



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 proposed action identified below may be exempted from formal environmental review requirements:

City of Jefferson, Marion County, Texas
TWDB RWFAP Project No. 21851
Drinking Water System Improvements
Waterline Replacement Project
Total Financing Amount: \$6,040,000
Loan No. L1001993
Grant No. G1001994

The City of Jefferson (City) is proposing to use \$6,040,000 in financing from the Rural Water Assistance Fund (RWFAP) to replace approximately 19,450 linear feet of 4- to 12-inch waterlines and 1,325 service meters with automated meters. Because the components of the project function independently and the City would like to proceed with replacing water meters prior to water lines, the water meter replacements will be assessed under a separate environmental finding. This Determination of No Effect (DNE) is being completed for the Waterline Replacement Project and is hereafter referred to as the proposed project.

All but one of the waterlines to be replaced are located under paved streets or in the developed right-of-way (ROW) adjacent to the paved street. One waterline is located in an undeveloped area behind existing buildings and adjacent to Big Cypress Bayou. Trench widths for waterline replacements will be approximately five feet wide and five feet deep. Existing lines will be abandoned in place. Proposed waterlines will generally be installed within five to ten feet of the existing waterlines, depending on the specific site conditions for each location. Waterline replacements will generally be installed by open trenching, with stream crossings installed using trenchless methods.

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.

Our Mission

Leading the state's efforts
in ensuring a secure
water future for Texas

Board Members

L'Oreal Stepney, P.E., Chairwoman | W. Brady Franks, Board Member | Ashley Morgan, Board Member
Bryan McMath, Executive Administrator

An aquatic resources delineation was conducted in order to identify waterbodies in the area and to determine where bore pits should be located to avoid potential wetlands and other waters of the United States. Two intermittent and two ephemeral streams were identified in the project area, all draining to Big Cypress Bayou, a traditionally navigable waterway. No wetlands were identified. One intermittent stream is crossed by the Pine Hill Drive and North Walcott Street waterline, and the remaining intermittent and two ephemeral streams are crossed by the North Washington Street waterline. To avoid impacts to waters of the United States, these stream crossings will be installed using trenchless construction methods.

The project appears to be partially within a 100-year floodplain, as designated by the Federal Emergency Management Agency (FEMA). According to FEMA's Estimated Base Flood Elevation viewer, all proposed waterline replacements intersect the floodplain except South Marshall Street, East Elizabeth Street, and West Harrison Street, will require a floodplain development permit from the local floodplain administrator prior to construction.

Several sensitive plant and animal species have been observed in the project area according to the Texas Natural Diversity Database, including cypress knee sedge (*Carex decomposita*), bluehead shiner (*Pteronotropis hubbsi*), ironcolor shiner (*Notropis chalybaeus*), and a water oak-willow oak (*Quercus nigra-Quercus phellos*) terrestrial community. Louisiana pigtoe (*Pleurobema riddellii*), a federally proposed threatened species, was observed in the Big Cypress Bayou in a 2015 survey. Construction within the existing ROW and easements is not anticipated to impact threatened or endangered species or habitat because vegetation removal will not be required. Construction in ROWs at North Washington Street and the East Austin Street Alley will require vegetation removal within an approximately 25-foot-wide construction footprint, adjacent to Big Cypress Bayou. These replacements may require up to two acres of permanent habitat conversion into mowed and maintained ROW.

To minimize adverse effects, the City coordinated with the and the United States Fish and Wildlife Service (USFWS) and the Texas Parks and Wildlife Department (TPWD). USFWS coordination determined that the project was *Not Likely to Adversely Affect* the federally proposed endangered tricolored bat (*Perimyotis subflavus*), provided selected mitigation measures were implemented. The TPWD provided recommendations to mitigate impacts to migratory birds, the tricolored bat, the federally proposed threatened and state threatened alligator snapping turtle (*Macrochelys temminckii*), state-listed threatened Rafinesque's big-eared bat (*Corynorhinus rafinesquii*), and Species of Greatest Conservation Need (SGCN). These mitigation measures are incorporated into this environmental finding as special conditions.

The Jefferson Historic District covers many blocks of downtown Jefferson, with many properties in the project area listed on the National Register of Historic Places and several archaeological sites and cemeteries. Big Cypress Bayou, the river that runs through town, also has cultural significance. There are no previously recorded significant or potentially significant historic or cultural sites within or adjacent to the project footprint, according to the Texas Historical Commission's Archeological Sites Atlas, nor is the project within the

protected area surrounding a historic cemetery, structure, or district. The City coordinated with the Texas Historical Commission (THC) In a letter dated November 4, 2025, the THC concurred that effects to identified archeological sites, above-ground historic resources, or other cultural resources were not anticipated.

The decision to grant a 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 special and standard environmental conditions:

Special Environmental Conditions

- Consistent with the Flood Insurance Reform Act of 2004, federal Executive Order 11988 as amended by EO 13690, 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, across, or under a Special Flood Hazard Area and Texas Water Development Board (TWDB) approval of plans and specifications, and any requirements contained therein will be adhered to.
- To avoid impacts to potential waters of the U.S., including wetlands, and aquatic habitat, water line crossings of waterbodies will be performed by a trenchless method (horizontal boring or pipe-bursting), with bore pits located outside the riparian zones and any potential adjacent wetlands.
- As per an agreement with the Texas Parks and Wildlife Department (TPWD), Ecological & Environmental Planning Program (TPWD Project No. 56659) and the United States Fish and Wildlife Service (USFWS Project Code 2026-0022201), to ensure compliance with 31 Texas Administrative Code (TAC) Chapters 12, 64, 67, and 68, the Endangered Species Act of 1973, as amended, the Migratory Bird Treaty Act, and applicable federal regulations pertaining to protected species, including the alligator snapping turtle (*Macrochelys temminckii*), Rafinesque's big-eared bat (*Corynorhinus rafinesquii*), Monarch butterfly (*Danaus plexippus*), tricolored bat (*Perimyotis subflavus*), and bald eagle (*Haliaeetus leucocephalus*), the following measures will be implemented:

- Vegetation clearing must be excluded during the general bird nesting season, March 15 through September 15, to avoid adverse impacts to breeding birds. If vegetation clearing during this time is unavoidable, the area proposed for disturbance will be surveyed by a qualified biologist to identify occupied nests, not more than five days prior to clearing activities. If occupied nests are observed during surveys, a vegetation buffer area of no less than 100 feet in diameter will remain around the nest until all young have fledged; however, the size of the buffer zone depends on various factors and can be coordinated with the local or regional USFWS office.
- Vegetation clearing must be excluded during tricolored bat winter torpor and pupping season for Zone 1, December 15 through February 15 and May 1 through July 15, to avoid adverse impacts.
- To avoid bald eagle impacts, prior to vegetation clearing, the City of Jefferson (City) will conduct nest surveys according to the USFWS Eagle Nest Survey Protocol.
- Construction at the East Austin Street Alley, near Big Cypress Bayou, which is suitable habitat for the alligator snapping turtle, will be avoided during the breeding and nesting season of this species (May 1 through June 30).
- When working near streams, the City will install silt fencing to minimize sediment discharge to streams. Sturdy exclusion fencing, such as silt fence, appropriately buried, with wire reinforcement will be used near streams to deter movement of alligator snapping turtles into the work area during the nesting season. Strategic placement and sturdy installation will be considered as the turtle can dig under and knock down silt fence. Erosion control measures will be installed prior to construction and maintained until disturbed areas are permanently revegetated using site-specific native vegetation.
- 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 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 of one horizontal foot for every one foot of depth.
- Contractors and construction crews will be provided with informational materials identifying potential protected species that may occur in the project area, including alligator snapping turtle, Rafinesque's big-eared bat, Monarch butterfly, tricolored bat, and bald eagle, and instructions on how to avoid impacts to species 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.

- The City will minimize the clearing of mature trees in the riparian zone because canopy cover provides shade to the waterway, allowing for thermoregulation of the alligator snapping turtle. The City will avoid the removal of trees that have hollows or cavities, as they provide suitable habitat for roosting bats such as the Rafinesque's big-eared bat and tricolored bat.
- For soil 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.
- If tricolored bats, alligator snapping turtle, or the Monarch butterfly become federally listed prior to vegetation clearing and/or construction, the City will conduct additional coordination with the United States Fish and Wildlife Service to ensure compliance with the Endangered Species Act.

Standard Environmental Conditions

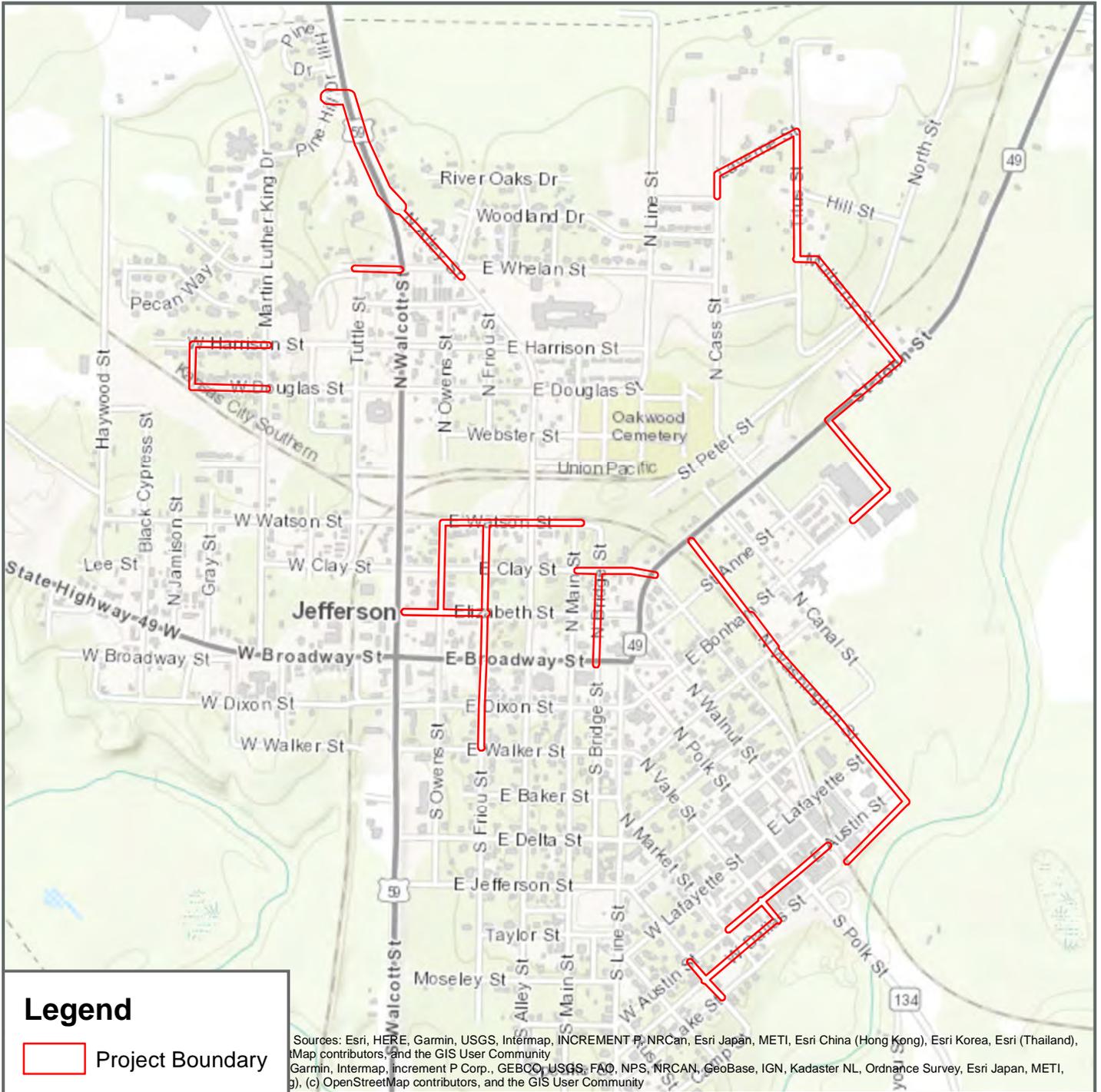
- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0552), the City will abide by the standard emergency condition for the discovery of cultural resources.
- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0552), the City will abide by the standard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

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 RWPD-Environmental@twdb.texas.gov.

Sincerely,

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

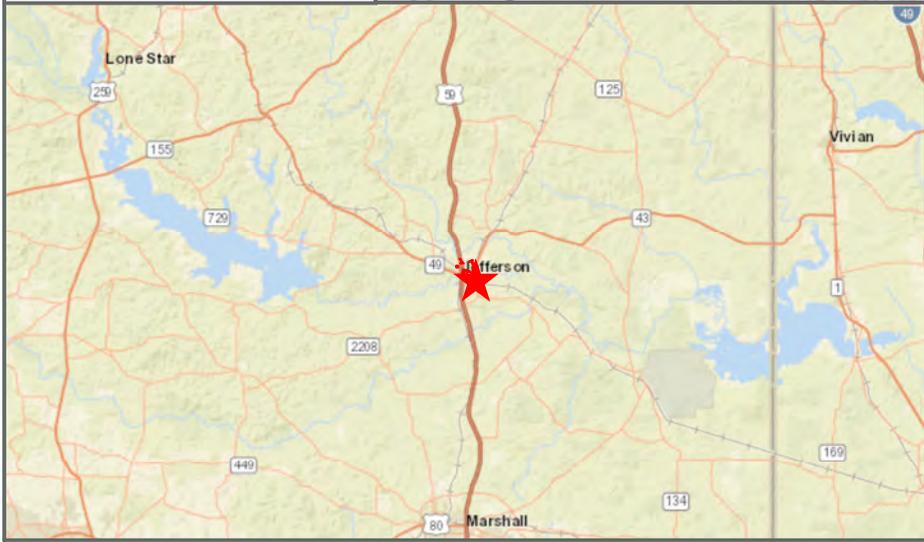
Enclosures



Legend

 Project Boundary

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Map contributors, and the GIS User Community
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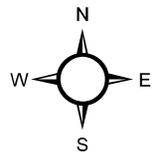


Site Location Map

**City of Jefferson Water Line Replacement
 Schaumburg and Polk, Inc.
 Jefferson, Texas**

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 Approved
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Date
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Scale In Feet (Approximate)

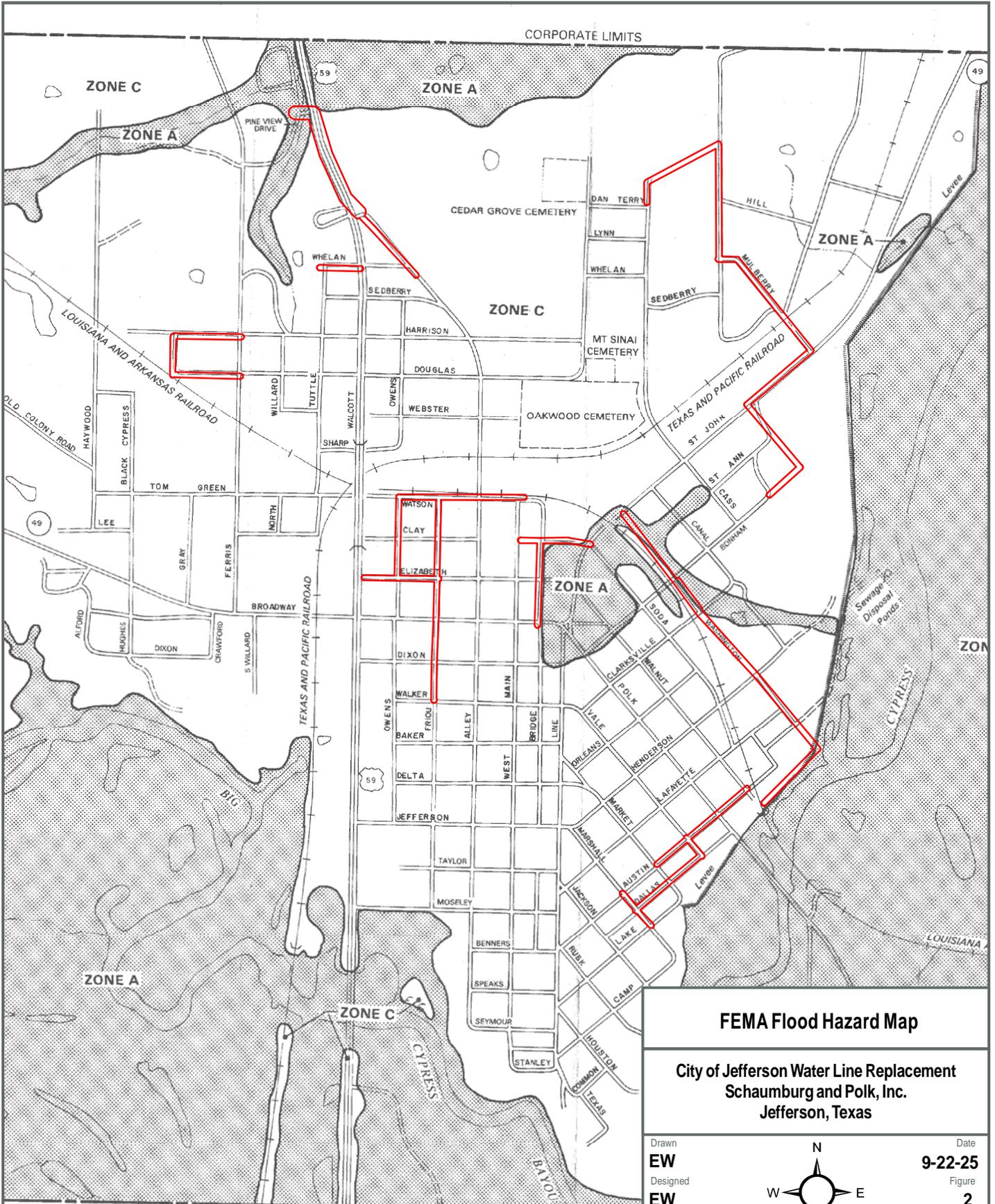


Groundwater & Environmental Services, Inc.

— Project Location - Remove & Replace Existing Waterline
 Jefferson City Limits



N:\Dallas\Projects\GES\Projects\SPI Engineering\4325091 - City of Jefferson Water Line Replacement\GIS\MXD\Figure 2. FEMA Map.mxd - Scale 1:14,400 - 9/22/2025 5:25:29 PM - ewhitington - NAD 1983 UTM Zone 15N

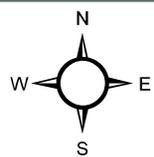


Legend
 Project Boundary

FEMA Flood Hazard Map

**City of Jefferson Water Line Replacement
 Schaumburg and Polk, Inc.
 Jefferson, Texas**

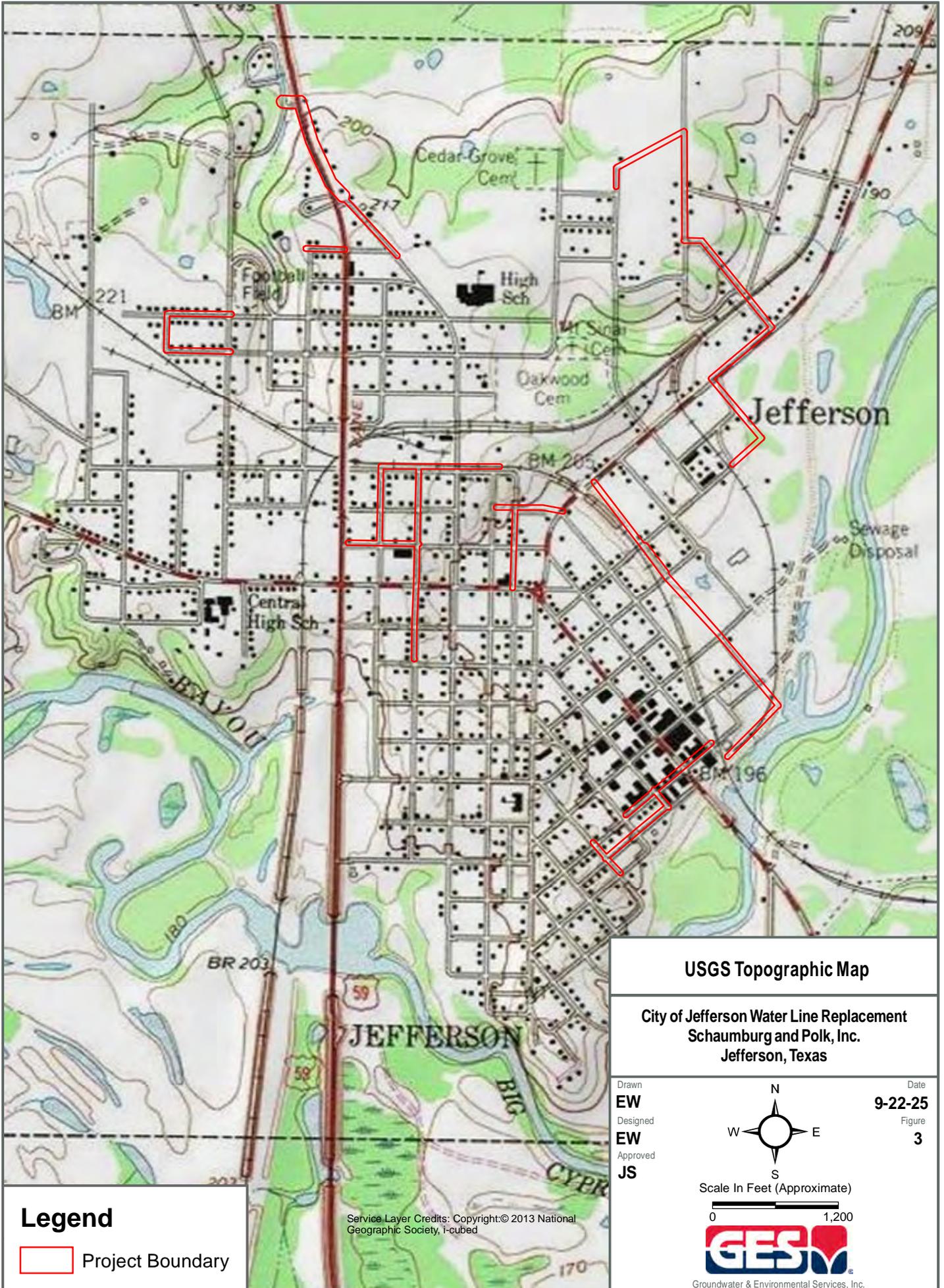
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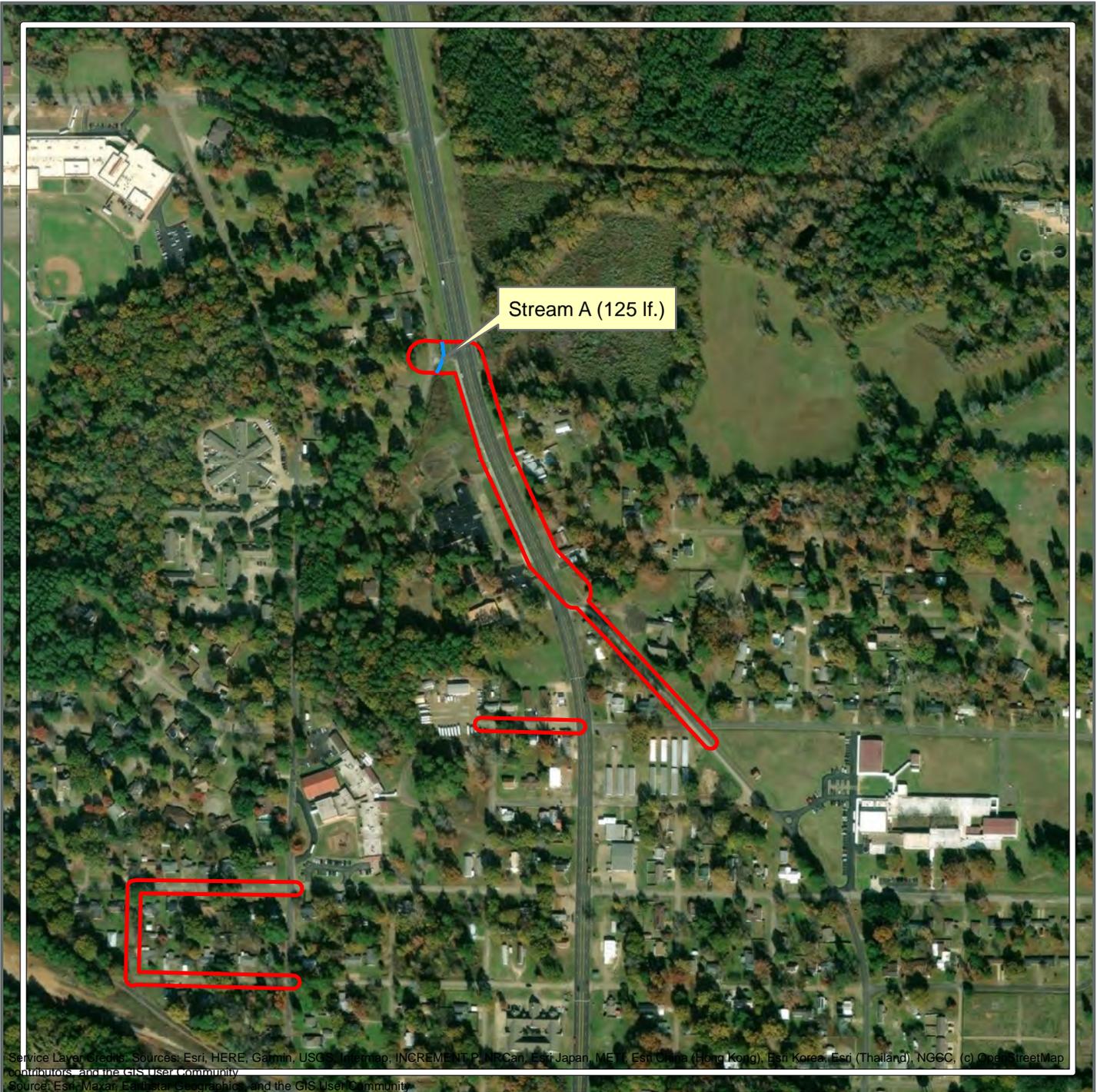


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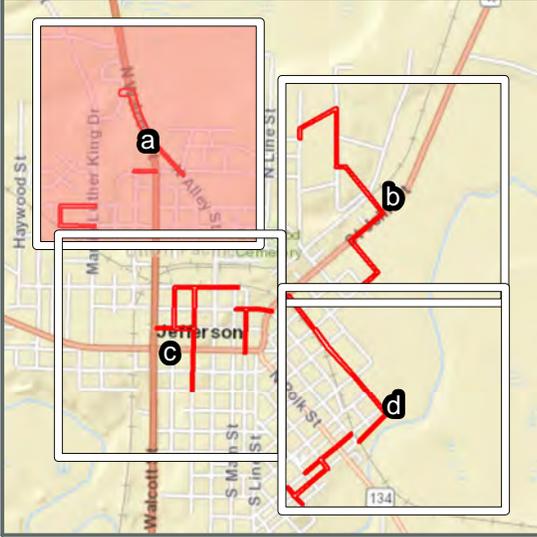
Scale In Feet (Approximate)







Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) One Street Map contributors, and the GIS User Community
 Source: Esri, Maxar, Earthstar Geographic, and the GIS User Community



Legend

Project Boundary

Aquatic Features

Intermittent Stream (Potentially Jurisdictional)

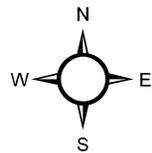
Ephemeral Stream (Potentially Non-Jurisdictional)

Aquatic Features Map

**City of Jefferson Water Line Replacement
 Schaumburg and Polk, Inc.
 Jefferson, Texas**

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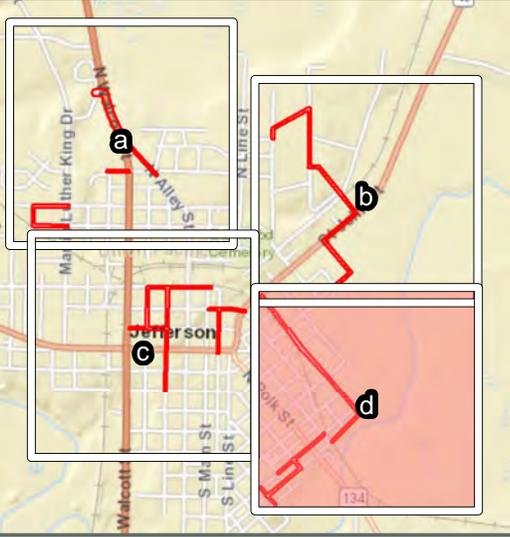
Scale In Feet (Approximate)



Groundwater & Environmental Services, Inc.



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 Sources: Esri, Maxar, Earthstar Geographics, and the GIS User Community



Legend

- Project Boundary
- Aquatic Features**
- Intermittent Stream (Potentially Jurisdictional)
- Ephemeral Stream (Potentially Non-Jurisdictional)

Aquatic Features Map

**City of Jefferson Water Line Replacement
 Schaumburg and Polk, Inc.
 Jefferson, Texas**

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Date
9-29-25
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