet of water lines; to install new electrical and Supervisory Control and Data Acquisition (SCADA) systems; and to replace approximately 400 water meters with radio-read meters to alleviate water loss. The Texas Water Development Board (TWDB) committed this financing on May 11, 2022. The District closed the financing on April 20, 2023.

This environmental review is documented by the enclosed Environmental Determination (ED), which contains mitigative environmental conditions that will be applied to the project to avoid significant adverse impact on waters of the U.S., floodplains, cultural or historical resources, threatened or endangered species, and protected migratory bird species.

Based on a detailed environmental review of the planning information, the Environmental Data Form received by the TWDB on October 24, 2023, with supplementary materials submitted to the TWDB on February 8, 2024, the project meets the requirements of 31 TAC §363.14 with the following special and standard environmental conditions:

Environmental Determination North Hunt Special Utility District, Hunt and Fannin Counties, Texas TWDB DFUND Project No. 21805 Capital Improvements Project March 7, 2024 Page 2

#### **Special Environmental Conditions**

- To avoid potential impacts to waters of the United States, water line crossings of waterways, including wetlands, will be performed by a trenchless method such as horizontal boring or pipe-bursting. Work conducted at Standpipe Site No. 1 will avoid water features including wetlands.
- Consistent with the Flood Insurance Reform Act of 2004, federal Executive Order 11988, Texas Water Code Section 16.315, and local floodplain development ordinances, a floodplain development permit will be obtained from the local floodplain administrator prior to construction in a Special Flood Hazard Area.
- The construction footprint near archeological site 41HU98 will be designed so as not to extend beyond the area of potential effect investigated at this location as part of Texas Antiquities Permit 30261.
- As per an agreement with the Texas Parks and Wildlife Department (TPWD), Wildlife Habitat Assessment Program (TPWD Project No. 51570), to ensure compliance with Texas Parks and Wildlife Code, Chapters 1, 12 and 64, the Endangered Species Act (ESA) of 1973, as amended, the Migratory Bird Treaty Act, and other applicable federal regulations pertaining to protected and invasive species, the following measures will be implemented:
  - Vegetation clearing must be excluded during the general bird nesting season and tricolored bat (*Perimyotis subflavus*) pupping season, March 15 through September 15, to avoid adverse impacts to breeding birds and tricolored bats. If vegetation clearing during this time is unavoidable, the area proposed for disturbance will be surveyed by a qualified biologist to identify occupied nests and roosts, not more than five days prior to clearing activities. If occupied nests, or bat roosts or hibernacula, are observed during surveys, a vegetation buffer area of no less than 100 feet in diameter will remain around the nest or roost until all young have left; however, the size of the buffer zone depends on various factors and can be coordinated with the local or regional United States Fish and Wildlife Service (USFWS) office. State and federal regulations as currently interpreted do not permit incidental take.
  - The North Hunt Special Utility District (District) will avoid the removal of trees that have hollows, as they provide suitable habitat for roosting bats such as the tricolored bat. Likewise, culverts will be inspected for bats prior disturbance.
  - o If the tricolored bat or alligator snapping turtle (*Macrochelys temminckii*) become federally listed prior to construction, the District will conduct additional coordination with the USFWS to ensure compliance with the ESA.
  - The length of trenches left open at any given time during construction will be minimized. Trenching and backfilling activities will be kept close together in time. Trenches and excavation areas will be covered overnight and/or

Environmental Determination North Hunt Special Utility District, Hunt and Fannin Counties, Texas TWDB DFUND Project No. 21805 Capital Improvements Project March 7, 2024 Page 3

inspected every morning or if left open longer than two daylight hours to ensure no wildlife species have been trapped. If trenches cannot be backfilled the day of initial trenching, then escape ramps will be installed every 300 feet, in the form of short lateral trenches or wooden planks sloping to the surface at an angle of less than 45 degrees, at a ratio one horizontal foot for every one foot of depth.

- Contractors and construction crews will be informed of the potential for protected species to occur in the project area and to avoid impacts to all wildlife that are encountered. If wildlife are encountered, the animals will be allowed to leave the area safely. Wildlife in danger from project activities that will not readily leave the site can be translocated to a nearby area with similar habitat. Any translocations of reptiles will occur within 100-200 yards from the initial encounter location. State-listed species will be handled only by persons with authorization obtained through the TPWD.
- For slope stabilization and revegetation, no-till drilling, hydromulching (avoiding plastic ingredients), and/or hydroseeding will be used rather than erosion control blankets or mats, which pose an entanglement hazard to wildlife. If erosion control blankets or mats cannot be avoided, products that contain no netting or loosely woven natural fiber netting will be used, avoiding any type of plastic netting.

#### **Standard Environmental Conditions**

 No activity which may affect properties listed or properties eligible for listing in the National Register of Historic Places or eligible for designation as a State Archeological Landmark is authorized until the District has complied with the provisions of the National Historic Preservation Act and the Antiquities Code of Texas.

The District has previously coordinated with the appropriate agencies and impacts on known cultural or archeological deposits have been avoided or mitigated. However, the Contractor may encounter unanticipated cultural or archeological deposits during construction.

If archeological sites or historic structures which may qualify for designation as a State Archeological Landmark according to the criteria in 13 Texas Administrative Code Chapter 26, or that may be eligible for listing on the National Register of Historic Places in accordance with 36 CFR Part 800, are discovered after construction operations are begun, the Contractor shall immediately cease operations in that particular area and notify the District, the TWDB, and the Texas Historical Commission. The Contractor shall take reasonable steps to protect and preserve the discoveries until they have been inspected by the District's

Environmental Determination North Hunt Special Utility District, Hunt and Fannin Counties, Texas TWDB DFUND Project No. 21805 Capital Improvements Project March 7, 2024 Page 4

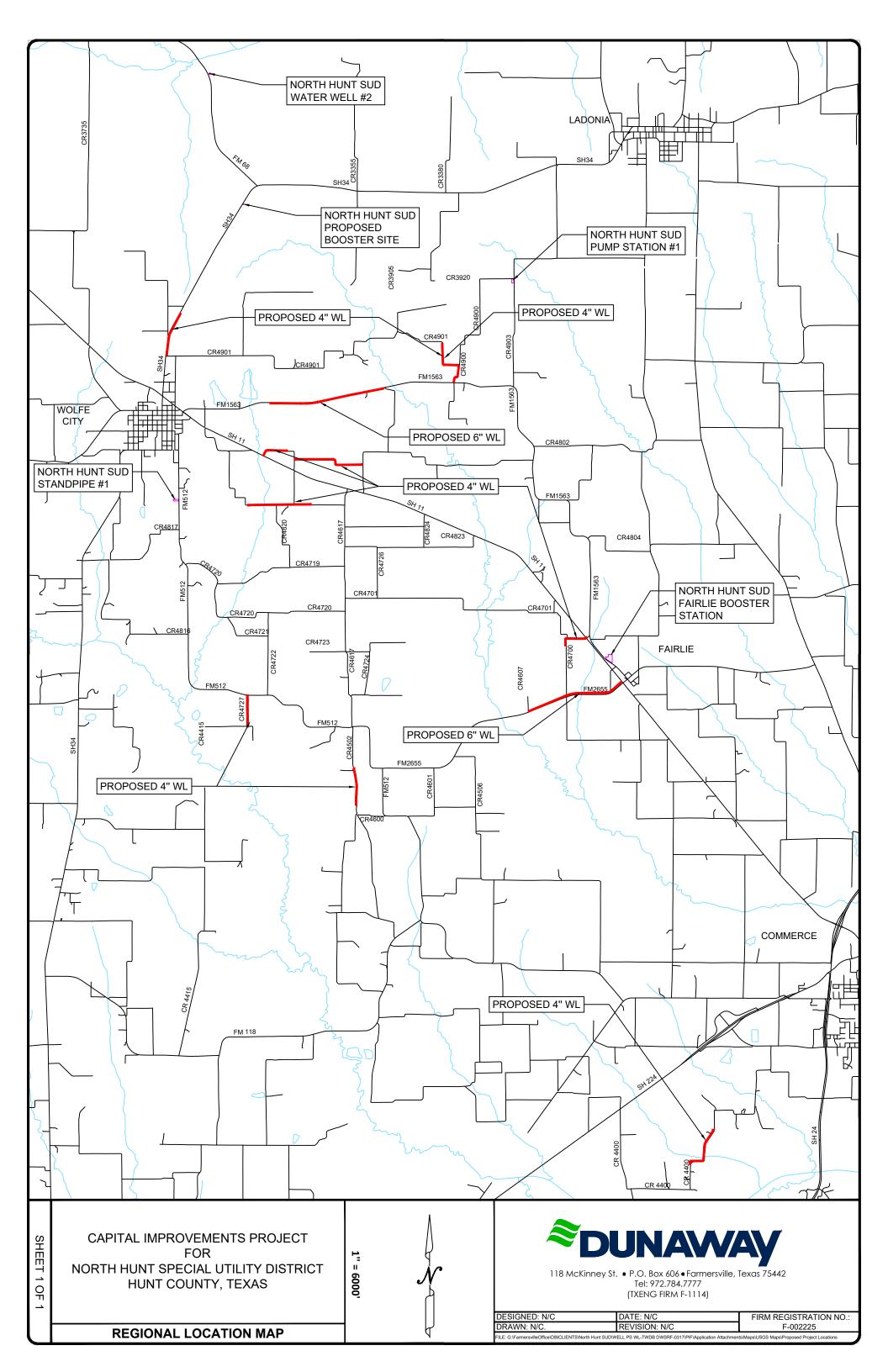
representative and the TWDB. The District will promptly coordinate with the State Historic Preservation Officer and any other appropriate agencies to obtain any necessary approvals or permits to enable the work to continue. The Contractor shall not resume work in the area of the discovery until authorized to do so by the District.

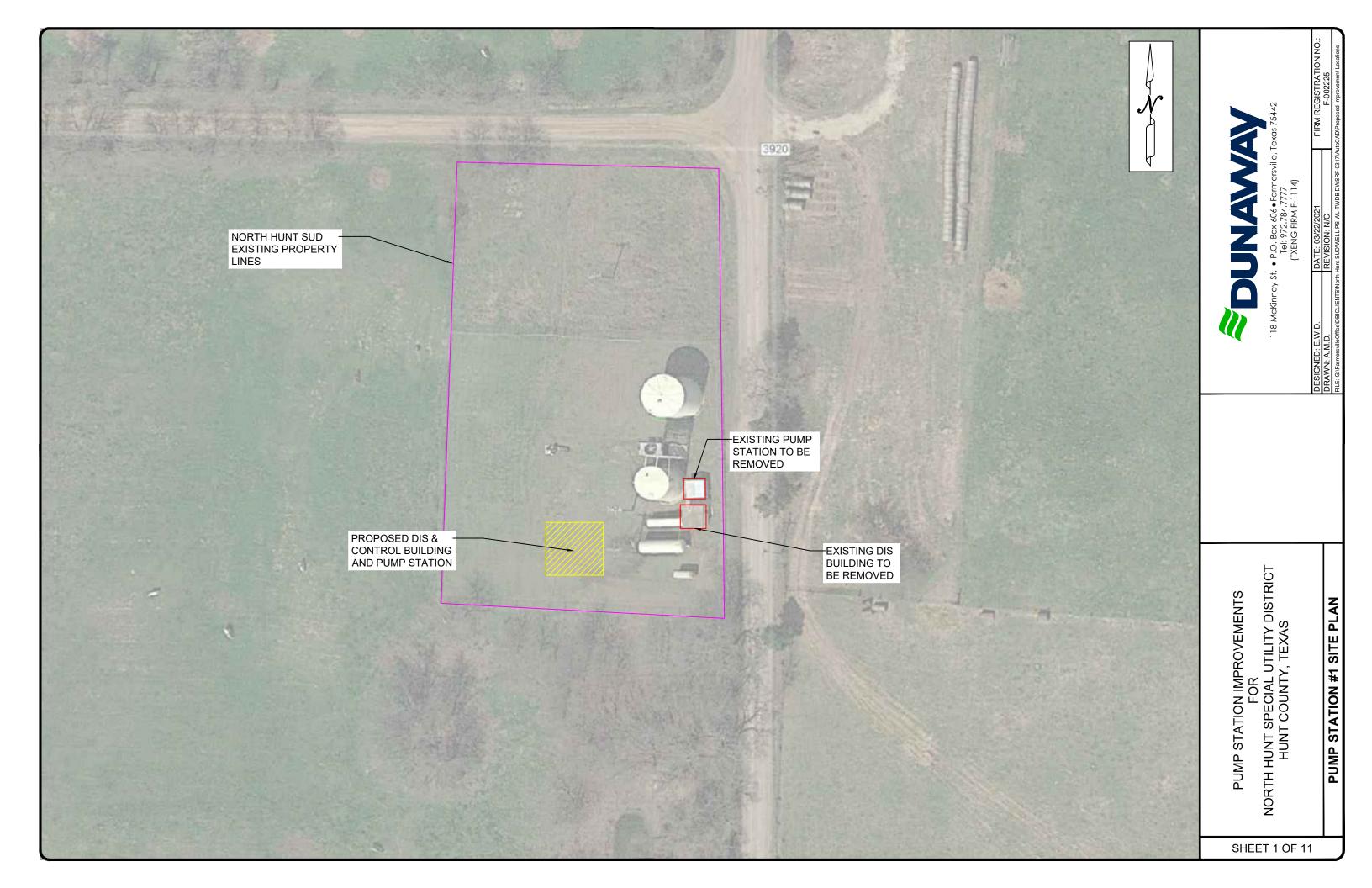
No activity is authorized that is likely to jeopardize the continued existence of a
threatened or endangered species as listed or proposed for listing under the Federal
ESA, and/or the State of Texas Parks and Wildlife Code on Endangered Species, or to
destroy or adversely modify the habitat of such species.

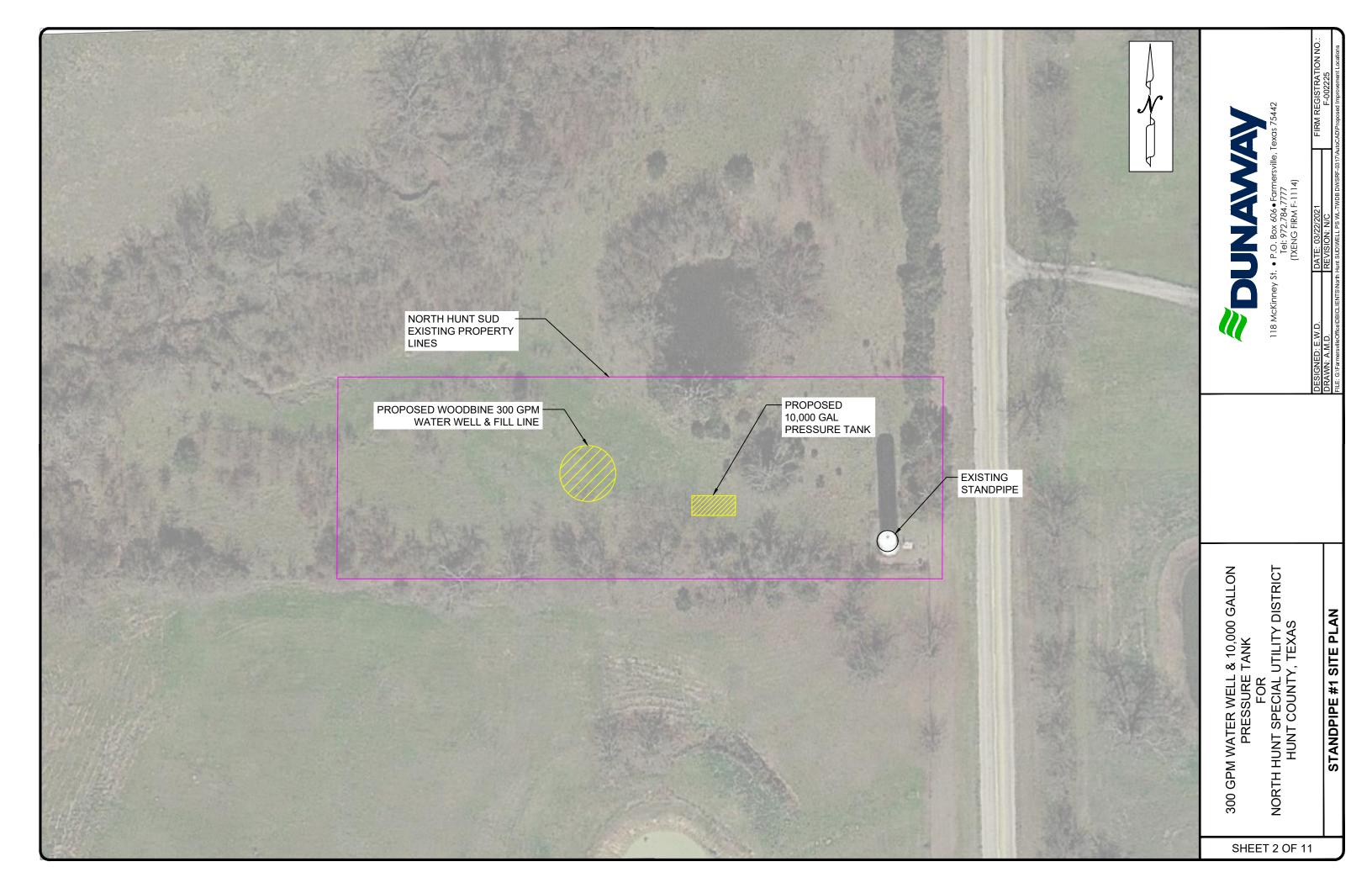
If a threatened or endangered species is encountered during construction, the Contractor shall immediately cease work in the area of the encounter and notify the District, who will immediately implement actions in accordance with the ESA and applicable State statutes. These actions shall include reporting the encounter to the TWDB, the U. S. Fish and Wildlife Service, and the TPWD, obtaining any necessary approvals or permits to enable the work to continue, or implement other mitigation actions. The Contractor shall not resume construction in the encounter area until authorized by the District.

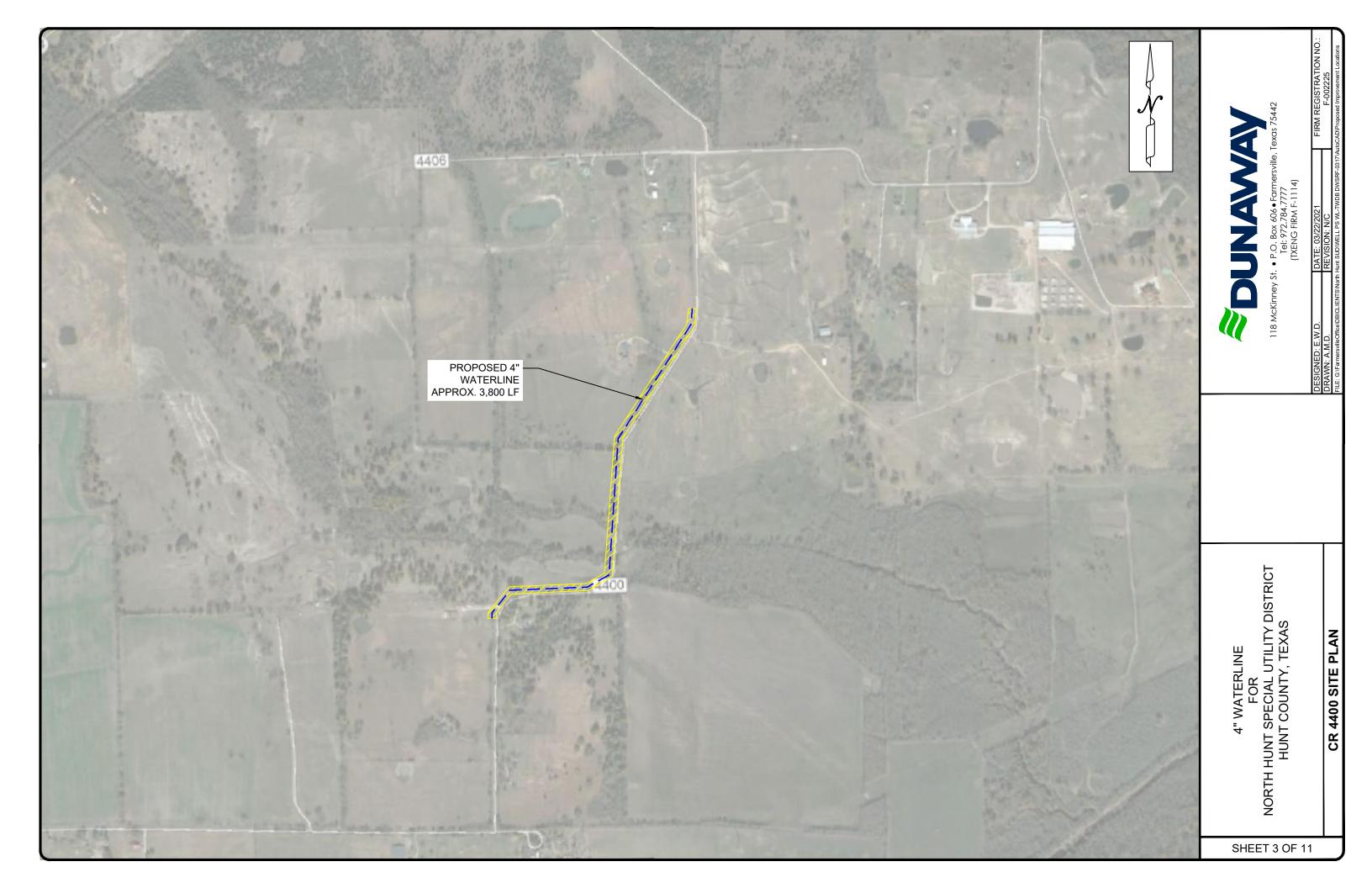
With the addition of these requirements, design funds may be released once all other requirements are satisfied.

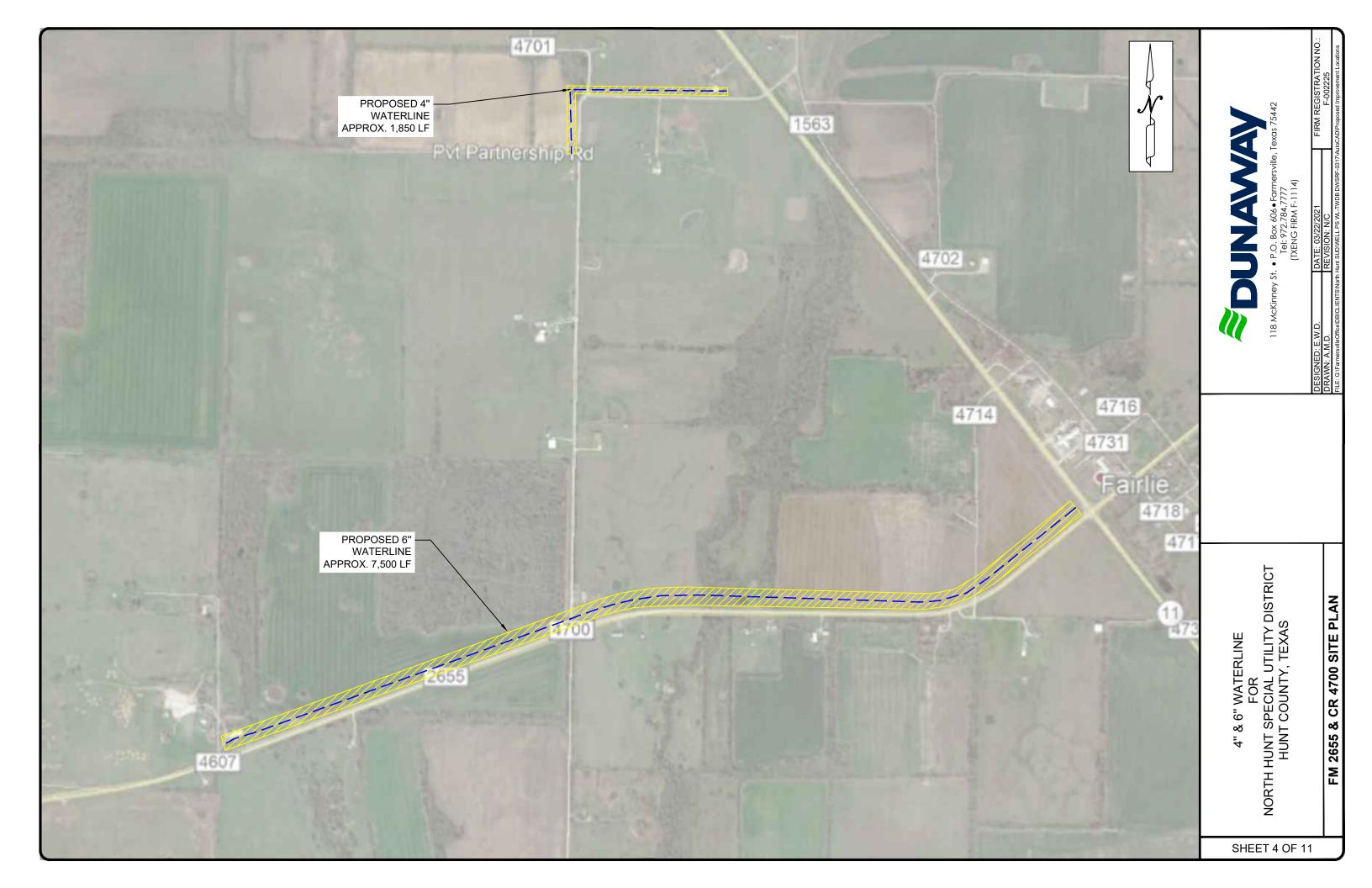
Enclosures

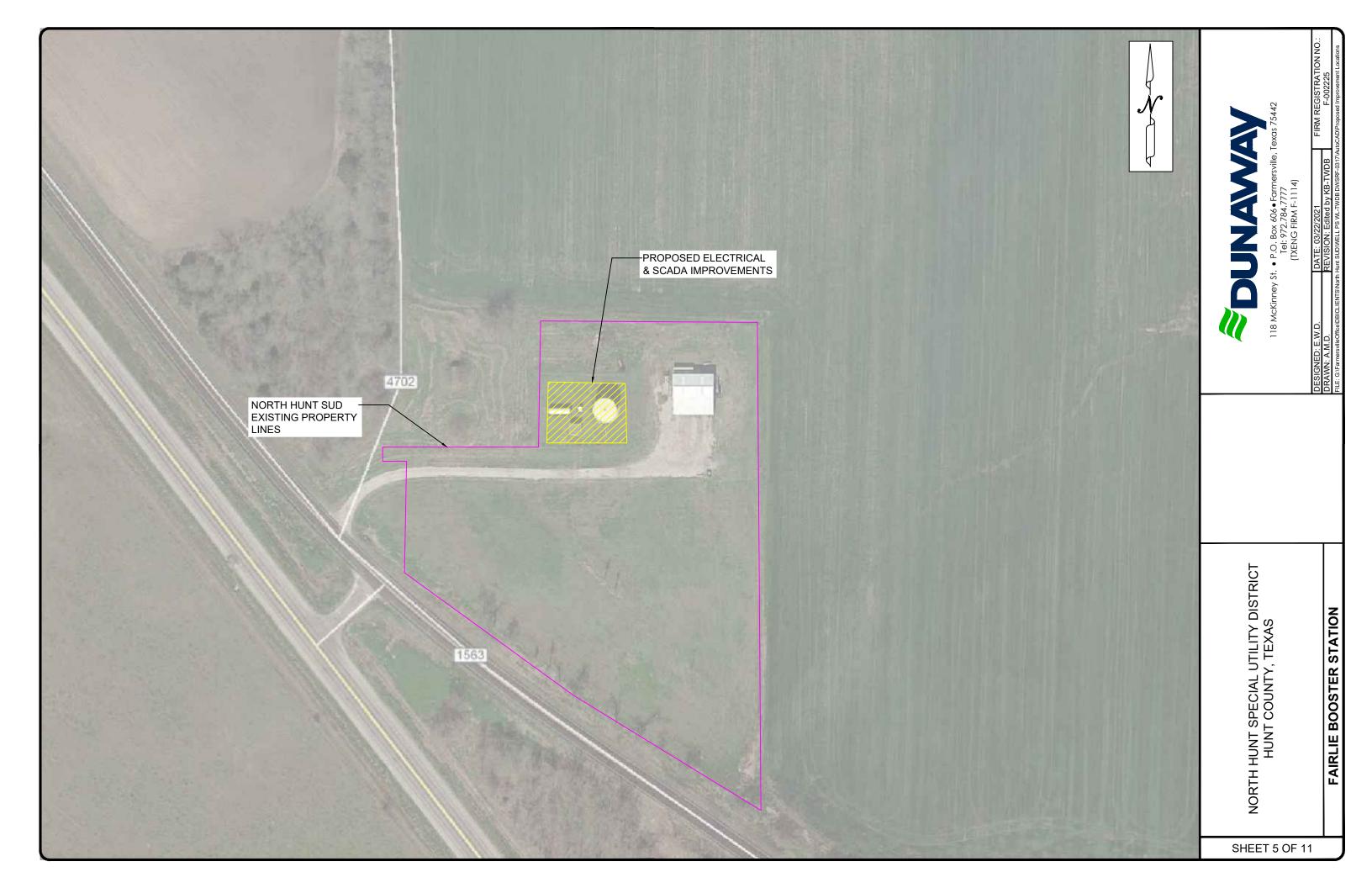


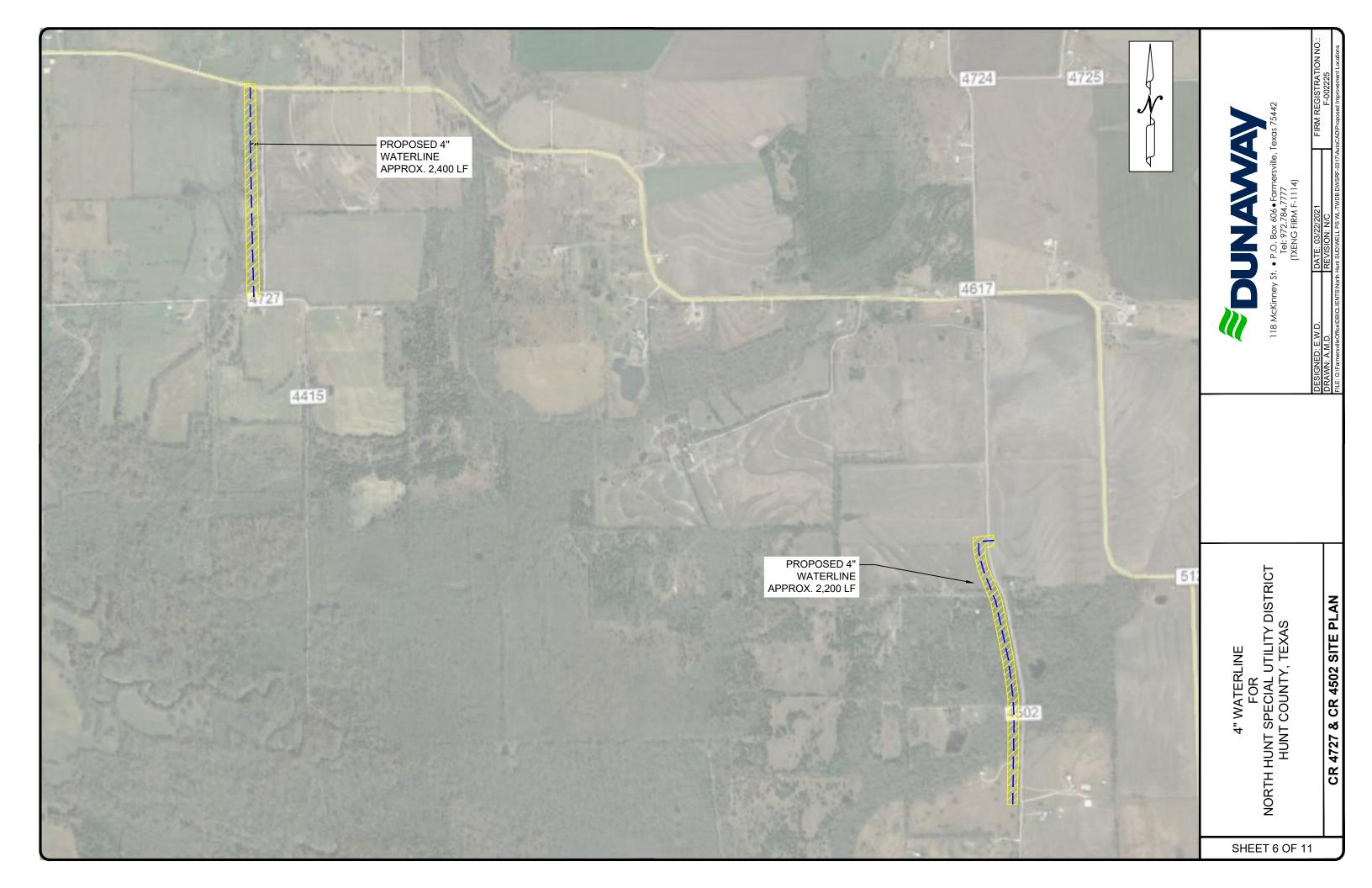


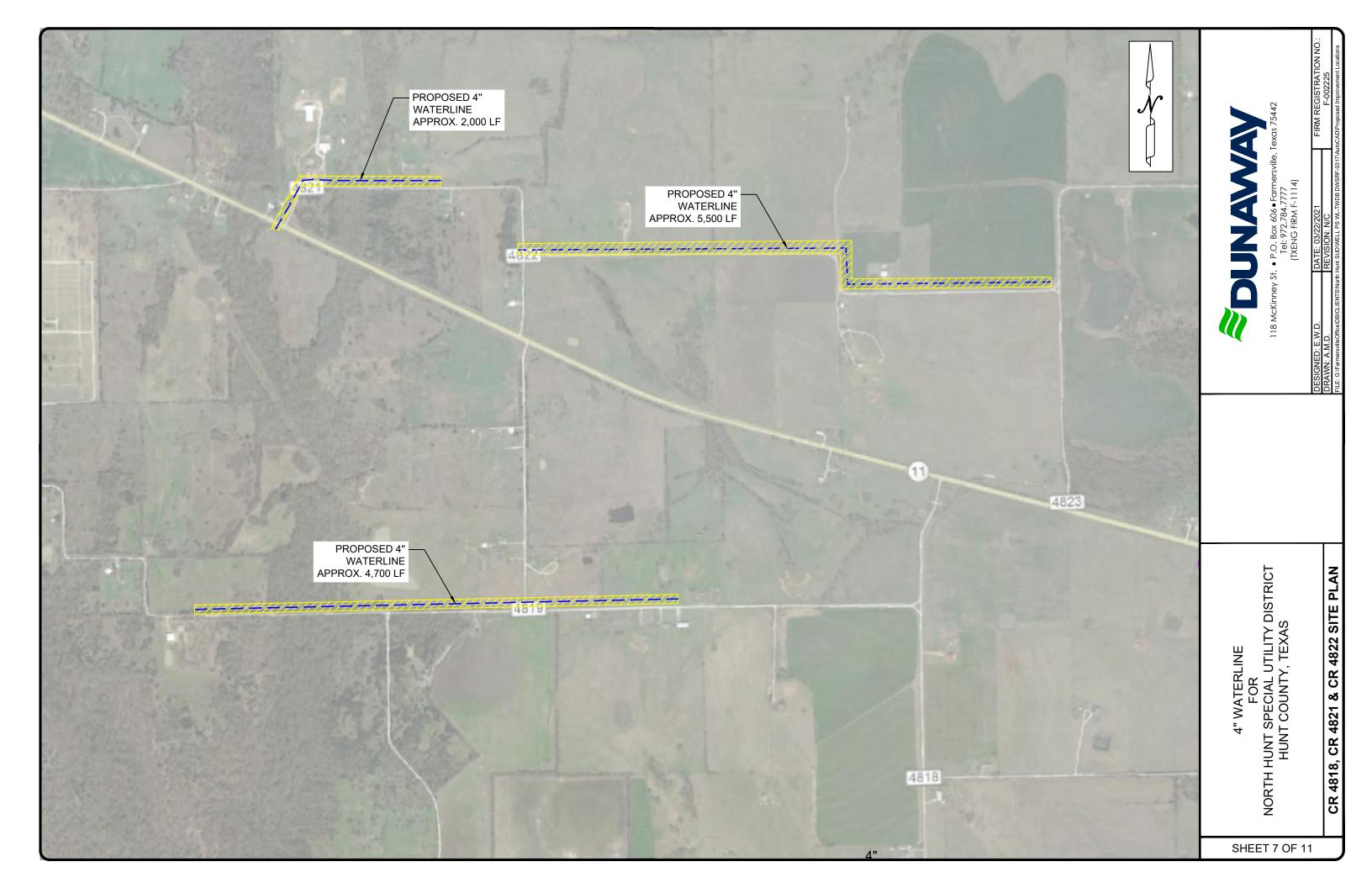


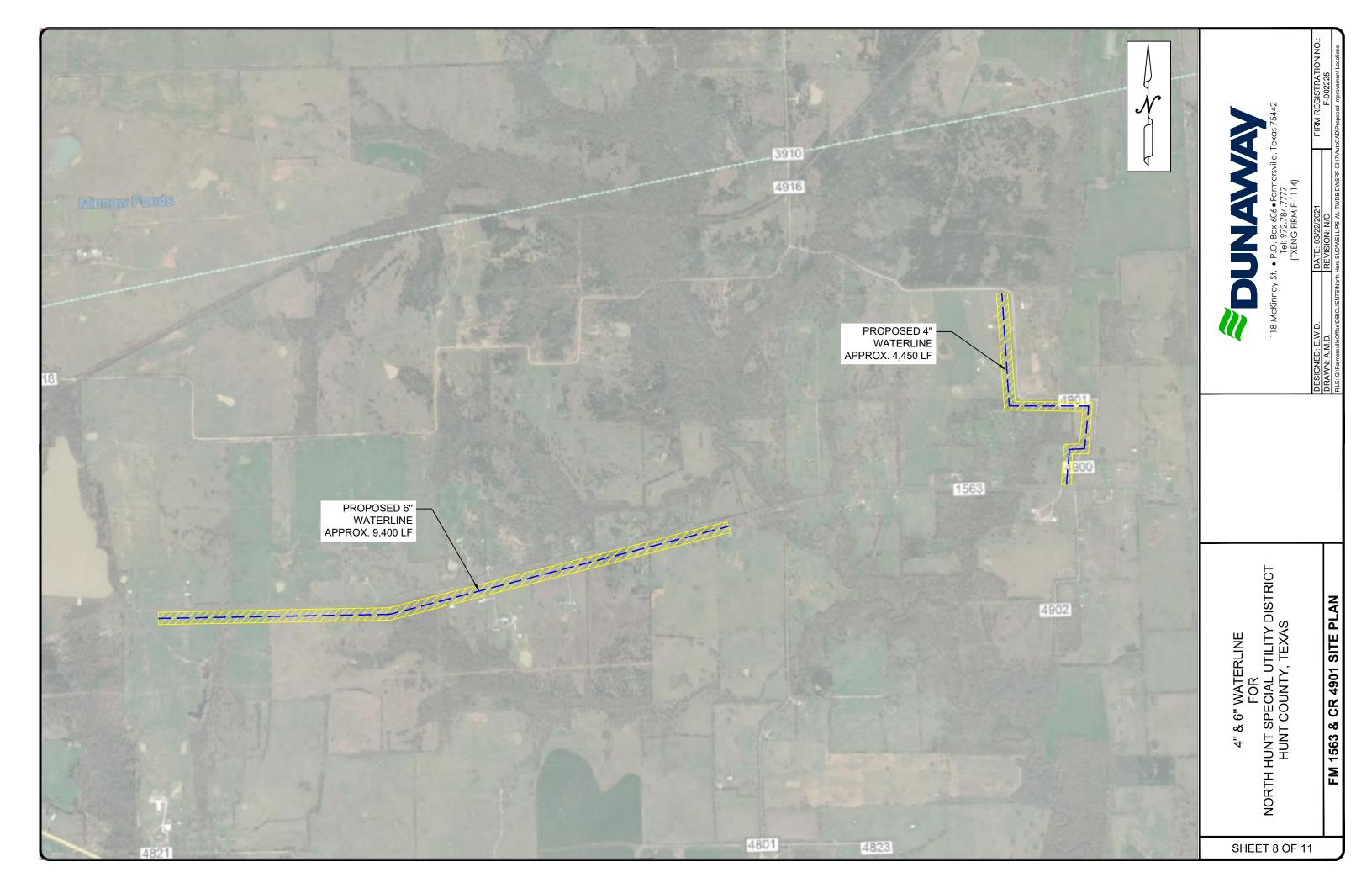


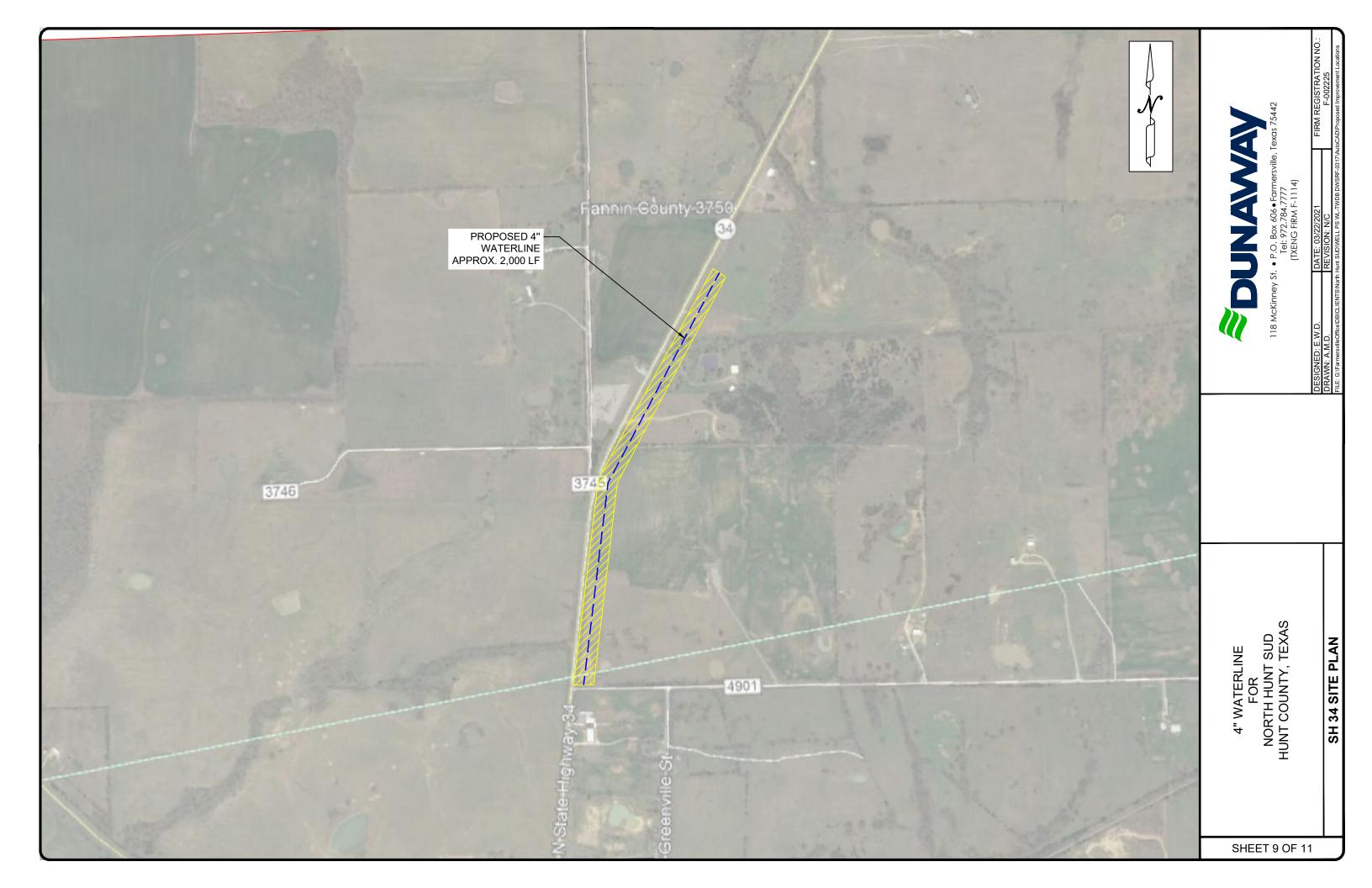




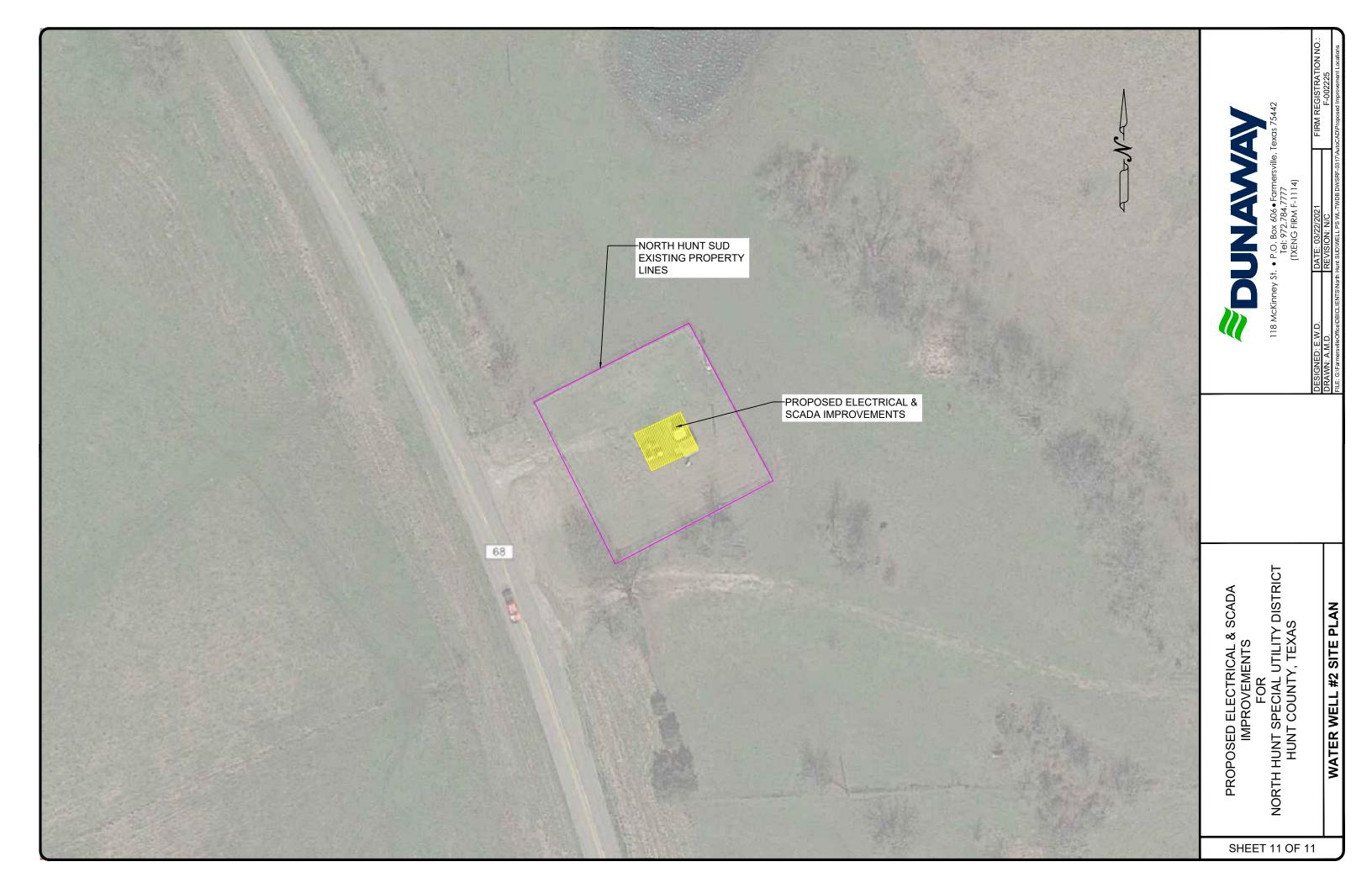




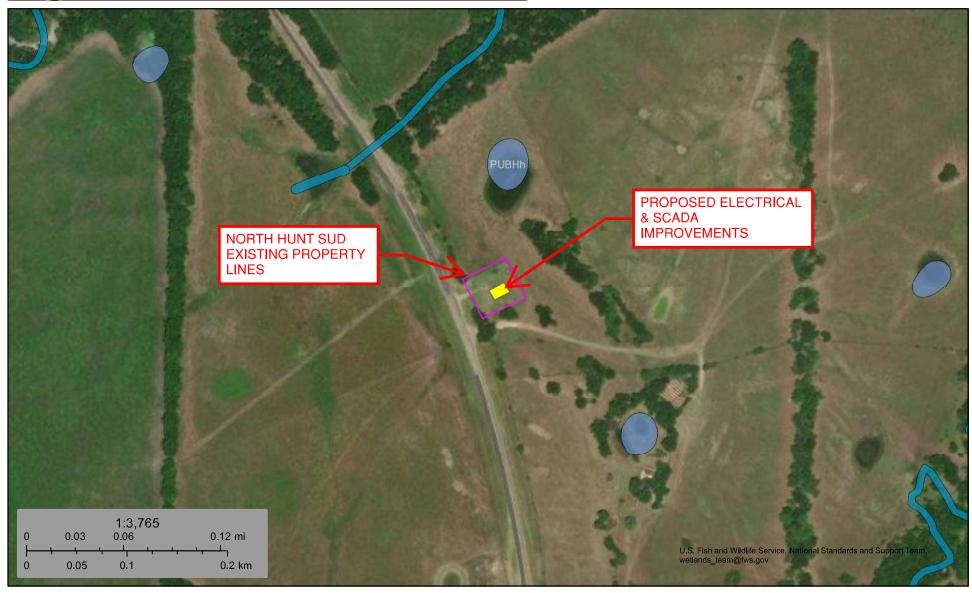








### Water Well #2 Site Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

## Booster Pump SH 34 Site Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

Otner

## Pump Station #1 Site Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

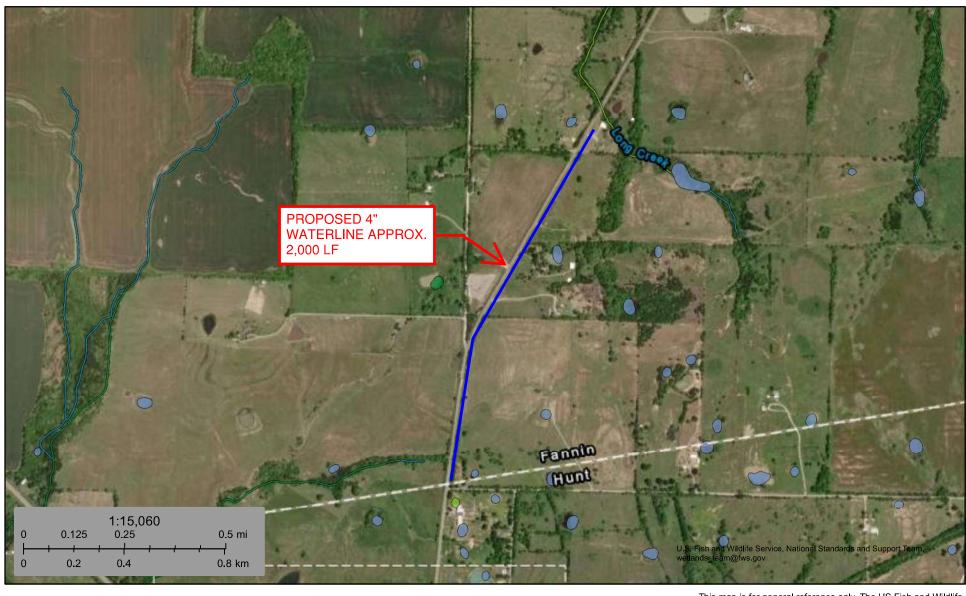
Lake

Otho

Other

Riverine

## SH 34 Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

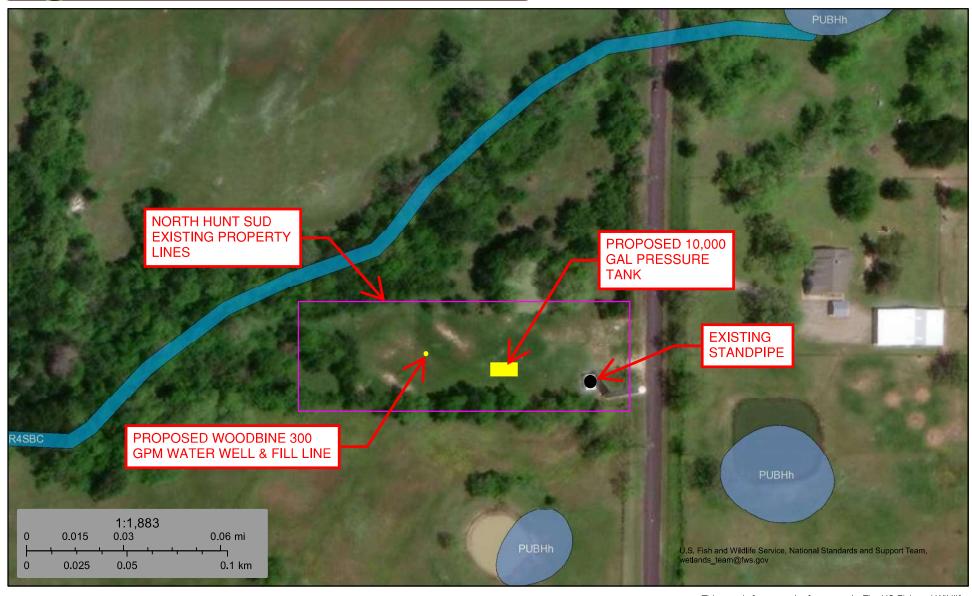
Lake

Lano

Other

Riverine

## Standpipe #1 Site Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

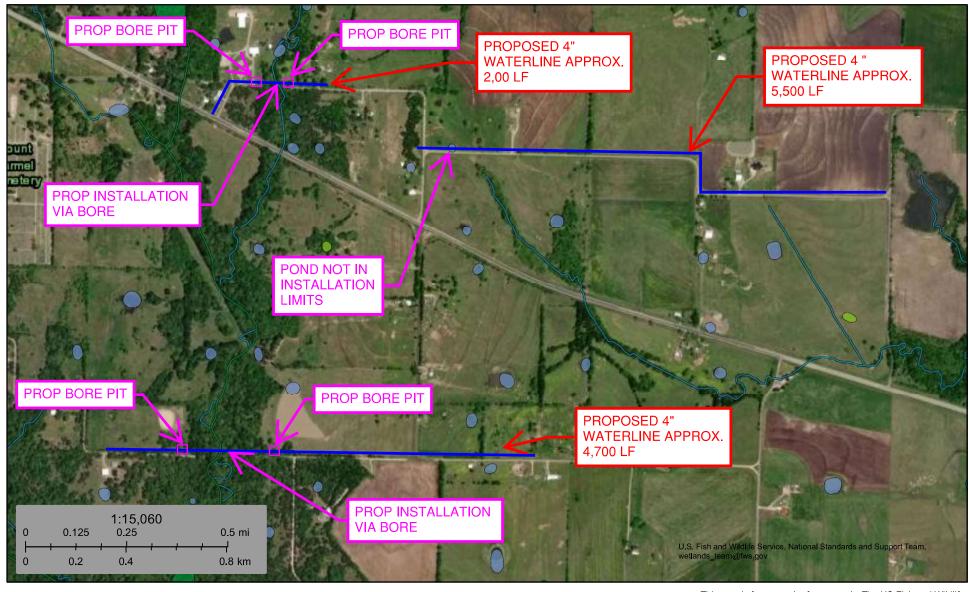
Lake

Other

Otner

Riverine

## Wolfe City South Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

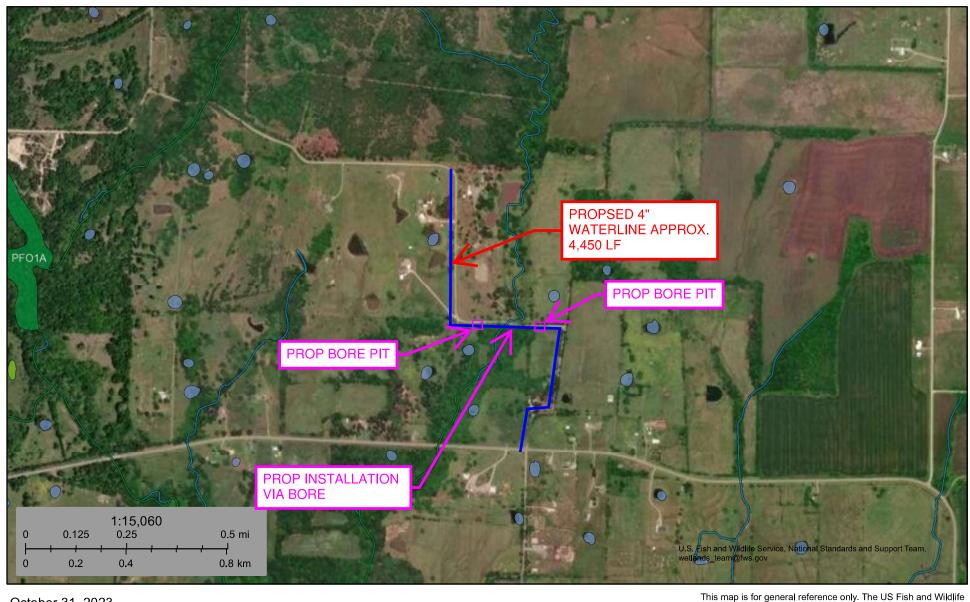
Freshwater Pond

Lake

Other

Riverine

## CR 4901 Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

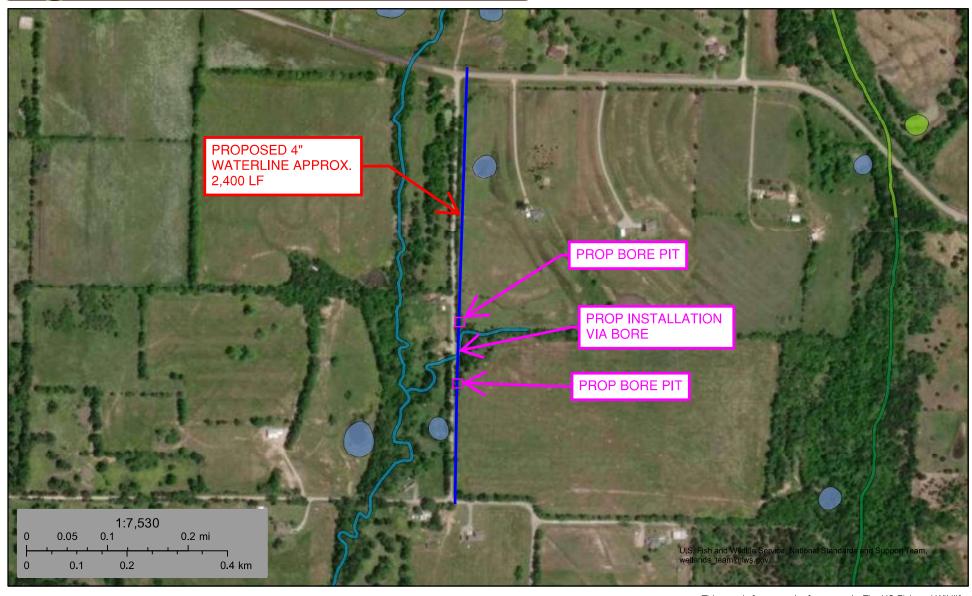
Other

Riverine

be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should

## CR 4727 NWI Map



October 30, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

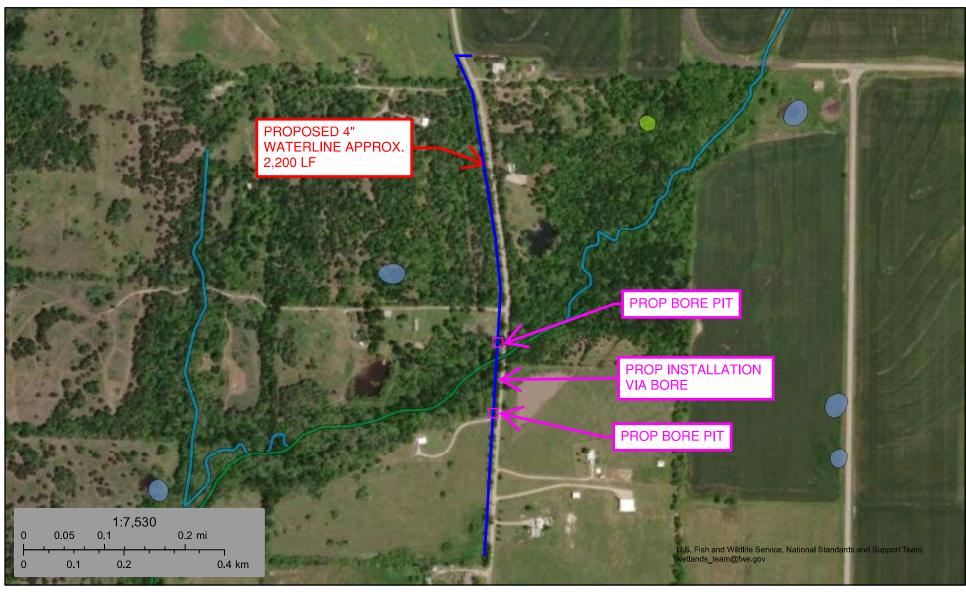
Freshwater Pond

Lake

Other

Riverine

## CR 4502 Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

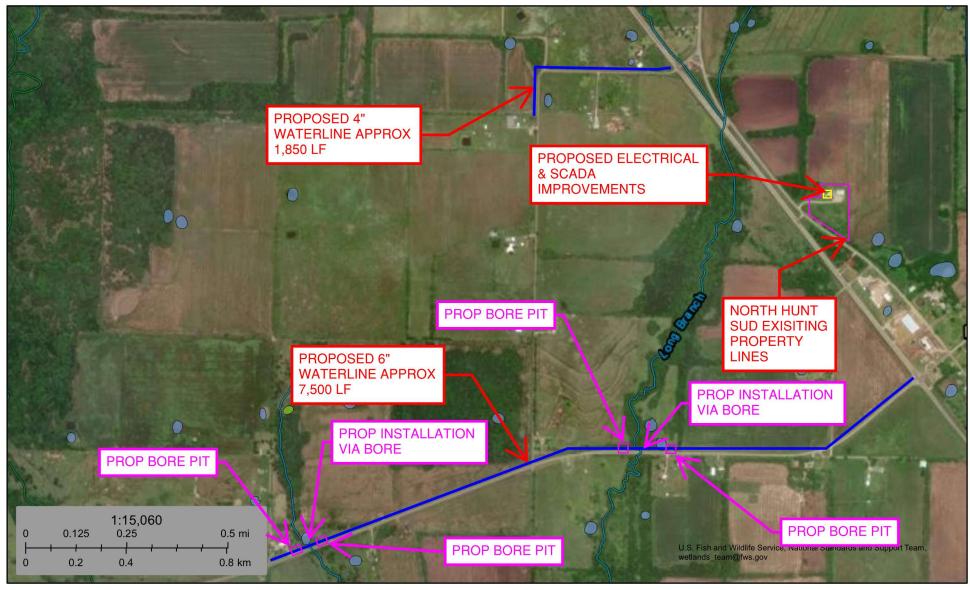
Lake

Other

Riverine



### Fairlie NWI Map



October 30, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

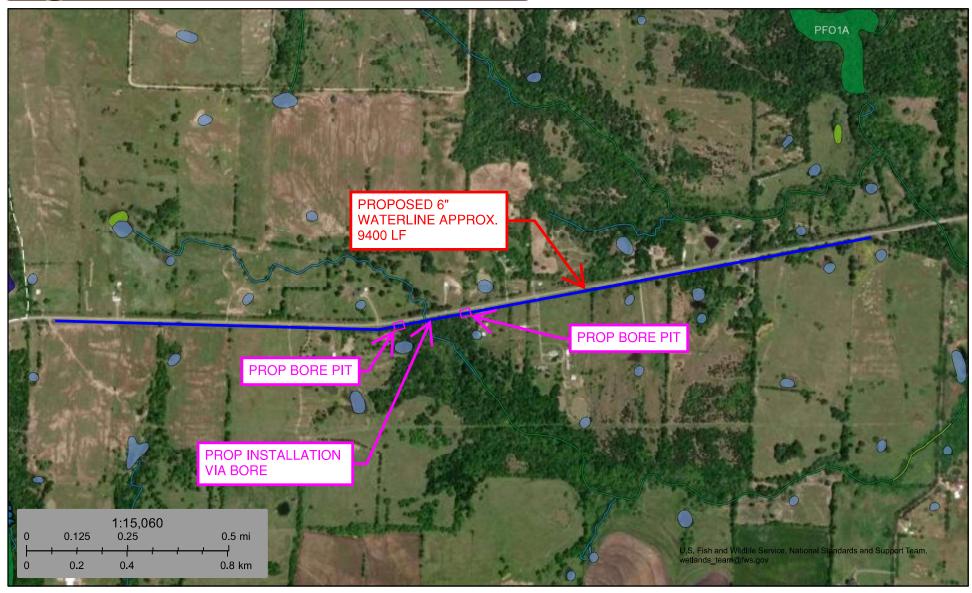
Freshwater Pond

Lake

Freshwater Forested/Shrub Wetland Other

Riverine

## FM 1563 Map



October 31, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

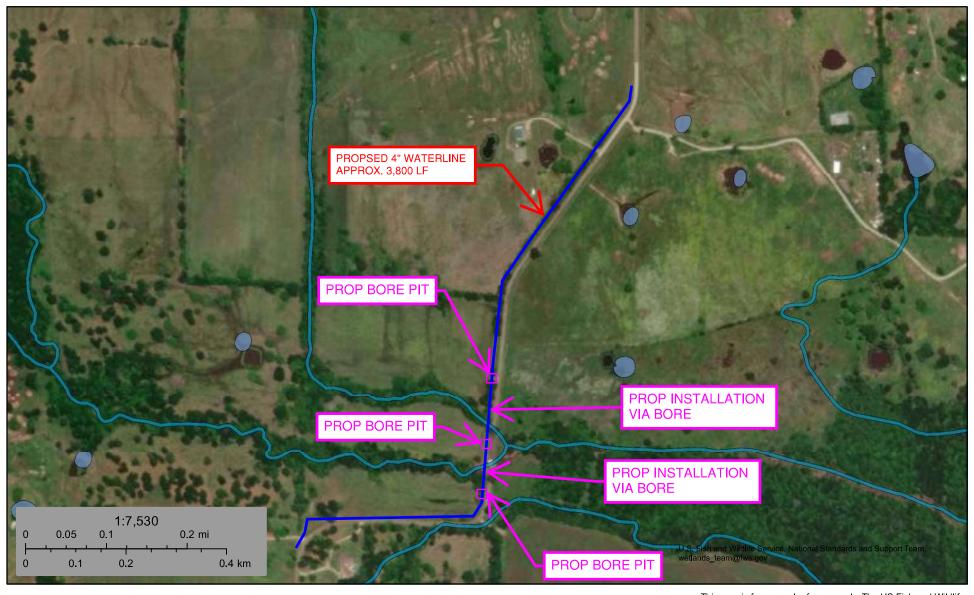
Lake

Other

Riverine

Otner

## Commerce NWI Map



October 30, 2023

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

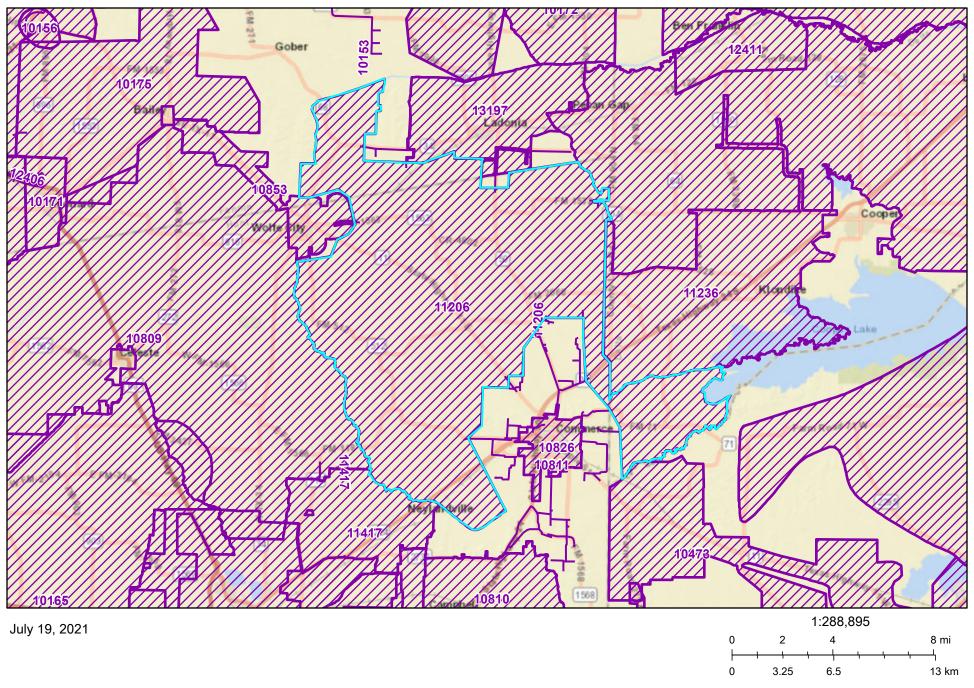
Freshwater Pond

Lake

Other

Riverine

## North Hunt SUD CCN



Esri, HERE, Garmin, NGA, USGS, NPS