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Phone (512) 463-7847, Fax (512) 475-2053

## STATEMENT OF FINDINGS

### TO ALL INTERESTED AGENCIES AND PUBLIC GROUPS:

As required by the rules of the Texas Water Development Board (TWDB) 31 Texas Administrative Code (TAC) Chapter 371.41, an environmental review consistent with the National Environmental Policy Act, 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). The Board's Executive Administrator issues this Statement of Findings (SOF) for the following project:

City of Pflugerville, Travis County, Texas  
TWDB DWSRF Project No. 63075  
Secondary Colorado River Raw Water Line  
Total Financing Amount: \$52,925,000  
Commitment No. (LF1002174)

The City of Pflugerville (City) is proposing to use \$52,925,000 in funding from the Drinking Water State Revolving Fund (DWSRF) for the Secondary Colorado River Raw Water Line project in order to construct approximately 79,200 linear feet of new 42-inch water pipeline that would span from their existing Colorado River intake pump station to Lake Pflugerville. The proposed waterline would parallel with the existing waterline that will remain in service. The pump station would be expanded to full capacity at 22 million gallons per day (MGD), and a new raw water outfall structure would be constructed at Lake Pflugerville. Additionally, a new copper ion system would be expanded at the intake for zebra mussel mitigation. The TWDB committed this financing on August 21, 2025. The City's anticipating date to close the financing is on February 24, 2026, though it is subject to change. The Environmental Protection Agency (EPA), serving as the leading federal agency due to the use of funds from the Water Infrastructure Finance and Innovation Act (WIFIA) has determined that no significant environmental impacts are anticipated from the issuance of WIFIA credit assistance to the application, and the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment. The TWDB is adopting the finding issued by the EPA – WIFIA Division on August 29, 2025.

### Agency Coordination

This environmental review included coordination with various state and federal regulatory agencies, local authorities, and other stakeholders and interested parties regarding the 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 Environmental Information Document and reflected in the environmental conditions.

<b>Our Mission</b>	:	<b>Board Members</b>
Leading the state's efforts	:	L'Oreal Stepney, P.E., Chairwoman   W. Brady Franks, Board Member   Ashley Morgan, Board Member
in ensuring a secure	:	
water future for Texas	:	Bryan McMath, Executive Administrator

- 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. 30790, THC Tracking No. 202303238, 202304989 & 202407065)
- United States Army Corps of Engineers, Regulatory Branch, Fort Worth District, in accordance with Section 404 of the Clean Water Act; and Section 10 of the Rivers and Harbors Act of 1899 (Project No. SWF-2024-00298, Nationwide Permit 58 for Utility Line Activities for Water and Other Substances & Nationwide Permit 13 for Bank Stabilization)
- United States Fish and Wildlife Service, Austin Ecological Services Field Office, in accordance with the Endangered Species Act and statutes affecting other federally protected species (USFWS Project Code 2024-0035193)
- TWDB, National Flood Insurance Program (NFIP) State Coordinator, pursuant to the Flood Insurance Reform Act of 2004, federal Executive Order 11988, Texas Water Code Section 16.315, and local floodplain development ordinances

#### Texas Historical Commission

The cultural resources survey report was reviewed by the THC staff in accordance with Section 106 of the NHPA and the Antiquities Code of Texas. The THC staff concurred with the City in correspondences dated January 17, 2023, December 5, 2023, and April 4, 2024, that no direct impacts to cultural resources/historic properties are anticipated as a result of the project (Texas Antiquities Permit No. 30790, THC Tracking No. 202303238, 202304989 & 202407065). THC concurred that sites 41TV2047 and 41TV2600 are not eligible due to lack of data potential. However, damage to the piers at site 41TV2047 should be avoided by the current project. In addition, there are known historic resources within and adjacent to the proposed project area including the William Braxton Barr House and Old Manor Road Bridge over Walnut Creek and concurs the undertaking will have no adverse effect to the identified above-ground historic resources within the project APE. The THC recommended that if buried cultural materials are uncovered during construction, work should immediately cease in that area, and the Archeology Division of the THC should be notified.

#### United States Army Corps of Engineers

The USACE, Fort Worth District Office, Regulatory Branch staff were given the opportunity to review the project (USACE Project Number SWF-2024-00298). The USACE issued a Permit Verification Letter on September 10, 2024, based on an approved jurisdictional determination. A jurisdictional determination identifies what waterbodies in the project area qualify as waters of the United States (WOTUS) according to Section 404 of the Clean Water Act. The USACE – Fort Worth District Office, Regulatory Branch staff verified that the project works appeared to be authorized under Nationwide Permit 58 - Utility Lines Activities (NWP-58) and Nationwide Permit 10 for Bank Stabilization.

#### United States Fish and Wildlife Service

The USFWS Austin Ecological Services Field Office, in accordance with the Endangered Species Act and statutes affecting other federally protected species, was given the opportunity to review the project through the Information for Planning and Consultation

(IPaC) system (Project Code No. 2024-0035193). The USFWS consistency letter dated August 22, 2024 stated that the proposed project may affect, but is not likely to adversely effect, the tri-colored bat.

The decision to grant a Statement of Findings is allowed because the specified project elements should not cause significant adverse impacts to the quality of the human environment. Documentation supporting this determination is on file at the TWDB.

This determination will 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.

#### Special Environmental Conditions

- Consistent with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, the proposed project will comply with the terms and conditions of United States Army Corps of Engineers Nationwide Permit 58 for Utility Line Activities for Water and Other Substances and Nationwide Permit 13 – Bank Stabilization (USACE No. SWF-2024-00298).
- Consistent with the Flood Insurance Reform Act of 2004, federal Executive Order 11988 as amended by EO 13690, 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 and TWDB approval of plans and specifications, and any requirements contained therein will be adhered to.
- As an avoidance measure, the City of Pflugerville (City) agrees to clear trees outside of the Tri-colored bat pupping season (May 1 – July 15), to avoid mortality or injury of bats during this vulnerable life history stage (e.g., adults caring for flightless pups). Additionally, the trees proposed for removal occur scattered intermittently along the length of the linear project while adjacent, densely-forested areas would remain available for TCB roosting and foraging, reducing the likelihood of exposure of roosting bats during the proposed activities.

#### Standard Environmental Conditions

- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0551), the City will abide by the standard emergency condition for the discovery of cultural resources.

Statement of Findings  
City of Pflugerville, Travis County, Texas  
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- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0551), 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](mailto:RWPD-Environmental@twdb.texas.gov).

Sincerely,

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

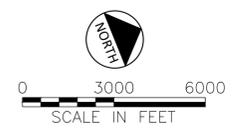
Enclosure

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CITY OF AUSTIN

CITY OF PFLUGERVILLE



Freese and Nichols, Inc.  
 Texas Registered Engineering Firm F-2144

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 STATUTES, AN ACT TO AMEND CHAPTER  
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CITY OF PFLUGERVILLE, TX  
**SECONDARY COLORADO RAW WATER LINE**

GENERAL

**OVERALL PROJECT LAYOUT**

NO.	ISSUE	BY	DATE	FRN JOB NO.	FILE NAME
				PFL22216	GN-PFL-PL-OVRL01.dwg
SHEET				DATE	DESIGNED
				4/22/2022	
				DRAWN	REVIS
				CHECKED	
SEQ.				VERIFY SCALE	
				0	
				1	

**LEGEND:**  
 — PROPOSED ALIGNMENT  
 - - - CITY LIMITS  
 - - - CREEK CENTERLINES

Bar is one inch on original  
 drawing. If not one inch on  
 this sheet, adjust scale.