



P.O. Box 13231, 1700 N. Congress Ave.  
Austin, TX 78711-3231, www.twdb.texas.gov  
Phone (512) 463-7847, Fax (512) 475-2053

**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) has determined that proposed action identified below may be exempted from a comprehensive environmental review:

Baytown Area Water Authority, Chambers County, Texas  
TWDB SWIFT Project No. 51097  
BAWA East SWTP Expansion  
Total Financing Amount: \$69,000,000  
Loan No. L1002216

The Baytown Area Water Authority (Authority) is proposing to use \$69,000,000 in financing from the State Water Implementation Fund for Texas (SWIFT) Program to expand the existing East Stormwater Treatment Plant. The expansion will include upgrades and additions, which will remain in the existing 59.6-acre fenced and maintained property. Project components include the following:

- Installation of a 30-inch intake screen in the existing forebay.
- Replacement and installation of pumps at the low-lift pump station: Three (3) 3.2-million gallons per day (MGD) pumps will be replaced with 4.4-MGD pumps, and one (1) additional 4.4-MGD pump will be installed.
- Upgrade of the chemical injection system: to include the addition of a copper sulfate injection system, replacement of chemical feed pumps, and installation of bulk chemical storage tanks for better chemical management.
- Installation of two Super Pulsator units: Necessary structures will be installed to accommodate an additional 6-MGD of flow, improving water treatment capacity.
- Installation of one standard media filter: Supporting structures will be added to accommodate an additional 6-MGD of flow, ensuring enhanced filtration.
- Replacement and installation of pumps at the transfer pump station: Three 3.2-MGD pumps will be replaced with 4.4-MGD pumps, and installation of one additional 4.4-MGD pump.
- Construction of a 3-MG prestressed concrete ground storage tank (GST).
- Replacement and addition of pumps to meet firm capacity: One 3-MGD pump will be replaced with a 6-MGD pump, along with the addition of one additional 6-MGD pump and associated piping.

**Our Mission**

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

**Board Members**

L'Oreal Stepney, P.E., Chairwoman | W. Brady Franks, Board Member | Ashley Morgan, Board Member  
Bryan McMath, Executive Administrator

- Construction of a new sludge lagoon.
- Upgrade of the electrical system.
- Construction of a new maintenance building.

All construction will occur within the existing plant site, which was cleared at time of construction and has been maintained since. The new sludge lagoon will be located in a herbaceous upland, mowed and maintained.

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. An aquatic resources survey was performed by BGE, Inc. in July 2025. According to their findings, the project will not adversely impact waters of the United States, including wetlands. The project is not located within the 100-year floodplain; therefore, coordination with the local floodplain administrator was not required.

To ensure that there will be no adverse environmental impacts associated with the construction, the Authority coordinated with two regulatory agencies, the Texas Parks and Wildlife Department (TPWD) and the General Land Office (GLO). The Authority submitted a letter dated July 1, 2025, to the GLO stating that the proposed project actions will comply with the Texas Coastal Management Program and will be conducted in a manner consistent with those policies. The Authority requested concurrence but did not receive a response.

A Threatened and Endangered Species Assessment was performed by BGE, Inc. in April 2025. In this assessment, it is stated that the project is "unlikely to jeopardize the continued existence" of the monarch butterfly. It is also noted that while the Endangered Species Act (ESA) does not currently provide statutory protection for proposed species, the Authority may benefit from minimizing impacts to the monarch butterfly due to possibly being listed under the ESA in the near future. In an email dated January 5, 2026, the TPWD agreed that the proposed project is "Unlikely to Effect" the Monarch Butterfly be affected by the project. However, in order to achieve a "No Effect" determination, it is recommended that vegetation clearing activities be avoided from March through October. Should the butterfly become listed and clearing activities are unavoidable between March and October, the USFWS must be consulted prior to clearing. This has been included as a condition of this environmental finding.

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.

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

- As recommended by the Texas Parks and Wildlife Department (TPWD), the Authority will avoid vegetation clearing activities, as possible, from March through October in order to reduce potential impacts to monarch butterflies of various life stages. Should clearing activities be necessary between March and October and the monarch butterfly be listed under the Endangered Species Act at that time, the USFWS must be consulted prior to clearing.

Standard Environmental Conditions

- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0552), the Baytown Area Water Authority (Authority) will abide by the standard emergency condition for the discovery of cultural resources.
- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0552), the Authority will abide by the standard emergency condition for the discovery of threatened and endangered species.

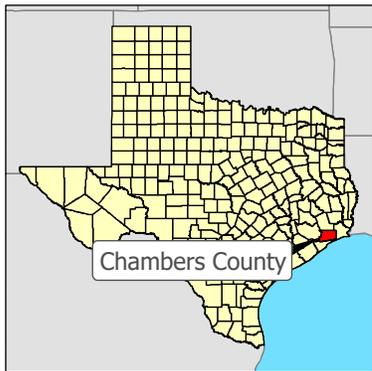
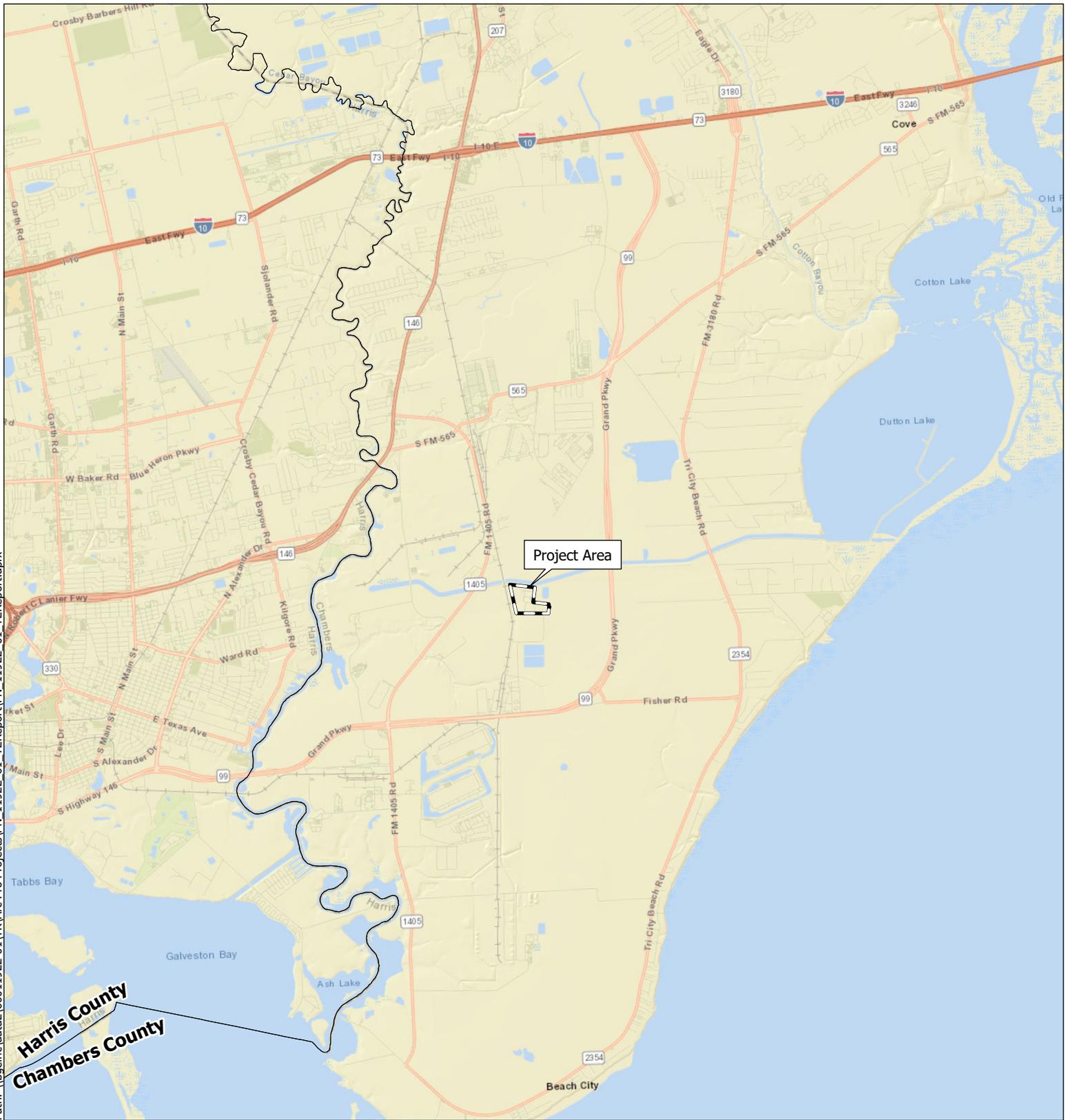
Comments regarding this determination may be submitted to the Director of Regional Water Project Development, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231 or via email at [RWPD-Environmental@twdb.texas.gov](mailto:RWPD-Environmental@twdb.texas.gov).

Sincerely,

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

Enclosures

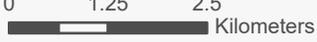
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 Project Area  
 County Boundary

Datum: NAD 1983  
 Projection: Texas State Plain  
 Zone: South Central  
 Units: Feet  
 Basemap: ESRI Street Map

0 0.75 1.5  
 Miles

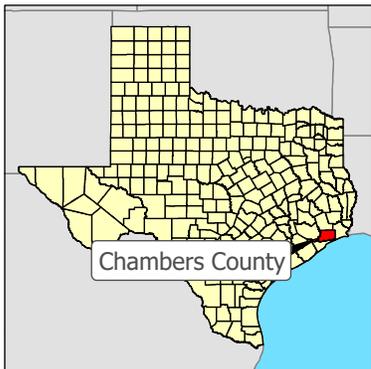
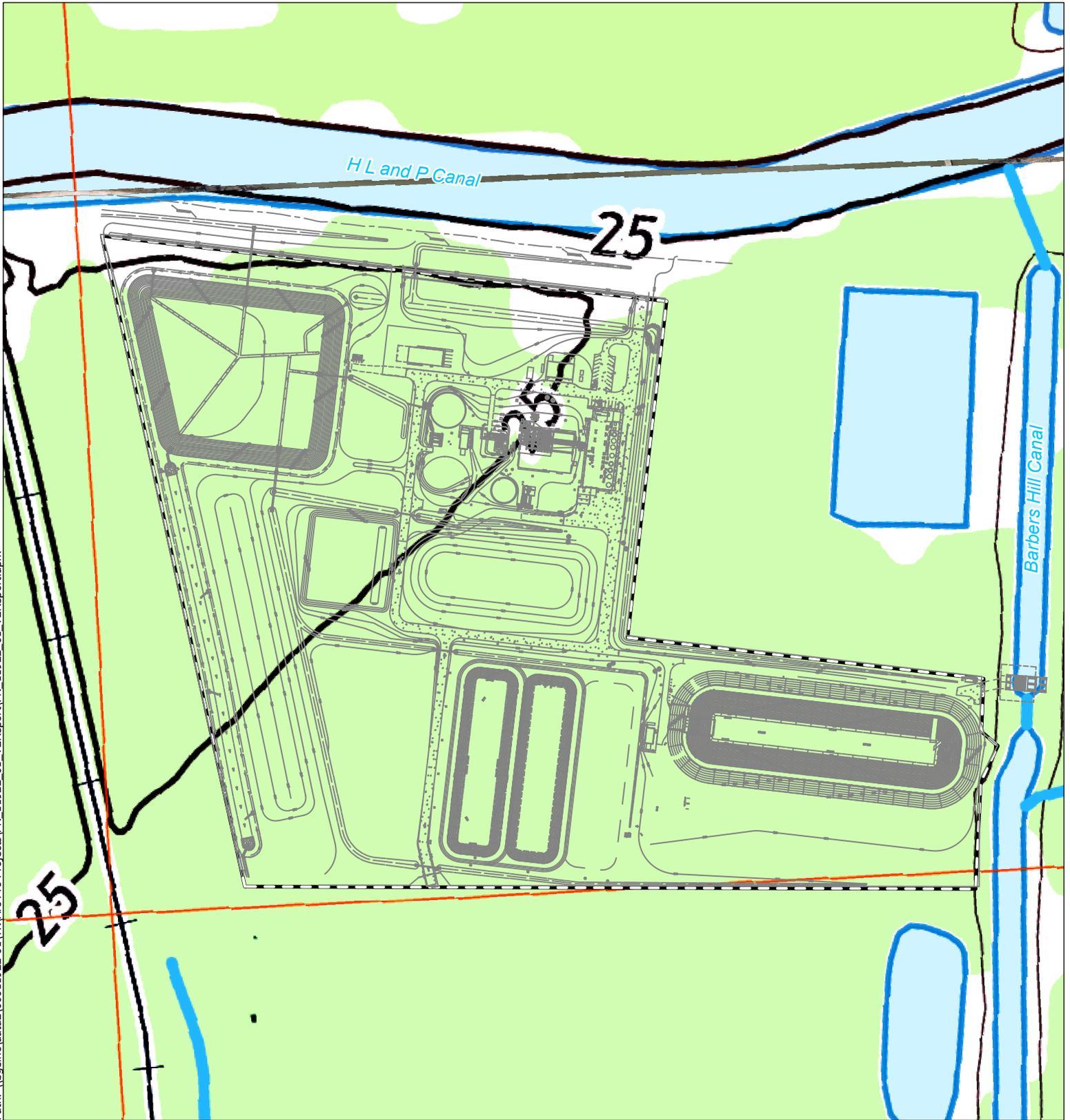
0 1.25 2.5  
 Kilometers

Vicinity Map  
 East Surface Water Treatment Plant  
 Project - Phase II  
 Baytown Area Water Authority  
 Chambers County, Texas

Job No.: 11922-01	1 IN = 1.5 MI	May 2025
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 10777 Westheimer, Suite 500, Houston TX 77042  
 Tel: 281-558-8700 Fax: 281-558-9701

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Site Plan  
 Project Area

Datum: NAD 1983  
 Projection: Texas State Plain  
 Zone: South Central  
 Units: Feet  
 Basemap: 2022 Mont Belvieu & Morgan's Point, Texas  
 USGS 7.5-minute Topographic Quadrangles

0      175      350  
 ─────────── US Feet

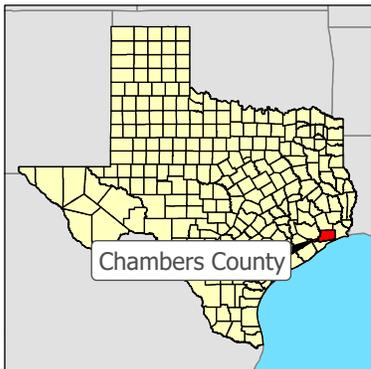
0      50      100  
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Project Area Topo Map  
 East Surface Water Treatment Plant  
 Project - Phase II  
 Baytown Area Water Authority  
 Chambers County, Texas

Job No.: 11922-01	1 IN = 350 FT	May 2025
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 Project Area

Datum: NAD 1983  
 Projection: Texas State Plain  
 Zone: South Central  
 Units: Feet  
 Basemap: Nearmap Aerial Imagery

0 175 350  
 US Feet

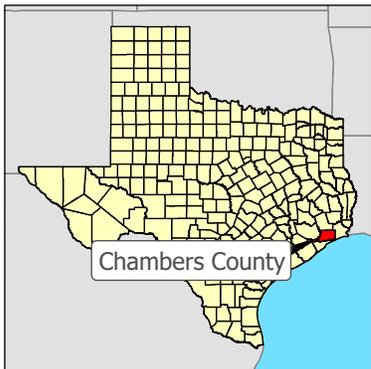
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 Meters

Project Aerial Map  
 East Surface Water Treatment Plant  
 Project - Phase II  
 Baytown Area Water Authority  
 Chambers County, Texas

Job No.: 11922-01	1 IN = 350 FT	May 2025
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**Project Area** (dashed white line)  
**Site Plan** (solid black line)

Datum: NAD 1983  
 Projection: Texas State Plain  
 Zone: South Central  
 Units: Feet  
 Basemap: Nearmap Aerial Imagery

0 175 350  
 US Feet

0 50 100  
 Meters

Project Plans Map  
 East Surface Water Treatment Plant  
 Project - Phase II  
 Baytown Area Water Authority  
 Chambers County, Texas

Job No.: 11922-01      1 IN = 350 FT      May 2025

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