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ENVIRONMENTAL DETERMINATION

TO: File

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

SUBJECT: Cameron County Drainage District No. 5, Cameron County, Texas
TWDB FIF Category 2 Project No. 40082
Sibley Lateral Regional Detention Pond Project
Total Commitment Amount: \$3,560,000
Commitment Nos. L1001377 and G1001378

The environmental review for the Cameron County Drainage District No. 5's (District) proposed Sibley Lateral Regional Detention Pond project has been completed, consistent with 31 Texas Administrative Code (TAC) § 363.14 and 363.16. The District is proposing to use \$3,560,000 in funding from the Flood Infrastructure Fund Program to construct an approximately 181-acre-foot regional flood water detention pond within an approximately 63.75-acre project area along the Sibley Lateral, south of Primera Road and north of Mill Drive, southwest of Primera, Texas. The Texas Water Development Board (TWDB) committed this funding on March 10, 2021. The District closed the funding on July 8, 2021.

The environmental review is documented by this Environmental Determination, which contains mitigative 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.

Based on a detailed environmental review of the planning information in the Environmental Data Form received by the TWDB on August 22, 2025, the proposed project meets the requirements of 31 TAC § 363.14 with the following special and standard environmental conditions:

Special Environmental Conditions

- Consistent with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, the project will comply with the terms and conditions of United States Army Corps of Engineers Nationwide Permit 43 for Stormwater Management Facilities (United States Army Corps of Engineers Permit Number SWG-2023-00446).
- 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

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floodplain development ordinances, a floodplain development permit will be obtained from the Cameron County floodplain administrator prior to construction in the 500-year floodplain. The Cameron County Drainage District No. 5 will submit a no-rise certificate or a no-adverse impact study as part of the County's site development permit application and receive a local floodplain ordinance compliance letter from Cameron County, prior to clearing or construction activities within the 500-year floodplain. The floodplain permitting documentation must be submitted to the Texas Water Development Board prior to Texas Water Development Board approval of the plans and specifications.

- Consistent with the Endangered Species Act of 1973, as amended, the Migratory Bird Treaty Act, and the Texas Parks and Wildlife Code Chapter 64 (Texas Parks and Wildlife Department Review No. 53320), vegetation clearing will 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 United States Fish and Wildlife Service office.

Standard Environmental Conditions

- Consistent with the Texas Water Development Board Supplemental Construction Contract Conditions (TWDB-0552), the Cameron County Drainage District No. 5 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 Cameron County Drainage District No. 5 will abide by the standard emergency condition for the discovery of threatened and endangered species.

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

Enclosures

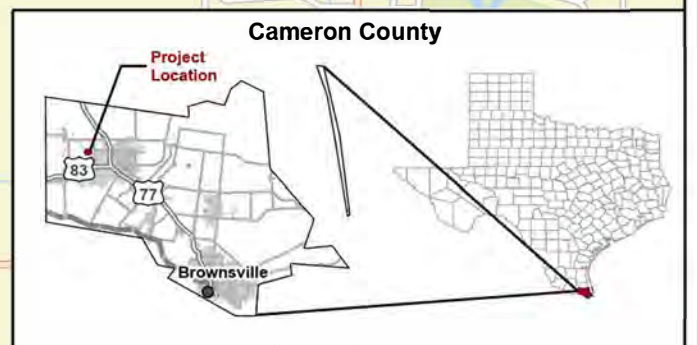


Figure 1.
Project Location (Road Base)

Sibley Lateral Drainage Improvements

 Project Location



 Stantec

2,000 Feet 1 in = 2,000 feet
Scale: 1:24,000
600 Meters Date: 3/27/2024

Basemap Source: Esri (2024)

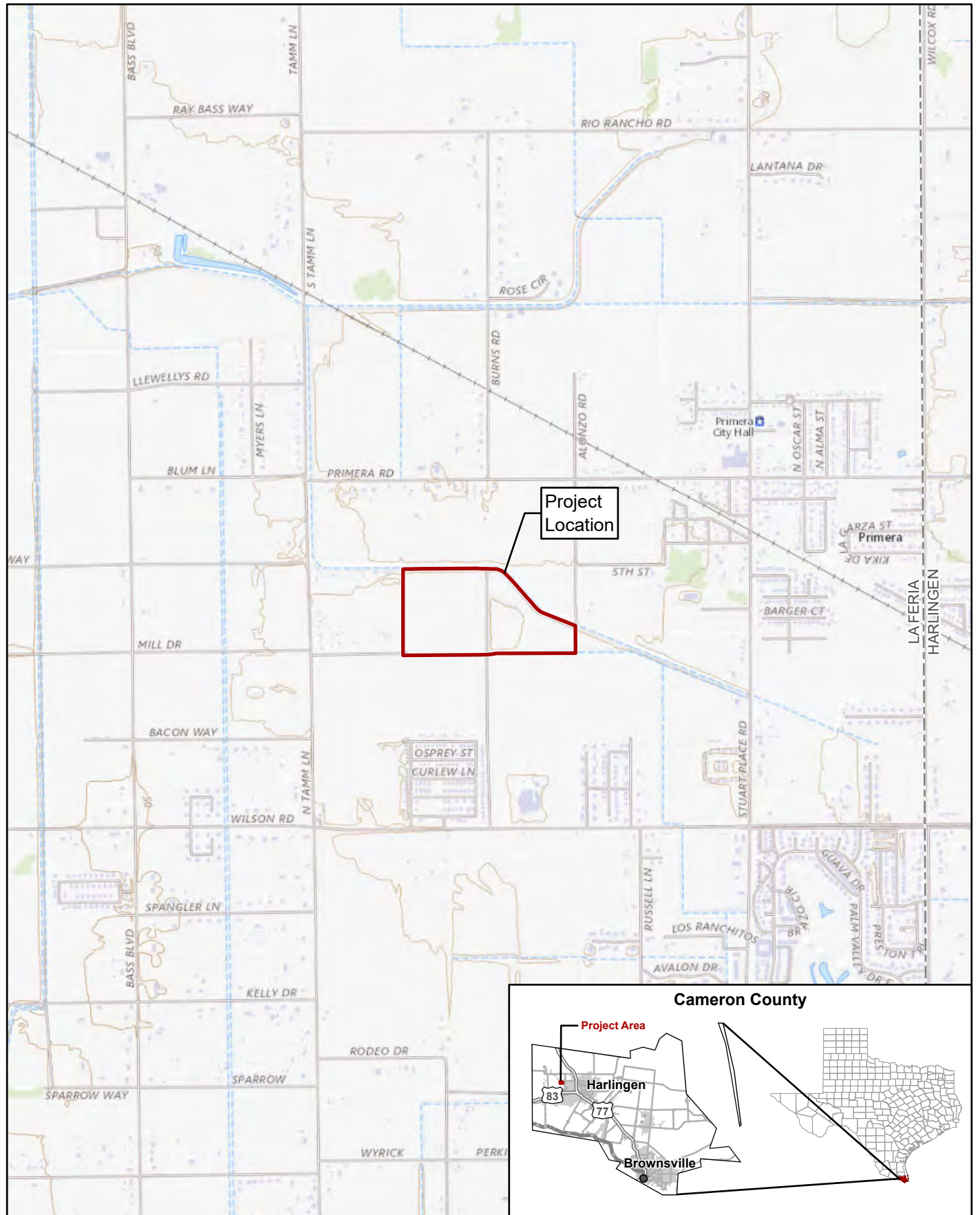


Figure 2.
Project Location (Topographic Base)

Sibley Lateral Drainage Improvements

 Project Location



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Topographic Source: USGS (2023)
USGS 7.5' Quadrangles: Laferia, Harlingen

0 2,000 Feet 1 in = 2,000 feet
0 600 Meters Scale: 1:24,000
Date: 9/19/2022

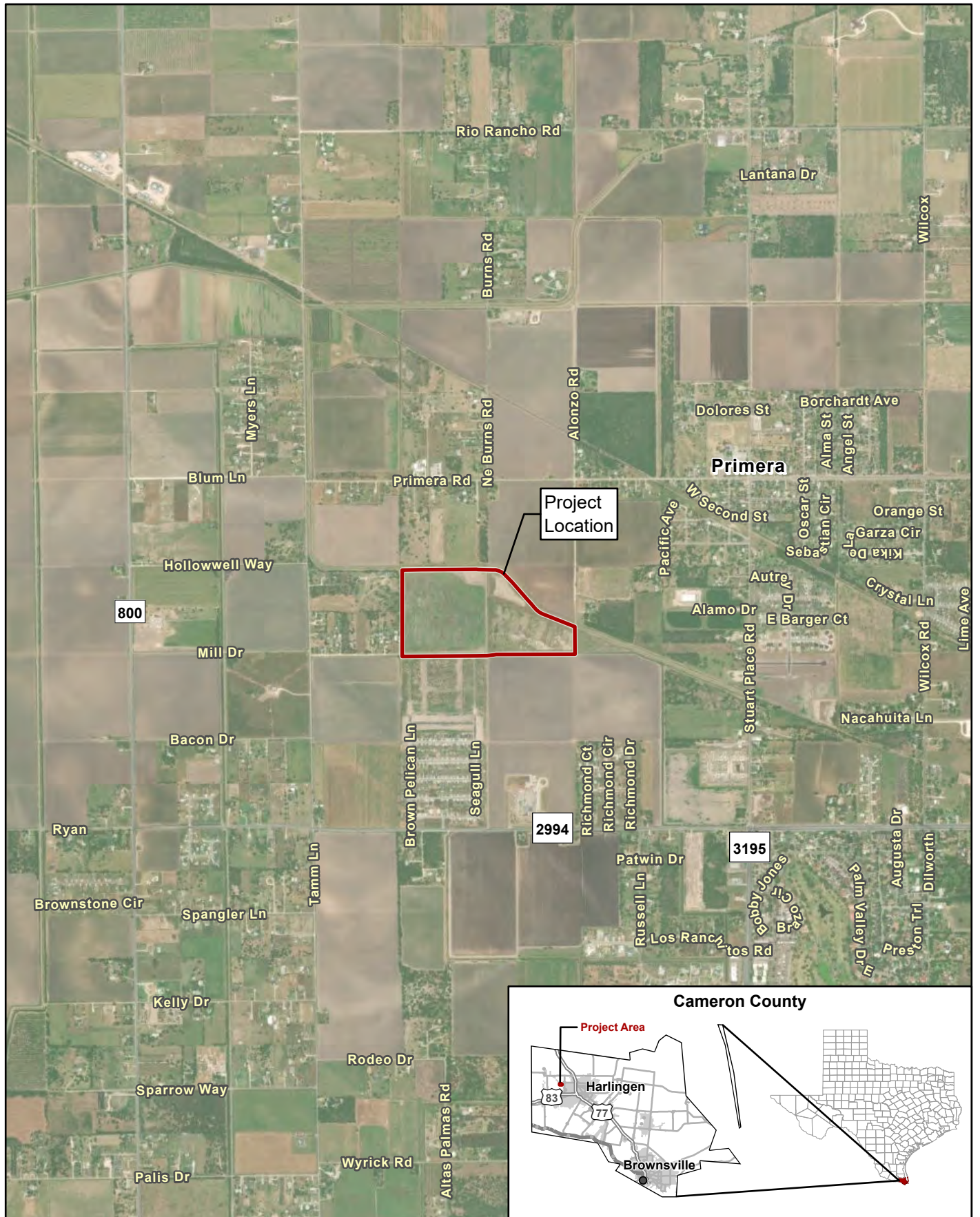


Figure 3.
Project Location (Aerial Base)

Sibley Lateral Drainage Improvements

 Project Location



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0 2,000 Feet 1 in = 2,000 feet
0 600 Meters Scale: 1:24,000
Date: 9/19/2022

Aerial Source: Maxar (2022)