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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 Lead Service Line Replacement (DWSRF-LSLR) Program, and consistent with the National Environmental Policy Act, 42 United States Code § 4321, *et seq.*, the TWDB has determined that the proposed action identified below may be exempted from formal environmental review requirements:

City of Fort Worth, Tarrant County, Texas
TWDB DWSRF-LSLR Project No. 63050
Lead Service Line Replacement Project
Total Financing Amount: \$13,265,306
Loan No. L1001899
Loan Forgiveness No. LF1001900

The City of Fort Worth (City) is proposing to use \$13,265,306 in financing from the DWSRF-LSLR Program for the Lead Service Line Replacement Project to replace approximately 32,000 galvanized requiring replacement (GRR) service lines throughout its service area that are remnants of previous partial replacement efforts. The funding would be used to remove galvanized pipes when the upstream service line material is known to be or historically may have been lead. The proposed project would assist the City to become a lead-free system.

Existing lines will be replaced by new lines in the same or proximate locations. The existing lines will either be abandoned in place or removed and disposed of according to state and federal requirements. Environmental impacts will be similar to rehabilitation activities and limited to those associated with excavation and pipe installation. In some cases, trenchless boring may be used, particularly under sidewalks and driveways. Replacement will occur on private residential and commercial property and right-of-entry permissions will be required prior to replacement.

Due to the number of known GRR service lines and those with upstream material that is unknown, project area-specific impact assessments will occur prior to the TWDB design approval (review of plans and specifications) for each construction contract. Given that most lines will occur on developed, urban property, the proposed project is not anticipated to adversely impact communities, historical or cultural resources, waterbodies, potential habitat, prime farmland, or protected species. However, if the project area-specific impact

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assessment finds that a resource is affected, further agency coordination and/or permitting will be required.

Some line replacement may occur in the floodplain. Projects involving construction in a Special Flood Hazard Area, including replacement or borings, require a floodplain development permit from the local floodplain administrator prior to construction.

The TWDB previously recommended issuance of a Categorical Exclusion (CE) for the proposed project. The decision to grant this CE is allowed because the specified project elements will not cause significant adverse impacts to cultural and natural resources. 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 from full environmental review as a result of changes in the project;
- (2) the project involves extraordinary circumstances as described in 31 TAC § 371.42; 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

- Prior to the Texas Water Development Board (TWDB) approval of plans and specifications for and the execution of each construction contract, the City of Fort Worth (City) will acquire all relevant permits and conduct relevant agency coordination for the project area in that contract, and submit the documentation to the TWDB, including but not limited to the following:
 - 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, across, or under a Special Flood Hazard Area.
 - Consistent with Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899, if the replacement of any lead service line involves impacts to streams or wetlands, the City will coordinate with the United States Army Corps of Engineers.
 - To ensure compliance with 31 Texas Administrative Code (TAC) Chapter 57, Texas Parks and Wildlife Code Chapter 12, the Endangered Species Act of 1973, as amended, the Migratory Bird Treaty Act, and applicable regulations pertaining to protected and invasive species, if the replacement of any lead service line involves impacts to terrestrial or aquatic vegetation outside of developed properties, the City will coordinate with the Texas Parks and Wildlife Department and the United States Fish and Wildlife Service.

- If the replacement of any lead service line involves impacts to prime farmland, the City will coordinate with the United States Department of Agriculture – Natural Resources Conservation Service.
- To comply with Section 106 of the National Historic Preservation Act and the Antiquities Code of Texas, if the proposed project is anticipated to impact undeveloped land, a historical district, or an area with the potential for archeological or cultural resources, the City will coordinate with the Texas Historical Commission and the State Historic Preservation Officer.

Standard Environmental Conditions

- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0550), the City will abide by the standard emergency condition for the discovery of cultural resources.
- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0550), the City 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.

Sincerely,

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

Enclosures

