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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) staff has determined that proposed action identified below may be exempted from formal environmental review requirements:

City of Weimar, Colorado County, Texas
TWDB RWF Project No. 21857
New Water Well 11 and Associated Water System Improvements
Water Meter Replacement
Total Financing Amount: \$5,055,000
Grant No. G1001984

The City of Weimar is proposing to use \$5,055,000 in financing from the Rural Water Assistance Fund (RWF) to install (1) 1,077 new AMI meters, all at existing locations; (2) 1,077 meter cut-off valves; and (3) 1,077 meter boxes.

All construction will occur in already existing residential and commercial areas.

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.

This Determination of No Effect (DNE) is completed for Water Meter Replacement, and is hereafter referred to as the project.

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 project will not adversely impact waters of the United States, including wetlands.

The 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. In addition, construction within the existing right-of-way (ROW) and easements is not expected to impact threatened or endangered species or habitat.

Our Mission

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

Board Members

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Bryan McMath, Executive Administrator

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 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 any requirements contained therein will be adhered to.

Standard Environmental Conditions

- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0552), the City of Weimar (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

