

ENVIRONMENTAL DETERMINATION

TO: File

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

DATE: February 22, 2024

RE: City of Alton, Hidalgo County, Texas
TWDB FIF Category 2 Project No. 40112
North Stewart Blvd Drainage Improvements
Total Commitment Amount: \$8,500,000
Loan No. L1001390
Grant No. G1001391

The environmental review for the City of Alton's proposed North Stewart Blvd Drainage Improvements project has been completed consistent with 31 Texas Administrative Code (TAC) § 363.14 and 363.16. The City is proposing to use \$8,500,000 in financing from the Flood Infrastructure Fund (FIF) Program for the planning, acquisition, design and construction of a storm drainage system intended to remove 91 existing structures from the 10-year floodplain. The proposed project consists of the construction of 6,600 linear feet of a 60-inch reinforced concrete pipe and an 8- by 4-foot reinforced concrete box from the Val Verde Acres Subdivision to Josefa Garcia Park. Existing grate inlets along East Madison Avenue and East Kantunil Avenue will be connected to the proposed storm drain system. An overflow inlet will be installed on the existing 4-acre retention pond in Palm Lake Estates and connected to the proposed system. The TWDB committed this financing on May 6, 2021, and the City closed on the financing on October 12, 2021.

Based on a detailed environmental review of the planning information, the Environmental Data Form received by the TWDB on June 20, 2023, the supplementary materials submitted to the TWDB on November 3, 2023, and other documentation, the project meets the requirements of 31 TAC § 363.14 with the following special and standard environmental conditions:

Special Environmental Conditions

- Prior to construction, an archaeological resources monitoring plan will be developed and submitted with an Antiquities Permit application to the THC. The

monitoring plan will be incorporated into the project scope and contract documents submitted with construction plans to the TWDB for review and approval. An Antiquities Permit issued by the THC, which indicates their approval of the construction monitoring plan, will be required prior to approval of construction plans, specifications, and contract documents by the TWDB.

- Consistent with the Endangered Species Act of 1973, as amended, the Migratory Bird Treaty Act, and Texas Parks and Wildlife Code Chapter 64, vegetation clearing or ground 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 no more than five days prior to ground disturbing activities or mechanical clearing of brush and trees to identify occupied nests. 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 or the nest is abandoned. Nesting raptors such as hawks need larger buffers of at least 0.5 mile. State and federal regulations as currently interpreted do not permit incidental take.
- 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.

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 Owner has complied with the provisions of the National Historic Preservation Act and the Antiquities Code of Texas.

The Owner 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

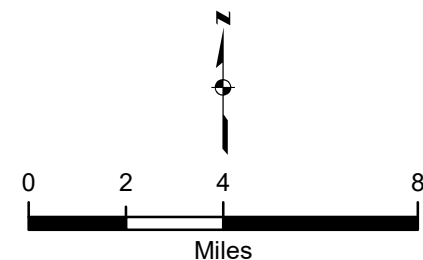
operations in that particular area and notify the Owner, the TWDB, and the Texas Historical Commission. The Contractor shall take reasonable steps to protect and preserve the discoveries until they have been inspected by the Owner's representative and the TWDB. The Owner will promptly coordinate with 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 Owner.

- 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 Endangered Species Act (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 Owner, 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 Texas Parks and Wildlife Department, 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 Owner.

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

Enclosures



Legend

Study Area

Notes:

1. LAT: 26.2908°, LONG: -98.2929°
2. 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) OpenStreetMap contributors, and the GIS User Community

North Stewart Blvd Drainage
Improvements

Alton, Hidalgo County, Texas

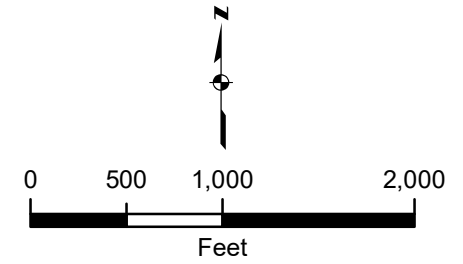
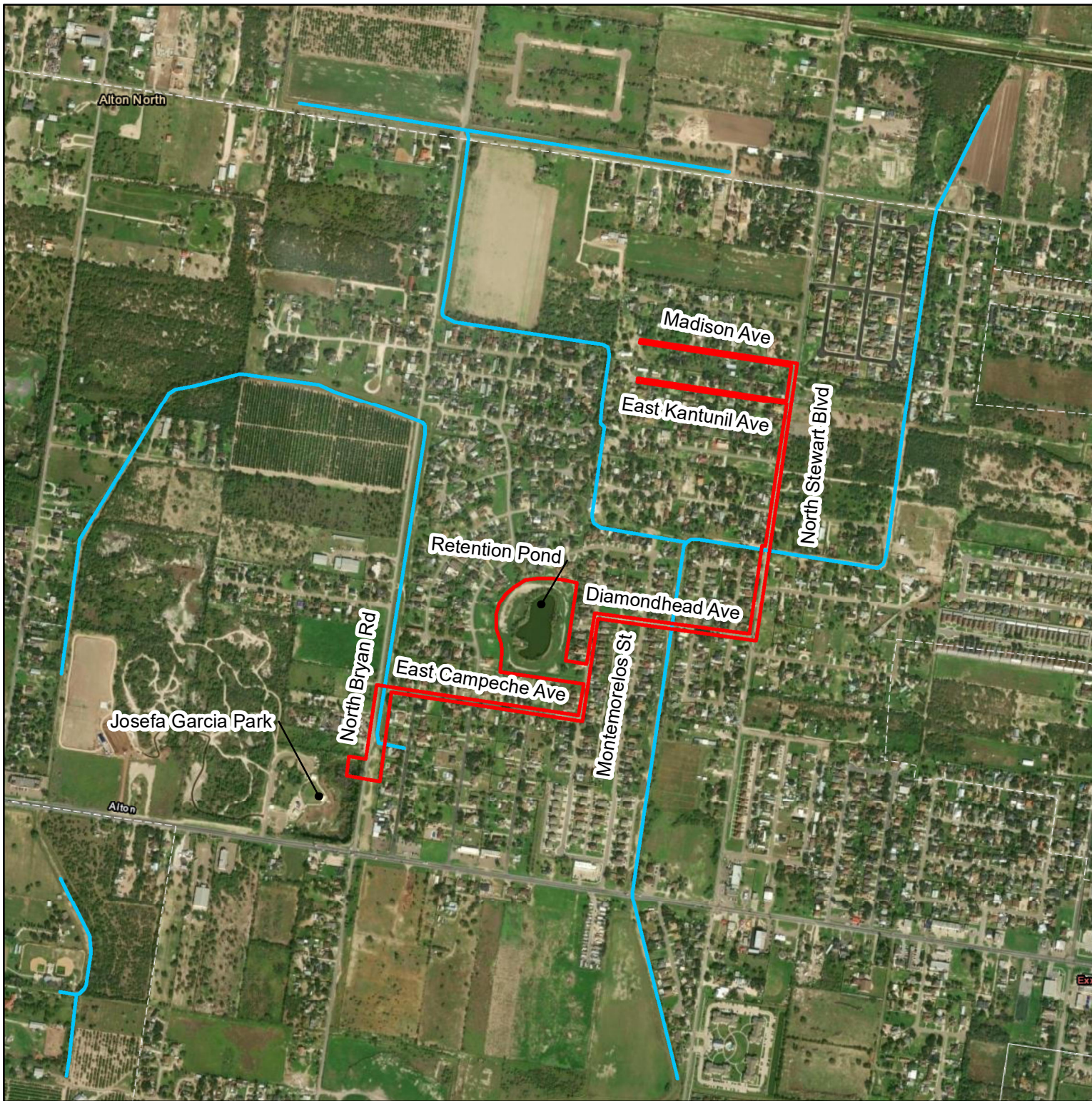
Date: 5/24/2023 AVO: 35388.002

Environmental Data Form


Regional Location Map

Figure 1





Legend

-  Study Area
-  Canal/Ditch

Notes:

1. LAT: 26.2909°, LONG: -98.2934°
2. Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community
3. USGS National Hydrography Dataset (NHD)

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Environmental Data Form

NHD Map

Figure 4

