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MEMORANDUM

TO: T. Clay Schultz, Ph.D., Regional Water Project Development

Clay Schultz Digitally signed by Clay Schultz Date: 2026.05.22 14:33:06 -05'00'

THROUGH: Kevin Smith, Regional Water Project Development

Kevin Smith Digitally signed by Kevin Smith Date: 2026.05.22 14:55:51 -05'00'

FROM: Lauren Dill, Environmental Protection Specialist

Lauren Dill Digitally signed by Lauren Dill Date: 2026.05.08 12:25:33 -05'00'

SUBJECT: Harlingen Waterworks System, Cameron County, Texas
TWDB Water Loan Assistance Fund Project No. 21885
Jefferson Street Raw Water Pipeline Upgrade Project
Total Commitment Amount: $8,260,000
Commitment Nos. L1002170 and G1002171

As required by the rules of the Texas Water Development Board (TWDB), 31 Texas Administrative Code (TAC) § 363.14, an environmental review has been performed for the Jefferson Street Raw Water Pipeline Upgrade project proposed by Harlingen Waterworks System in Cameron County, Texas. Harlingen Waterworks System is proposing to use $8,260,000 in funding from the Water Loan Assistance Fund program for construction of the proposed project. The Environmental Determination (ED) completed for the proposed project is based primarily on the Environmental Data Form (EDF)[1] received by the TWDB.

PURPOSE AND NEED

Previous studies documented that the sustained capacity of Harlingen Waterworks System's downtown water treatment plant is limited by the hydraulic capacity of the raw water conveyance. The existing raw water line delivers a maximum of 15 million gallons of water per day (MGD) of flow to the downtown reservoir, Lake Harlingen. However, this is significantly reduced when the reservoir is full. Harlingen Waterworks System would like to increase the flow to Lake Harlingen to 20 MGD. The limited capacity and deteriorated condition of the existing raw water line require modification and/or replacement of this conveyance system. Alternative options were studied to increase flow to Lake Harlingen and resolve the frequent leaks on portions of the existing reinforced concrete pipe raw water line.

[1] Harlingen Waterworks System (May 2026). Environmental Data Form (EDF), Harlingen Waterworks System Jefferson Street Raw Waterline Upgrade. Prepared by STV, Inc. Received by the Texas Water Development Board on May 5, 2026.

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PROJECT DESCRIPTION

The following proposed project components are covered by this environmental assessment:

- Install approximately 3,000 linear feet of new 48-inch raw water line to replace the existing raw water line between Lake Harlingen and the existing junction southeast of the intersection of North 13th Street and East Jefferson Avenue, using both open cut and trenchless construction methods
- Remove the outfall structure and sub-aqueous pipe at Lake Harlingen
- Remove the existing raw water line to 5 feet behind the existing retaining wall
- Remove and replace sidewalks, driveways, curbs, asphalt, parking lots, and wood privacy fences
- Tunnel install the proposed raw water line at East Jefferson Avenue, the railroad track, the neighborhood alley where the proposed raw water line turns north along North 8th Street, and 76 Drive
- Excavate bore pits on either side of all tunnels
- Plug and abandon the existing 5- by 5-foot junction box at the eastern project limit
- Construct a new outfall structure at Lake Harlingen
- Install a new 7- by 7-foot junction box with sluice gate at eastern project limit

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.

The proposed project does not involve any known, significant socioeconomic or environmental impacts, or historical or cultural resource issues that may affect the evaluation of project alternatives or implementation of the proposed project, such as rate increases, displacement of persons, disproportionate effects on minorities or those living beneath the poverty line, potential impacts to known cultural resources, waters of the United States, or protected species, or similar public concerns. Therefore, no public meeting was required.

AGENCY COORDINATION

Harlingen Waterworks System's environmental impact assessment included coordination with state and federal regulatory agencies, local authorities, and other stakeholders and interested parties regarding the project's potential impact. Harlingen Waterworks System submitted notifications to and requests for input from all required parties. The respondents are listed below, and the results of coordination are summarized in the EDF and reflected in the environmental conditions listed below:

- Texas Historical Commission (THC), in accordance with the Antiquities Code of Texas (THC Tracking No. 202212203)

- United States Army Corps of Engineers (USACE), Regulatory Branch, Galveston District, in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 (USACE Project Number SWG-2025-00562)
- Texas Parks and Wildlife Department (TPWD), Ecological and Environmental Planning Program, in accordance with the Endangered Species Act of 1973, as amended; Migratory Bird Treaty Act; Texas Parks and Wildlife Code; and other applicable regulations (TPWD Project No. 57013)
- United States Fish and Wildlife Service (USFWS), Austin Ecological Services Field Office, in accordance with the Endangered Species Act and statutes affecting other federally protected species (USFWS Project Code 2022-0048526)

Texas Historical Commission

The THC was given the opportunity to review the proposed project and the cultural resources desktop study conducted by Horizon Environmental Services, Inc. (Horizon).[2] The study report concluded that, based on the heavily urbanized setting of the proposed project area, it is Horizon's opinion that a cultural resources survey of the proposed project area would be unwarranted. In addition, Horizon recommends a finding of "no historic properties affected" for the proposed project. The THC concurred that no historic properties, archeological sites, or other cultural resources would be affected by the proposed project, in correspondence dated July 25, 2022.

United States Army Corps of Engineers

The USACE, Galveston District Office, Regulatory Branch was given the opportunity to review the proposed project (USACE Project No. SWG-2025-00562) and wetland delineation report[3] dated June 2025. The USACE issued a "No Permit Required" letter accompanied by an approved jurisdictional determination (AJD) on November 25, 2025. An AJD is a USACE document stating the presence or absence of waters of the United States on a parcel. The USACE determined, based on a desk review conducted on November 25, 2025, that the proposed project area contains uplands and Lake Harlingen. However, as described in the AJD Memorandum of Record, these aquatic resources do not meet the definition of adjacent waters as defined in the pre-2015 regime post-Sackett guidance, and as such, are not a waters of the United States subject to Section 404 of the Clean Water Act, nor are they subject to Section 10 of the Rivers and Harbors Act of 1899. Therefore, a Department of the Army permit is not required for the discharge of dredged and/or fill material or work and/or structures within these aquatic resources in review area.

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[2] Owens, J. D., June 15, 2022. Cultural Resources Desktop Study and Request for Consultation, Antiquities Code of Texas and Section 106 of the National Historic Preservation Act, Proposed Raw Water Pipeline Upgrade—Canal Intake to Downtown Reservoir, Harlingen, Cameron County, Texas, prepare for Harlingen Waterworks System. THC Tracking No. 202212203.

[3] Harlingen Waterworks System (June 2025). Preliminary Jurisdictional Determination – Jefferson Street Raw Water Line Upgrade, Cameron County, Texas. Prepared by STV, Inc.

Texas Parks and Wildlife Department

The TPWD, Ecological and Environmental Planning Program staff reviewed the proposed project in accordance with the Texas Parks and Wildlife Code, and provided a response dated November 5, 2025 (TPWD Project No. 57013). Based on review of the environmental documentation, which included a federally listed threatened and endangered species assessment[4], detailed project description and maps, and proposed beneficial management practices (BMPs) that Harlingen Waterworks System will implement to avoid potential negative impacts to migratory birds, the TPWD does not anticipate significant adverse impacts to rare, threatened, or endangered species, or other fish and wildlife resources. However, it is the responsibility of Harlingen Waterworks System to comply with all federal, state, and local laws that protect fish and wildlife. Provided the current project plans do not change, the TPWD considers coordination to be complete. Harlingen Waterworks System's BMP is summarized as a special environmental condition in this ED.

United States Fish and Wildlife Service

The USFWS, Austin Ecological Services Field Office, in accordance with the Endangered Species Act and statutes affecting other federally protected species, was given the opportunity to review the proposed project (USFWS Project Code 2022-0048526). The USFWS acknowledged receipt of the review request in a response dated November 17, 2025. STV, Inc., in correspondence to the USFWS dated October 6, 2025, concluded that the proposed project would have no effect on federally listed species; a formal Section 7 consultation was not required.

CONDITIONS AND RECOMMENDATIONS

An environmental review of the proposed project has been completed, consistent with the guidelines provided in 31 TAC § 363.14. The results of this environmental review are documented in this Memorandum, which includes environmental conditions that will be applied to the project to avoid significant adverse impact on waters of the United States, floodplains, cultural or historical resources, threatened or endangered species, and protected migratory bird species.

The TWDB may not fund testing, remediation, removal, disposal, or related works for contaminated or potentially contaminated materials; however, Harlingen Waterworks System should ensure that, if found, such materials are tested, removed, and disposed of in accordance with applicable state and federal laws and local ordinances.

The project must comply with the following special and standard environmental conditions:

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[4] Harlingen Waterworks System (June 2025). Federally Listed Threatened and Endangered Species Habitat Assessment – Jefferson Street Raw Water Line Upgrade, Cameron County, Texas. Prepared by STV, Inc.

Special Environmental Conditions

- In accordance with an agreement with the Texas Parks and Wildlife Department (TPWD), Ecological and Environmental Planning Program (TPWD Project No. 57013) and the United States Fish and Wildlife Service, to ensure compliance with the Migratory Bird Treaty Act, vegetation clearing or disturbance 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 buffer of vegetation of 150 feet in diameter will remain around the nest until all young have fledged or the nest is abandoned.

Standard Environmental Conditions

- Consistent with the Texas Water Development Board Supplemental Construction Contract Conditions (TWDB-0552), Harlingen Waterworks System will abide by the standard emergency condition for the discovery of cultural resources.

- Consistent with the Texas Water Development Board Supplemental Construction Contract Conditions (TWDB-0552), the Harlingen Waterworks System will abide by the standard emergency condition for the discovery of threatened and endangered species.

Therefore, it is recommended that an ED be issued.