March 30, 2022

FINDING OF NO SIGNIFICANT IMPACT

TO ALL INTERESTED AGENCIES AND PUBLIC GROUPS:

As required by the rules of the Texas Water Development Board (TWDB), 31 Texas Administrative Code (TAC) § 371.41, an environmental review consistent with the National Environmental Policy Act (NEPA), 42 United States Code § 4321 et seq., has been performed on the project below. This project is proposed to be funded through the Drinking Water State Revolving Fund (DWSRF) Program, which is administered by the TWDB.

City of Groveton, Trinity County, Texas
TWDB DWSRF Project No. 62826
Proposed Water Well Project
Total Financing Amount: $2,164,161 (L1000911, LF1000953)

The City of Groveton (City) is proposing to use $2,164,161in financing from the DWSRF Program for the Proposed Water Well project in order to construct a 150-250 gallons per minute (gpm) water well with associated pumping, treatment, and transmission facilities to connect the new well to the City's water system.

This Finding of No Significant Impact is completed for Water Well No. 3 and Transmission Main, hereafter referred to as the proposed project. An environmental review of the proposed project consistent with NEPA has been completed following the guidelines provided in 31 TAC §371.41. This environmental review is documented by the enclosed Environmental Assessment, which contains mitigative environmental conditions that will be applied to the project in order to avoid significant adverse environmental impacts on Waters of the United States, wetlands, floodplains, cultural or historical resources, threatened or endangered species, and protected migratory bird species. The City has committed to environmental conditions and has the ability and authority to do so. Based on a detailed environmental review of the planning information, Environmental Information Document, and other documentation, the proposed project is considered to be environmentally sound with the following environmental conditions:

- Standard emergency condition for the discovery of cultural resources; and
- Standard emergency condition for the discovery of threatened and endangered species.
Documentation supporting this decision is on file in the office of the Regional Water Project Development, TWDB, and is available for public review upon request. Comments supporting or disagreeing with this preliminary environmental determination may be submitted to the Director, Regional Water Project Development, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231.

After evaluating the comments received, the Executive Administrator will make a final determination. However, no action regarding the provision of federal financial assistance for the project will be taken for at least thirty (30) calendar days after the release of this Finding of No Significant Impact.

Sincerely,

T. Clay Schultz
Director
Regional Water Project Development

Enclosure
City of Groveton, Trinity County
Drinking Water State Revolving Fund (DWSRF) Program Project No. 62826
Proposed Water Well Project

Environmental Assessment
March 30, 2022

REVIEW PROCESS

As described below, and consistent with 31 Texas Administrative Code (TAC) §371.41 and the National Environmental Policy Act (NEPA), 42 U.S. Code §4321 et seq., the staff of the Texas Water Development Board (TWDB) reviewed the Environmental Information Document (EID) for the Proposed Water Well project proposed by the City of Groveton (City), Trinity County, Texas. This project is financed through the Drinking Water State Revolving Fund (DWSRF) Program, which is administered by the TWDB.

PURPOSE AND NEED

The City of Groveton (City) is located in central Trinity County, Texas. The City has a population of 1,195 and provides water and sewer service to customers at 456 connections throughout its service area. Residential customers account for approximately 84 percent of the connections, with commercial customers accounting for approximately 16 percent. The City’s population is expected to increase by 193 people to 1,302 by the design year 2040.

The City received treated water through a contract with the Trinity River Authority (TRA) as well as a recently constructed water well. The City’s contract with TRA, which ended in 2020, supplied significantly less than the current Texas Commission on Environmental Quality (TCEQ) required minimum and declined during drought conditions. The purpose of the proposed project is to alleviate supply capacity deficiencies by constructing a new well with associated pumping, treatment, and transmission facilities to connect the new well to the City’s water system.

PROJECT FUNDING

To address water supply capacity issues, the City applied to the TWDB for financing through the DWSRF Program for planning, design, and construction, as well as to acquire land and easements. On December 19, 2019, the TWDB committed $660,000 for the proposed project. The City closed the loan (L1000911) in June, 2019. Some of the planning funds were used to assess the potential environmental impact of the proposed project and prepare an Environmental Information Document (EID). Preparation of the EID involved consultation with state and federal regulatory agencies and additional public participation.

EVALUATION OF ALTERNATIVES

The City evaluated two project alternatives, the no-action alternative and the preferred alternative to construct a new water well and transmission main. The no-action alternative would incur no cost for design, acquisition, or construction and have no environmental impacts. However, this alternative would fail to remedy the demonstrated need to improve the city's water supply capacity and reliability. The City rejected the no-action alternative in favor of the preferred alternative to construct a new water well and transmission main, which would serve to address the project need without incurring significant environmental impacts or prohibitive construction costs.

PROJECT DESCRIPTION

The proposed project will consist of a new water well northwest of the City of Groveton near the intersection of Highways 287 and 94 along with a 2.5-mile long raw water transmission main between the new well and the City's existing groundwater treatment facility. All project elements will be designed to meet the future 2040 design conditions for population and demand. The proposed well will be designed to provide approximately 250 gallons per minute (gpm) of supply to the City. This will be sufficient to provide service through the project planning period. The water will be transported to the City via a raw water transmission main installed within the right-of-way of Highway 287 and several local streets. The existing water system facilities serving the City of Groveton will be retained through the design year of the proposed project and will not be impacted by the current project.

The proposed project components included in this environmental assessment are the following water well and treatment modifications and the raw water transmission line.

Water Well & Treatment Modifications:
- Production water well to 500 feet
- 150-200 gpm submersible well pump
- Chemical treatment system
- Emergency generator
- Associated yard piping and electrical controls

Raw Water Transmission Main:
- 11,960 linear feet (LF) of 6-inch PVC water line by open cut
- 640 LF of 6-inch PVC water line by wet bore
- 100 LF highway bore with 14-inch steel encasement and 6-inch carrier pipe
- Gate valve assemblies, combination air valve assemblies, and blow-off valves
ENVIRONMENTAL REVIEW

Consistent with the requirements of the federally funded DWSRF Program, the City defined the social and environmental contexts of the proposed project and assessed its potential impact.

This information was presented in an EID made available to the community, regulatory agencies, and other interested parties. Adverse effects on societal and natural resources fall under the authority of various agencies. These regulatory agencies and participating area residents had the opportunity to address potential issues concerning construction practices, possible adverse effects within the proposed project area, and the mitigative measures to be implemented during construction. The staff of the TWDB reviewed the EID, comments and other data to prepare this environmental assessment (EA).

ENVIRONMENTAL SETTING

Existing Conditions

The City is located at the intersection of U.S. Highway 287 and State Highway 94 near the center of Trinity County, Texas, approximately 35 miles northeast of Huntsville, Texas. With the exception of residential development, the topography of the county is undulating, breaking into abrupt, but low hills in some parts near the Neches River. The County extends diagonally from the Trinity River, which forms the southwest border, to the Neches River, which forms the northeast border. The elevation ranges from 250 to 300 feet above sea level.

The majority of the current and recent past land use associated with the proposed project site has been restricted to agricultural, residential, or commercial uses. The majority of the project site has been previously disturbed due to the development of roads and the previous installation of pipelines. All transmission line work will take place within existing, cleared Texas Department of Transportation (TxDOT) or local city road rights-of-way (ROWs) or easements. The proposed water well will be placed on a mowed and maintained property within the city park dominated by Bahia grass (Paspalum notatum). The project will not result in land use conversion or affect overall land use for the project planning area. The City of Groveton performs land use planning and zoning within the city limits. No land use planning or control is in effect that will impact the project.

Geology and Soils

The proposed project is located within the Piney Woods Physiographic Region of Texas, which extends 75 to 125 miles into Texas from the east and is characterized by rolling terrain covered with pines and oaks, and rich bottomlands with tall hardwoods. Geologically, the project area is underlain by Manning Formation. This Tertiary Period formation is comprised of quartz sand, clay and lignite, with abundant fossil wood present. Recorded soils in the area are Keltys fine sandy loam and Fuller fine sandy loam.
The project area does not include mapped soil units classified as Prime or Other Important Farmland. There are no faults or other pertinent geologic features mapped in the proposed project area. The proposed project is not located in a karst or pseudo-karst zone. No adverse environmental issues are expected as a result of the geologic setting.

Water Resources

The proposed project is located in the Trinity River Basin. The source of the City’s water supply is surface water from Lake Livingston, and groundwater from the Yegua-Jackson aquifer. There are no Environmental Protection Agency (EPA-designated) sole source aquifers in the proposed project area.

Elevation across the proposed project area ranges from approximately 300 to 350 feet above mean sea level. The northeastern area of the City drains into unnamed streams and tributaries to Kemper Creek. The southwestern area of the City drains into unnamed streams and tributaries to Avery Lake, then to Kickapoo Creek and ultimately Lake Livingston. Two wetlands, several creeks, and unnamed waterways are located along the route of the overall project area, including Kickapoo Creek and Fuller Creek, all located within 0.8-kilometer (0.5-mile) of the route of the project area. Upper Lake Avery, Lake Avery, and Lower Lake Avery are man-made lakes located collectively 490 meters (0.3-mile) to the southeast of the easternmost point of the project area. Based upon the FEMA Flood Insurance Rate Map Panel No. 481032A, dated 06/19/2005, approximately 5,800 linear feet of proposed transmission main are within the area mapped as Zone X (i.e., outside of the 100-year flood zone), and approximately 7,300 linear feet of proposed transmission main are within area unmapped by FEMA.

The proposed project does not involve significant impacts to water quality. No streams, wetlands, floodplains, or other surface water features are found in the area of project impacts. Temporary impacts associated with conventional trenching during the construction phase of the proposed project are possible due to stormwater runoff, but these will be mitigated through the use of best management practices as addressed in a Stormwater Pollution Prevention Permit from the TCEQ.

Biological Elements

The proposed project area is located within the Piney Woods Ecological Region. A threatened and endangered species habitat survey conducted on August 14, 2019, and June 4, 2020, documented vegetation habitats typical of mowed and maintained highway ROWs and town parks in upland areas. Six federal candidate, threatened, and endangered species are listed for Trinity County. Twenty-one species were listed as state threatened or endangered in Trinity County, and an additional twenty-three are listed as species of greatest conservation need (SGCN). No federal or state candidate, threatened, or endangered species, and no preferred habitat of these species, was observed within the project area during the field survey. Furthermore, no designated critical habitat occurs within the project area.
Databases of sensitive species maintained by the United States Fish and Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD) were reviewed, to verify any state and/or federally listed threatened or endangered species that occur, or have historically occurred, in Trinity County. Some of these listed species are migrants or wintering residents only or may be historic or considered extirpated. No state or national parks, forests, wildlife refuges, wild or scenic rivers, or natural areas or similar preserves are located within the proposed project area. The project area does not comprise critical habitat for any federally listed endangered or threatened species, but protected migratory birds may nest in the area or pass through seasonally.

The review by the TPWD Wildlife Habitat Assessment Program staff concluded that no significant adverse impacts to rare, threatened, or endangered species or general fish and wildlife resources are anticipated. However, the TPWD indicated that the county park in which the new well site will be located is subject to Chapter 26 of the Parks and Wildlife Code, *State Regulations: Parks, Public Recreation Areas, Scientific Areas, Wildlife Refuges, or Historic Sites*. Chapter 26 requires that before a state agency can approve any project that will result in the use or taking of public land designated and used as a park, public recreation area, scientific area, wildlife refuge, or historic site, that state agency must provide certain notices to the public, conduct a hearing, and render a finding that there is no feasible and prudent alternative and that the project includes all reasonable planning to minimize harm to the property. These actions and associated documentation were incorporated into the public participation process required for DWSRF funding, as described below.

**Cultural Resources**

There are no previously recorded significant or potentially significant sites within or adjacent to the proposed project footprint, according to Texas Historical Commission’s (THC) Archeological Sites Atlas, nor is the proposed project within the protected area surrounding a historic cemetery, structure, or district. An archeological survey was performed under Texas Antiquities Permit No. 9069. The survey report was reviewed by the THC in accordance with Section 106 of the National Historic Preservation Act as well as the Antiquities Code of Texas. An archaeological site was identified within a previously-proposed site for the new water well, and its boundaries and dating range were defined by two additional surveys. The well location was revised to avoid this site, and no evidence of archeological or historic-age materials was identified in surveys of the new location. In addition, no cultural materials were discovered during the pedestrian survey of the proposed water line route.

Based upon the results of the archaeological survey, the report recommended that further cultural resource investigations are unwarranted and that the City should be allowed to construct the proposed water line route without further cultural resource investigations.

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The recommendation included the condition that if buried cultural materials are uncovered during construction, work should immediately stop in that area and the Archeology Division of the Texas Historical Commission should be notified. The THC concurred with these results, as described later in the “Cross-Cutter Compliance and Agency Coordination” section. No direct impacts to cultural resources/historic properties are anticipated as a result of the proposed project.

**Hazardous Materials**

An initial site assessment was completed for the project area including the property to be acquired through fee-simple acquisition on which the water well will be constructed. The existing and previous uses of the land appear to be restricted to agricultural, residential, or commercial properties. There has been no unusual soil discoloration, vegetation anomalies, nor odors from the property or adjacent properties. There is no known hazardous material contamination in the project area.

**Social Implications and Environmental Justice**

The City's current population of 1,195 is projected to grow to 1,302 by design year 2050, an increase of over 18 percent. The 2018 American Community Survey 5-year Estimate tabulated a median household income for the City of $32,656. Approximately 32 percent of all people living in Groveton are below the poverty level, compared to 14.2 percent statewide.

The City will acquire new easement access along a route to construct the project; however, the acquisition will not require the use of eminent domain. People or businesses will not be relocated as a result of the project. An increase in the rates due to the proposed project is anticipated to be approximately $8.22 per month per connection.

The entire population of this project area will be the recipients of benefits derived from the proposed improvements. The project will not disproportionately impact minority or low-income populations in a negative way.

**AGENCY COORDINATION AND MITIGATIVE MEASURES**

To ensure due consideration of the project's potential impact, the City conducted a full EA, prepared an EID describing the results of that investigation, held an open meeting to familiarize the community with the project and solicit public comment, and coordinated with all required regulatory agencies and other interested parties to define and avoid, minimize, or mitigate adverse effects.

The City has provided assurance that mitigative measures will be implemented in a manner consistent with the requirements of state and federal regulatory agencies and rules of the TWDB Cross-Cutter Compliance and Agency Coordination.
"Cross-Cutter" Compliance

The proposed project has been reviewed for potential impacts to the quality of the environment following the procedures provided in 31 Texas Administrative Code § 371.42, in order to ensure compliance with DWSRF program requirements and federal and state regulations, including the federal cross-cutting environmental authorities from the EPA listed below.

(1) National Environmental Policy Act of 1969, PL 91-190
(2) Archeological and Historic Preservation Act of 1974, PL 93-291
(3) Clean Air Act, 42 USC 7506(c)
(4) Coastal Barrier Resources Act, 16 USC 3501 et seq.
(5) Coastal Zone Management Act of 1972, PL 92-583, as amended
(6) Endangered Species Act, 16 USC 1531, et seq.
(7) Executive Order 11593, Protection and Enhancement of the Cultural Environment
(8) Executive Order 11988, Floodplain Management
(9) Executive Order 11990, Protection of Wetlands
(10) Farmland Protection Policy Act, 7 USC 4201, et seq.
(11) Fish and Wildlife Coordination Act, PL 85-624, as amended
(12) National Historic Preservation Act of 1966, PL 89-665, as amended
(13) Safe Drinking Water Act, § 1424(e), PL 92-523, as amended
(14) Wild and Scenic Rivers Act, PL 90-542, as amended
(15) The Wilderness Act, 16 USC 1131, et seq.
(16) Environmental Justice, Executive Order 12898
(18) National Flood Insurance Reform Act of 1994, Public Law 103-325
(19) Flood Disaster Protection Act of 1973, as amended, Public Law 93-234
(20) Clean Water Act, PL 92-500, as amended

Agency Coordination

This environmental review included coordination with various state and federal regulatory agencies, local authorities, and other stakeholders and interested parties regarding the proposed project’s potential impact. The City submitted notifications to, and requests for input from, all required parties. Some entities did not require a response. The respondents are listed below, and the results of coordination are summarized in the EID and reflected in the environmental conditions listed below.

- Texas Historical Commission, State Historic Preservation Officer, Austin in accordance with Section 106 of the National Historic Preservation Act; Antiquities Code of Texas; and other applicable regulations (Texas Antiquities Permit No. 9069; THC Tracking No. 202015036);
- United States Army Corps of Engineers, Regulatory Branch, Galveston District, in accordance with Section 404 of the Clean Water Act; and Section 10 of the Rivers Harbors Act of 1899 (Project Number SWG-2020-00174, no permit required);
Texas Parks and Wildlife Department, Wildlife Habitat Assessment Program, Austin 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. 43310);

United States Fish and Wildlife Service, Texas Coastal Ecological Services Field Office, in accordance with the Endangered Species Act and statutes affecting other federally protected species (USFWS Consultation Code 02ETTX00-2019-SLI-2288);

United States Department of Agriculture, Natural Resources Conservation Service pursuant to the Farmland Protection Policy Act; and

Texas Commission on Environmental Quality in accordance with 40 CFR Part 93 and National Ambient Air Quality Standards.

No response was required from the following entities:

- Bureau of Reclamation, Oklahoma-Texas Area Office;
- Bureau of Land Management; and
- Local government officials.

**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.

Public participation conducted during facilities planning included a virtual public meeting held on April 8, 2021, which was advertised in the *Conroe Courier* and *Trinity County News-Standard*, newspapers of general circulation in the service area. This notice was published in accordance with Chapter 26 of the Texas Parks and Wildlife Code and DWSRF Program requirements beginning March 11, 2021, with subsequent publications on March 18, 2021 and March 25, 2021. Notice was provided in writing to the Trinity County Judge on March 3, 2021. No members of the public attended the meeting, and no comments were received.

**RECOMMENDATIONS**

An environmental review of the proposed project consistent with NEPA has been completed following the guidelines provided in 31 TAC §371.42. Mitigation measures were defined through the agency coordination process and public participation and are listed below as applicable environmental conditions. These conditions will pertain to the project throughout construction and beyond as warranted. Based on information provided by the City, the Proposed Water Well Project is considered environmentally sound with the following general and environmental conditions:

- Standard emergency condition for the discovery of threatened and endangered species, and
- Standard emergency condition for the discovery of cultural resources.

Therefore, it is recommended that a Finding of No Significant Impact be issued.
Proposed Well Location

Proposed Water Line (Approx. 2.4 Miles)

Existing Water Facility

City of Groveton
Water System Improvements
Groveton (Trinity County), Texas

Map Revised: 06/17/2020  Project Number: A-12-1319  GIS Analyst: NCF