

**ENVIRONMENTAL DETERMINATION**

**TO:** File

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

**DATE:** February 15, 2024

**RE:** City of Irving, Dallas County, Texas  
TWDB FIF Category 2, Project No. 40206  
West Irving Creek Channel Improvements  
Phase A  
Total Anticipated Commitment Amount: \$45,000,000  
Loan No. L1001613  
Grant No. G1001614

The environmental review of the proposed West Irving Creek Channel Improvements Project for the City of Irving (City) has been completed consistent with 31 Texas Administrative Code (TAC) §363.14 and 363.16. The City is proposing to use \$45,000,000 in financing from the Flood Infrastructure Fund (FIF) Program to enhance flood control by expanding storage and flow capacity in an existing detention basin and concrete drainage channel, replacing culverts and bridges, and replacing water and wastewater utility lines that are intersected by the project. The Texas Water Development Board (TWDB) committed this financing on July 25, 2023. The City closed the financing on November 14, 2023.

The proposed project, addressing flooding on West Irving Creek, will be constructed in phases, with each phase completed under separate environmental findings. Each phase would be constructed independent of the others, to control flooding in different parts of the city. The City requests funding from TWDB to complete phases A and D. This Environmental Determination (ED) corresponds to the West Irving Creek Channel Improvements Project, Phase A.

Based on a detailed environmental review of the planning information, the Environmental Data Form (EDF) received by the TWDB on November 17, 2023, with the supplementary materials submitted to the TWDB on December 20, 2023, the project meets the requirements of 31 TAC §363.14 with the following special and standard environmental conditions:

### Special Environmental Conditions

- 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 City of Irving (City) has complied with the provisions of the National Historic Preservation Act and the Antiquities Code of Texas.

The City has previously coordinated with the appropriate agencies and impacts to 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 City, 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 City's representative and the TWDB. The City 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 City.

- 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

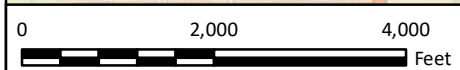
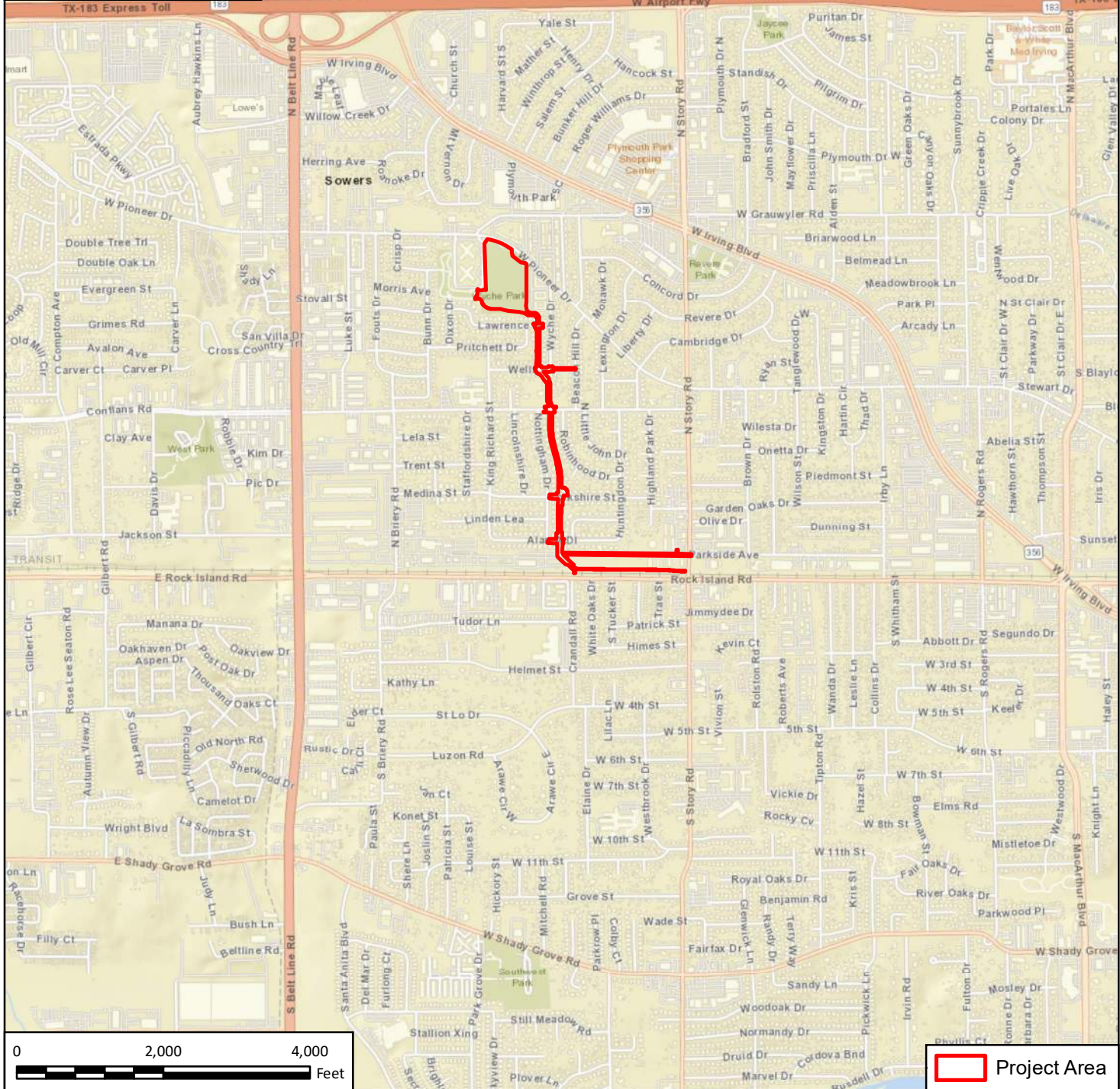
Environmental Determination  
City of Irving, Dallas County, Texas  
TWDB FIF Category 2, Project No. 40206  
West Irving Creek Channel Improvements  
Phase A  
February 15, 2024  
Page 3

City, 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 area of the encounter until authorized to do so by the City.

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

Enclosures





**Project Area**

**FREES AND NICHOLS**  
 FREES AND NICHOLS, INC  
 801 Cherry Street, Suite 2800  
 Fort Worth, Texas 76102  
 Phone - 817-735-7300



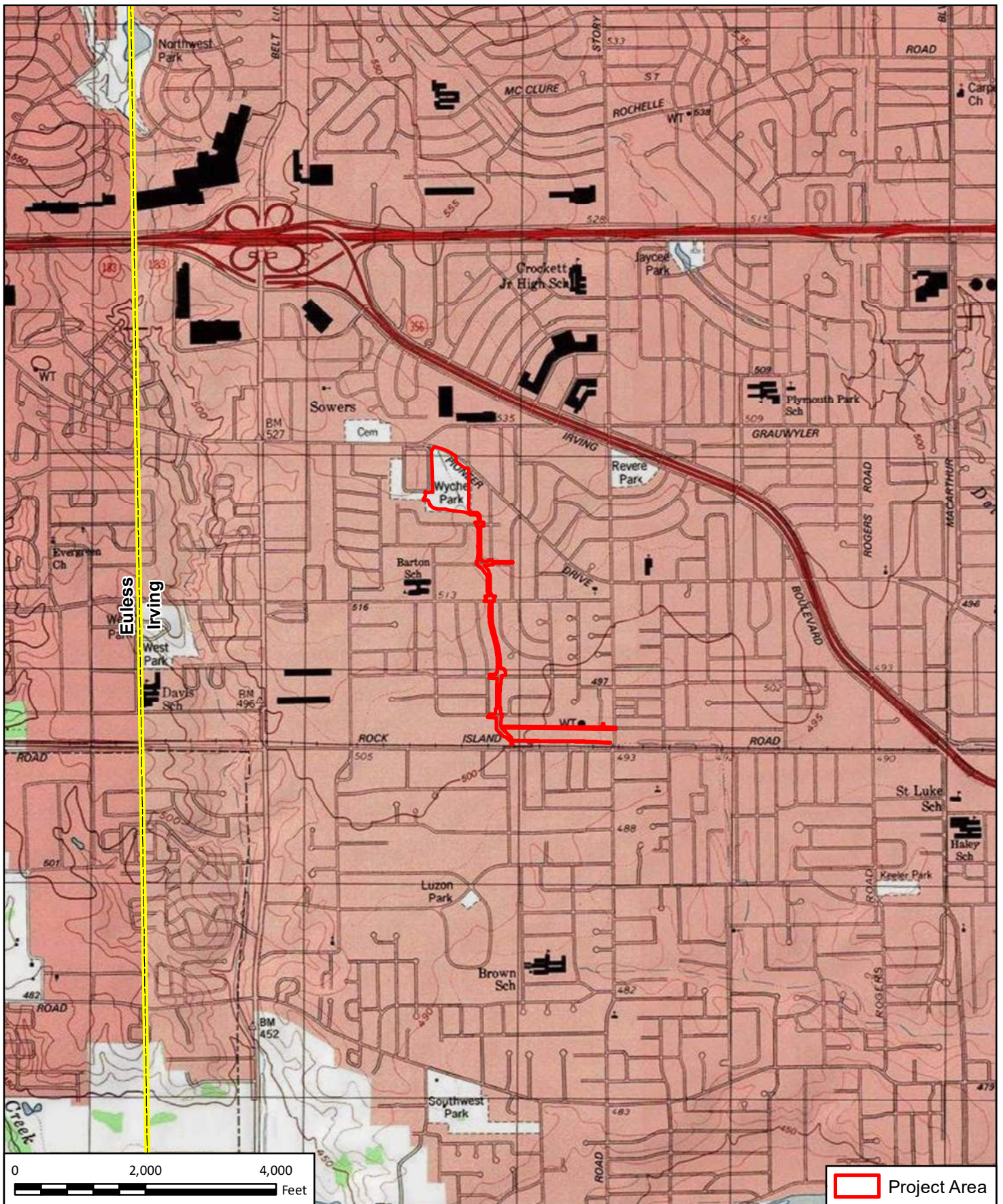
CITY OF IRVING  
 West Irving Creek Channel Improvements Phase A

**Vicinity Map**

FN JOB NO	IRV21861
FILE NAME	1_Overview_8x11.mxd
DATE	10/13/2022
DESIGNED	HHM
DRAFTED	HHM

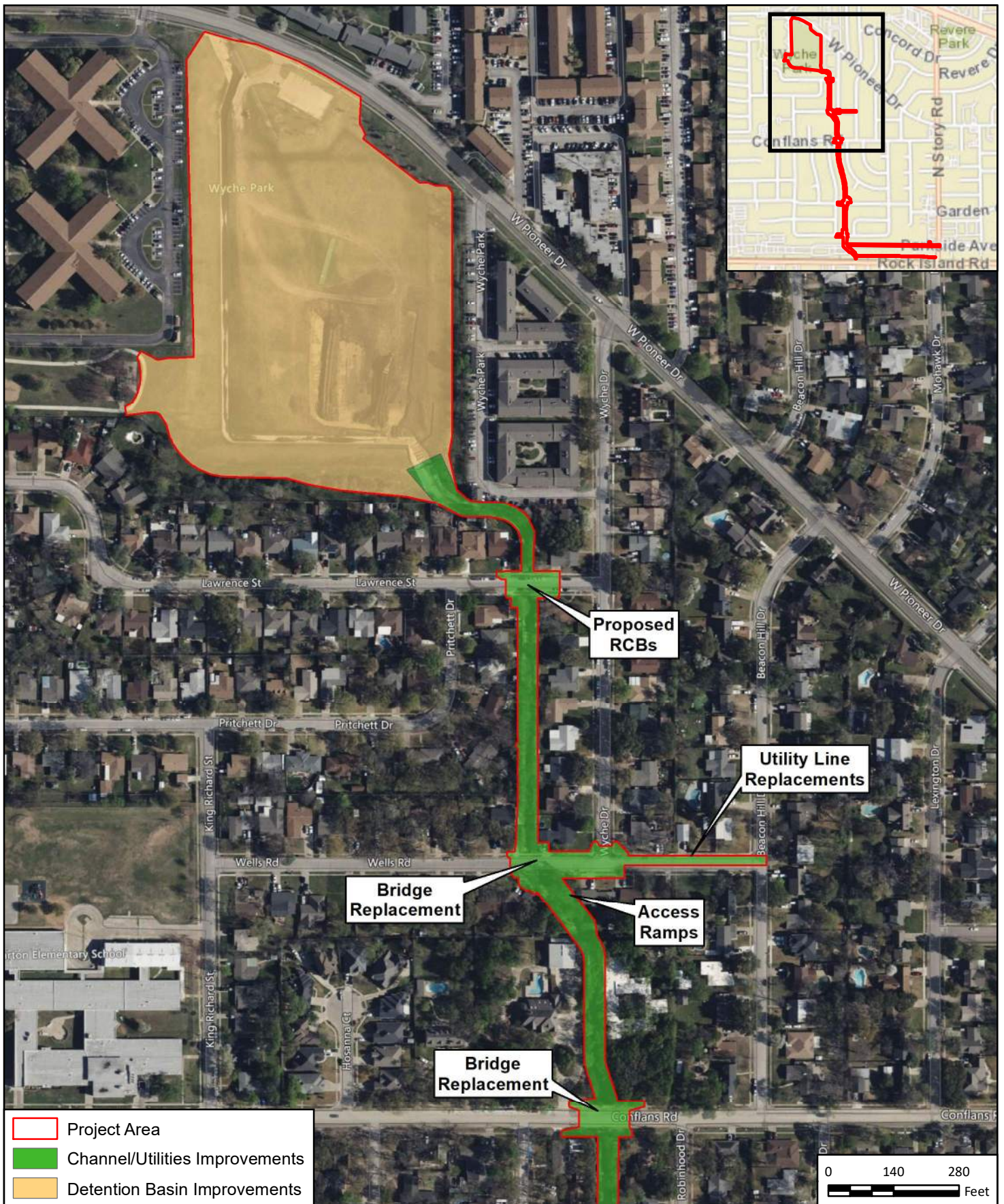
**1**  
**FIGURE**





<p><b>FRESE AND NICHOLS</b>          801 Cherry Street, Suite 2800          Fort Worth, Texas 76102          Phone - 817-735-7300</p>		<p>CITY OF IRVING</p> <p>West Irving Creek Channel Improvements Phase A</p> <p><b>USGS Topographic Map</b></p> <p>Quad Name: Irving</p>		<p>FN JOB NO</p> <p>IRV21861</p>	<p><b>2</b></p> <p><b>FIGURE</b></p>
		<p>FILE NAME</p> <p>2_Topo_8x11.mxd</p>		<p>DATE</p> <p>10/13/2022</p>	
		<p>DESIGNED</p> <p>HHM</p>		<p>DRAFTED</p> <p>HHM</p>	





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 801 Cherry Street, Suite 2800  
 Fort Worth, Texas 76102  
 Phone - 817-735-7300



CITY OF IRVING  
 West Irving Creek Channel Improvements Phase A

**Project Layout Map**

FN JOB NO	IRV21861
FILE NAME	3_Plan_8x11.mxd
DATE	10/13/2022
DESIGNED	HHM
DRAFTED	HHM

**3.1**

**FIGURE**





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CITY OF IRVING  
 West Irving Creek Channel Improvements Phase A

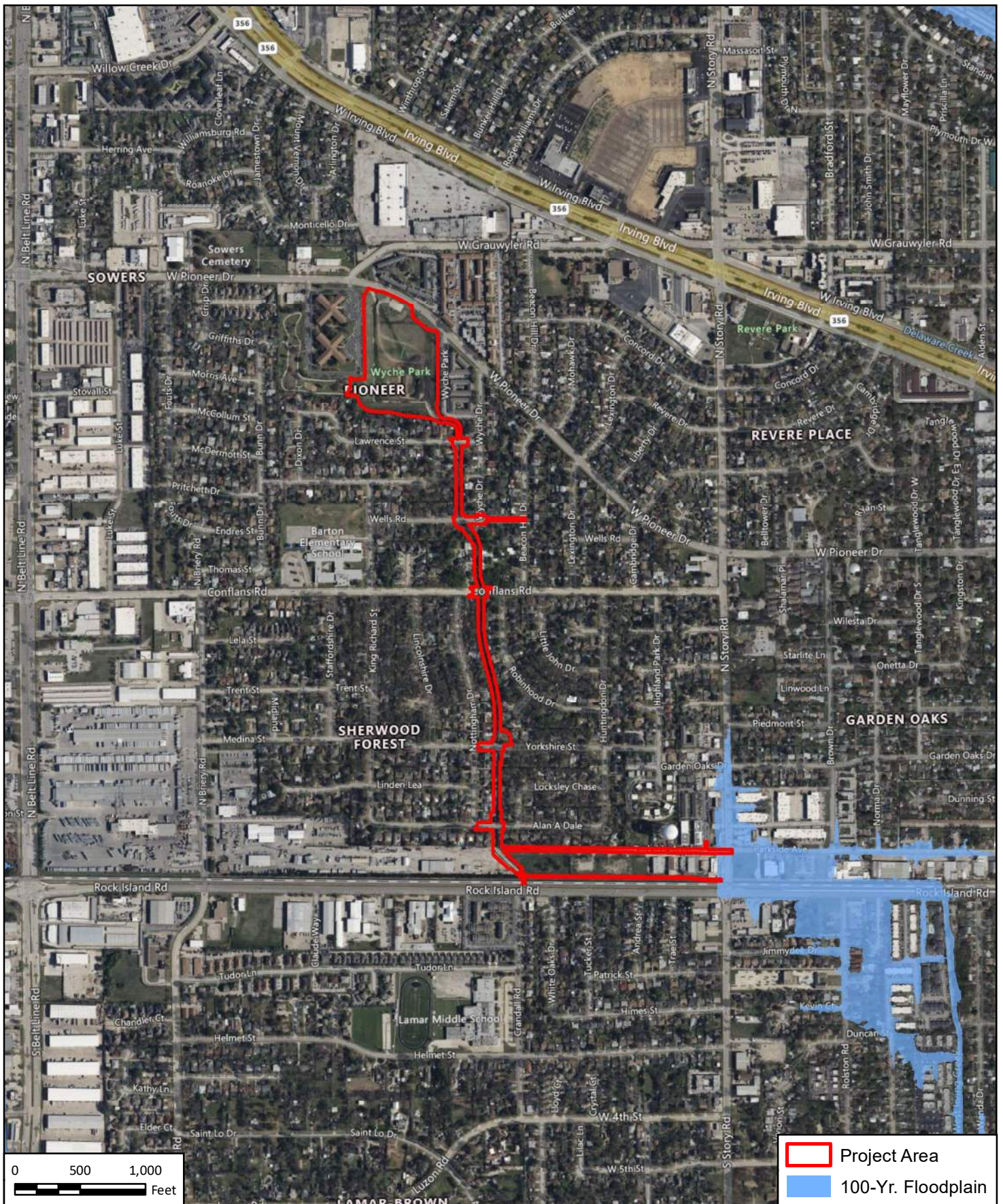
**Project Layout Map**

FN JOB NO	IRV21861
FILE NAME	3_Plan_8x11.mxd
DATE	10/2/2023
DESIGNED	HHM
DRAFTED	HHM

**3.2**

**FIGURE**





**FREESE AND NICHOLS**  
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 801 Cherry Street, Suite 2800  
 Fort Worth, Texas 76102  
 Phone - 817-735-7300



**CITY OF IRVING**  
**West Irving Creek Channel Improvements Phase A**  
**FEMA 100-Yr. Floodplain**

FN JOB NO	IRV21861	<b>5</b> <b>FIGURE</b>
FILE NAME	5_Flood_8x11.mxd	
DATE	10/13/2022	
DESIGNED	HHM	
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