April 29, 2022

CATEGORICAL EXCLUSION

TO ALL INTERESTED AGENCIES AND PUBLIC GROUPS:

As provided by the state environmental review process adopted in the rules of the Texas Water Development Board (TWDB), 31 Texas Administrative Code (TAC) §371.41, for projects to be funded through the Drinking Water State Revolving Fund (DWSRF) Program and consistent with the National Environmental Policy Act, 42 United States Code § 4321, et seq., the TWDB staff has determined that the proposed action identified below may be exempted from formal environmental review requirements:

City of Rotan, Fisher County, Texas
TWDB DWSRF Project No. 62868
Water System Improvements
Total Financing Amount: $5,202,068
(LF1001115, L1001110, and L1001116)

The City of Rotan (City) system purchases treated water from the City of Snyder in neighboring Scurry County. The water is transmitted through a pipeline to the Rotan Pump Station, from which it is distributed to a population of 1,519 through 1,019 connections, including 660 household connections. The existing Snyder-to-Rotan supply pipeline is composed of cast iron material that has deteriorated from decades of use. The pipeline suffers from corrosion issues, high water loss, occasional interruption of service due to needing repairs, high chlorine demand from iron bacteria growth, and disinfection residual issues. To remedy these issues, the City proposes to replace approximately 14 miles of existing pipeline with new 12-inch PVC water line.

Existing lines will be replaced by new lines in the same or proximate locations. The existing line located in private property easements will be replaced within the same easements. The portion of the water line located in public road right-of-way will be replaced in the same right-of-way pursuant to agreements with Scurry and Fisher Counties and with the Texas Department of Transportation (TxDOT). The existing lines will either be removed or
abandoned in place. Environmental impacts should be similar to rehabilitation activities and limited to those associated with excavation, pipe installation, and road repair. In some cases, the depth of excavation may be greater than the existing pipe and the location of the replacement pipe may not be immediately adjacent to the existing line (e.g., opposite side of street).

There are no previously recorded significant or potentially significant historical or cultural sites within or adjacent to the project footprint, according to the Texas Historical Commission’s Archeological Sites Atlas, nor is the proposed project within a protected area surrounding a historic cemetery, structure, or district. Although the linework will cross drainages that may qualify as waters of the United States, all work will be performed in compliance with Nationwide Permit 58 for Utility Line Activities for Water and Other Substances without requiring a preconstruction notification of the United States Army Corps of Engineers. Some portions of the proposed project in Scurry County cross the 100-year floodplain, as designated by the Federal Emergency Management Agency (FEMA); the portion of the alignment in Fisher County is in an area that has not been mapped by FEMA. Projects involving construction in the 100-year floodplain, including replacement or borings, require a floodplain development permit from the local floodplain administrator prior to construction in the 100-year floodplain. In addition, the proposed project is not expected to impact threatened or endangered species or habitat.

The decision to grant a Categorical Exclusion 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 a Categorical Exclusion as a result of changes in the project;
2. the project involves extraordinary circumstances as described in 31 TAC §371.41; or
3. the project may violate or has violated federal, state, local, or tribal laws.

The City has committed to the mitigation measures and has the ability and authority to do so. The project must comply with the following conditions:

- Compliance with the terms and conditions of the United States Army Corps of Engineers (USACE) Nationwide Permit 58 for Utility Line Activities for Water and Other Substances, with impacts to waters of the U.S., including wetlands, beneath the threshold to require a pre-construction notification (PCN) from the USACE;
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- Coordination with the local floodplain administrator to obtain a floodplain development permit prior to construction as required by the Federal Emergency Management Agency regarding implementation of the Flood Insurance Act, Flood Disaster Protection Act, National Flood Insurance Reform Act, Federal Executive Orders 11988 and 11990, and to comply with related state statutes.
- Standard emergency condition for the discovery of cultural resources; and
- 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.

Sincerely,

**T. Clay Schultz**
Digitally signed by T. Clay Schultz
Date: 2022.04.28 17:08:01 -05'00

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