



P.O. Box 13231, 1700 N. Congress Ave.
Austin, TX 78711-3231, www.twdb.texas.gov
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 375.61, 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 Clean Water State Revolving Fund (CWSRF), which is administered by the TWDB. The Board's Executive Administrator issues this Statement of Findings (SOF) for the following project:

Jasper County Water Control and Improvement District No. 1, Jasper County, Texas
2018 Sewer Collection System Improvements
TWDB CWSRF Project No. 73805
Loan Amount: \$1,480,000
(L1000889)

Jasper County Water Control and Improvement District No. 1 (District) is proposing to use \$1,480,000 in funding from the Clean Water State Revolving Fund (CWSRF) program to make the following improvements:

- 1) replace approximately 12,350 linear feet (LF) of gravity sanitary sewer lines with polyvinyl chloride (PVC) lines;
- 2) remove sludge from Aerated Lagoon No. 1 located at the existing wastewater treatment plant (WWTP) site;
- 3) rehabilitate and clean the Imhoff tank located at the existing WWTP site; and
- 4) additional appurtenances, as necessary.

The TWDB committed to this financing on October 30, 2018, and the District closed the financing on December 18, 2018. On September 25, 2018, the TWDB issued a Categorical Exclusion (CE) for the project. The scope of the 2018 CE included 11,300 LF of gravity sanitary sewer lines for replacement, the sludge removal and Imhoff tank rehabilitation at the WWTP, and additional appurtenances as needed. The CE was issued without special environmental conditions.

On August 26, 2019, the TWDB issued an SOF to modify the scope of the CE by including additional sewer lines for replacement, increasing the total length of replacement to 12,350 LF. No changes were made to the other project components. The 2019 SOF was issued with the addition of two special environmental conditions as a result of the locations of the additional sewer lines. First, a special condition regarding compliance with the Migratory Bird Treaty Act (MBTA) was added due to planned vegetation clearing; specifically, a few

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Statement of Findings

Jasper County Water Control and Improvement District No. 1, Jasper County, Texas
2018 Sewer Collection System Improvements
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trees in the alley between State Highway (S.H.) 62 (Business 96) and County Road (C.R.) 75 near C.R. 908 (Railroad Street) would need to be removed. Second, some of the additional sewer lines are located in the 100-year floodplain, requiring the District to obtain a floodplain development permit from the local floodplain administrator prior to the start of construction.

Subsequent to the 2019 SOF being issued, comments were received from the Texas Historical Commission (THC) and the U. S. Army Corps of Engineers (USACE), Galveston District. The THC responded on September 17, 2019, "No historic properties affected – project may proceed." In a letter dated September 30, 2019 (File No. SWG-2019-00653), the USACE commented that jurisdictional aquatic resources have been located in the vicinity of the project, and that a USACE permit under Section 404 of the Clean Water Act would be required if project activities produce discharges into waters of the U.S. The design engineer responded to the USACE in a letter dated November 18, 2019, confirming that the area affected by planned activities would not include any mapped or observed aquatic resources previously or potentially determined to be a water of the U.S.

This SOF is being issued due to the expiration on August 25, 2024, of the previous environmental finding (the 2019 SOF) prior to the completion of construction activities. No changes to the project scope from that of the 2019 SOF are proposed by the District. An updated review of the project area's existing environment confirms that the continued implementation of the project activities as proposed meets the requirements for a Categorical Exclusion as described in 31 TAC § 375.62. The decision to grant a SOF 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 § 375.62;
or
- 3) the project may violate or has violated federal, state, local, or tribal laws.

Based upon a detailed review of the CWSRF project planning information; the CE dated September 25, 2018; the SOF dated August 26, 2019; subsequent agency correspondence documentation; and an updated assessment of the project site's existing environment, this SOF and the District's proposed project scope is considered environmentally sound with the following special and standard environmental conditions:

Special Environmental Conditions

- 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.

Statement of Findings

Jasper County Water Control and Improvement District No. 1, Jasper County, Texas
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- As per an agreement with the Texas Parks and Wildlife Department, to ensure compliance with Chapter 64 of the Texas Parks and Wildlife Code pertaining to state-protection of nongame birds, any necessary vegetation clearing associated with the sewer collection system improvements, where possible, will be conducted outside the March 15 through September 15 migratory bird nesting season. If clearing is required during the nesting season, nest surveys will be conducted in the affected area prior to clearing. If nests are observed during surveys, an area of buffer vegetation no less than 25 feet in all directions will be established around any observed active nests until all young have fledged.

Standard Environmental Conditions

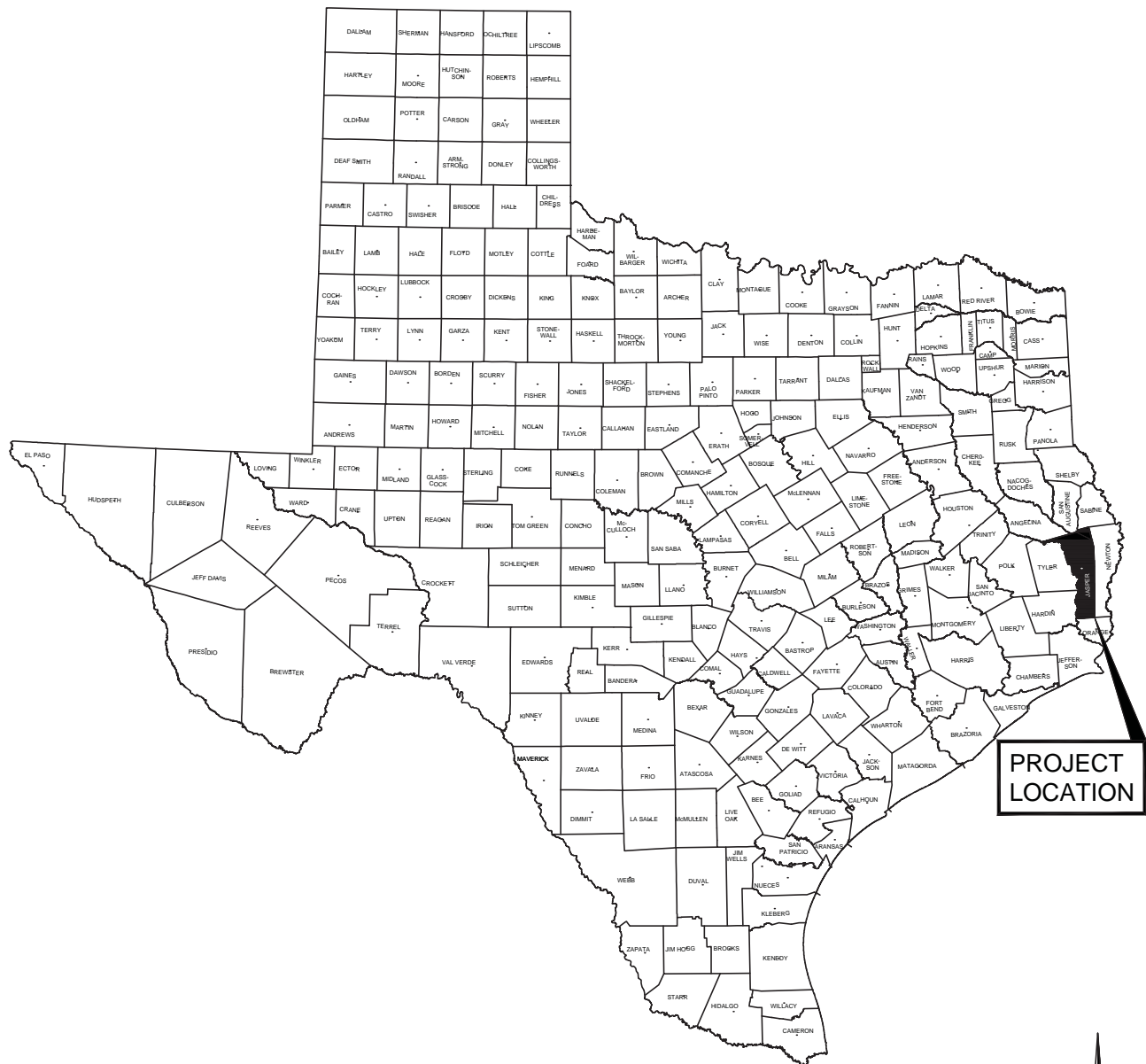
- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0551), the Jasper County Water Control and Improvement District No. 1 (District) will abide by the standard emergency condition for the discovery of cultural resources.
- Consistent with the TWDB Supplemental Construction Contract Conditions (TWDB-0551), the District 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

Enclosure



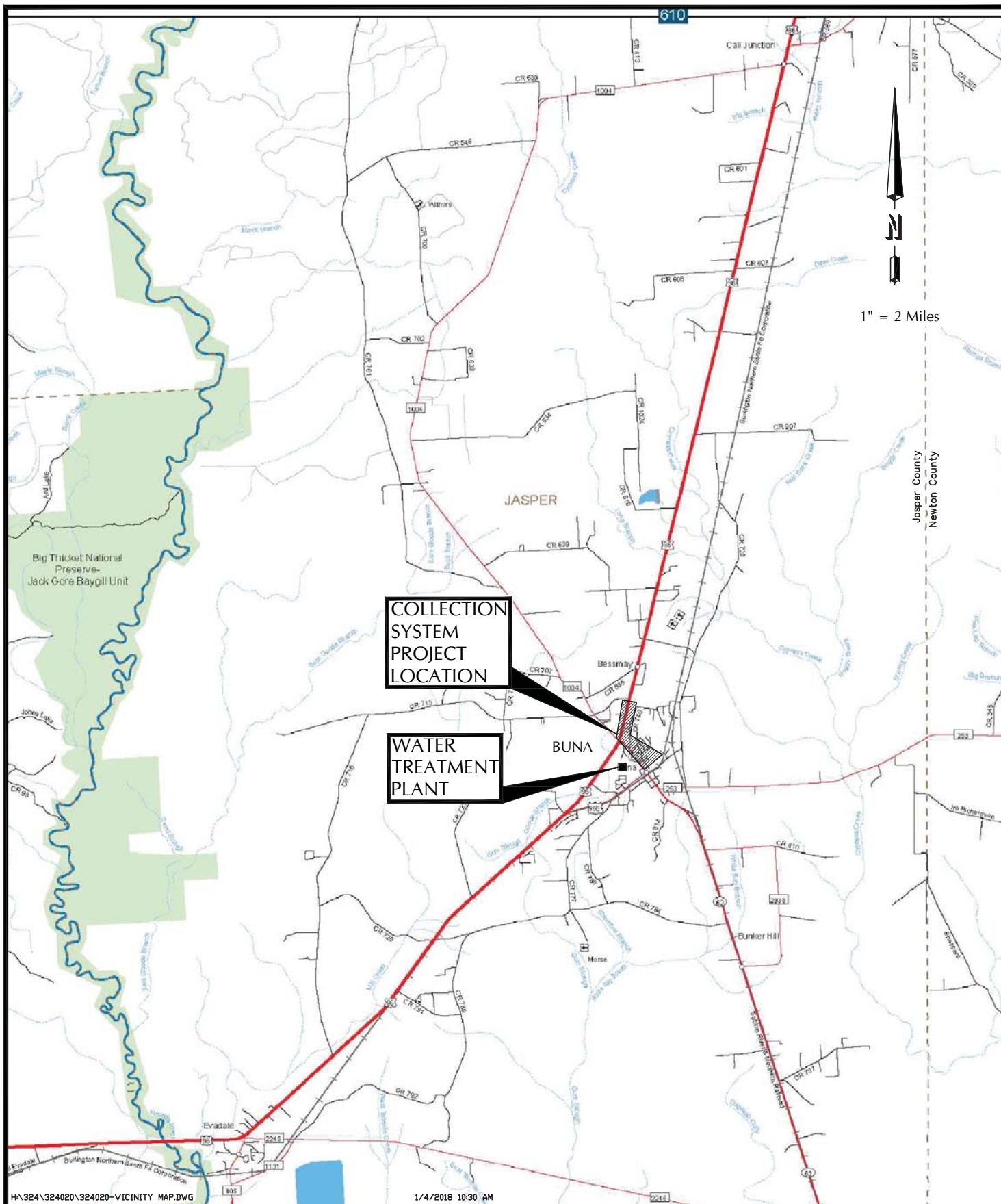
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2018 CWSRF Sewer Improvement Jasper County W.C. & I.D. Buna, Texas Location Map				SHEET NO. MAP 1
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2018 CWSRF Sewer Improvement

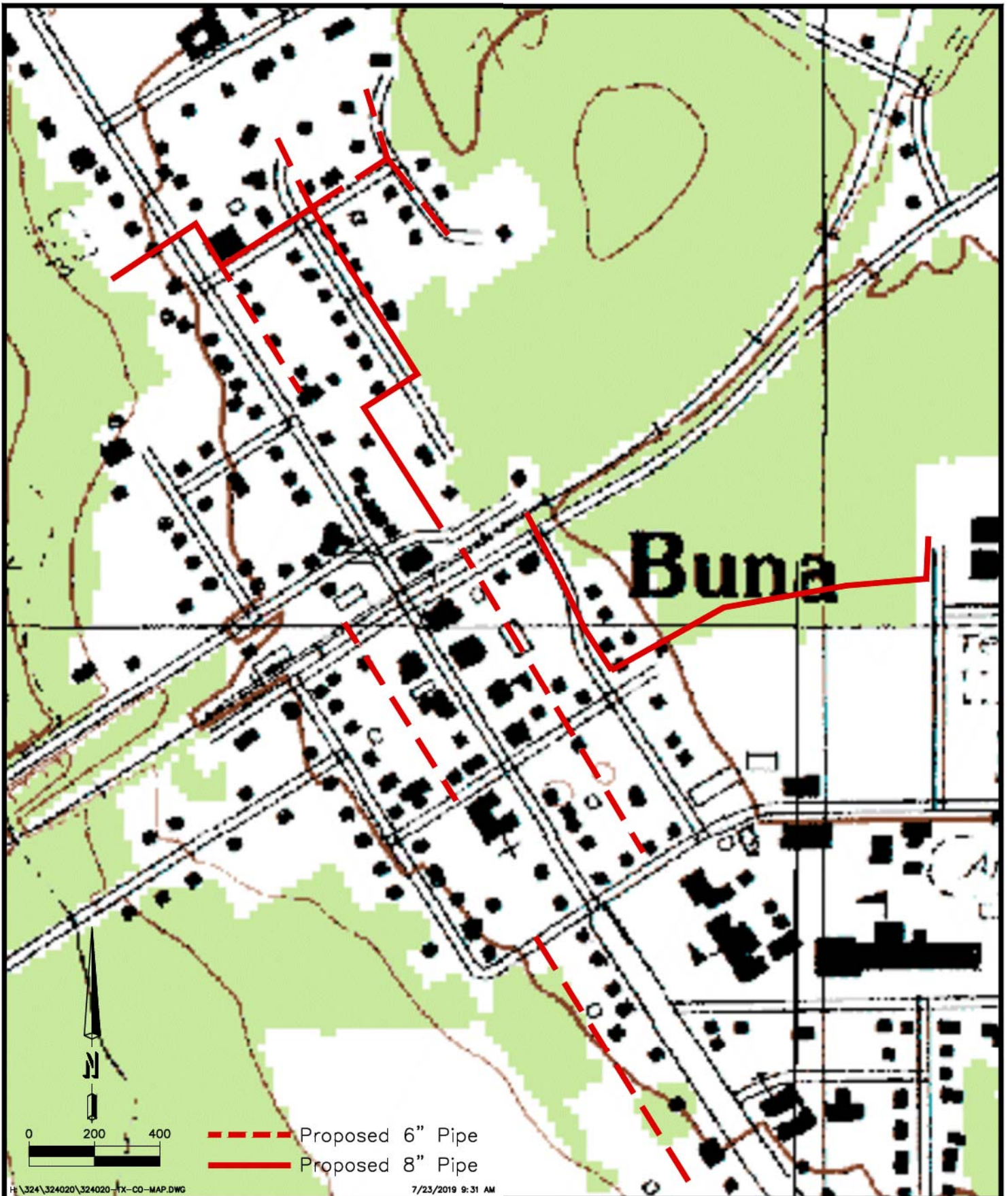
Jasper County W.C. & I. D.
Buna, Texas
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MAP 2

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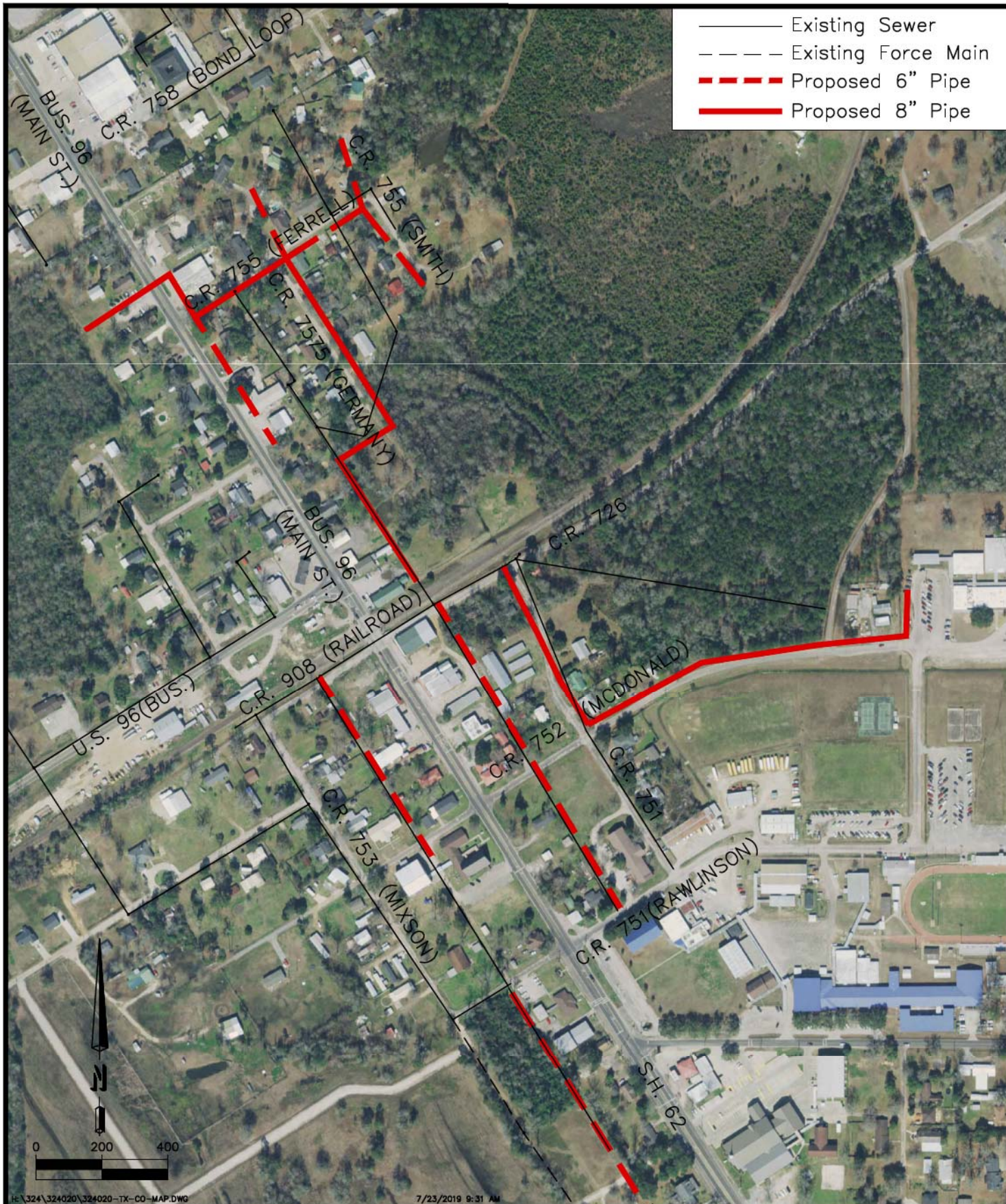
2018 CWSRF Sewer Improvements
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 Buna, Texas
Central System Replacement Map

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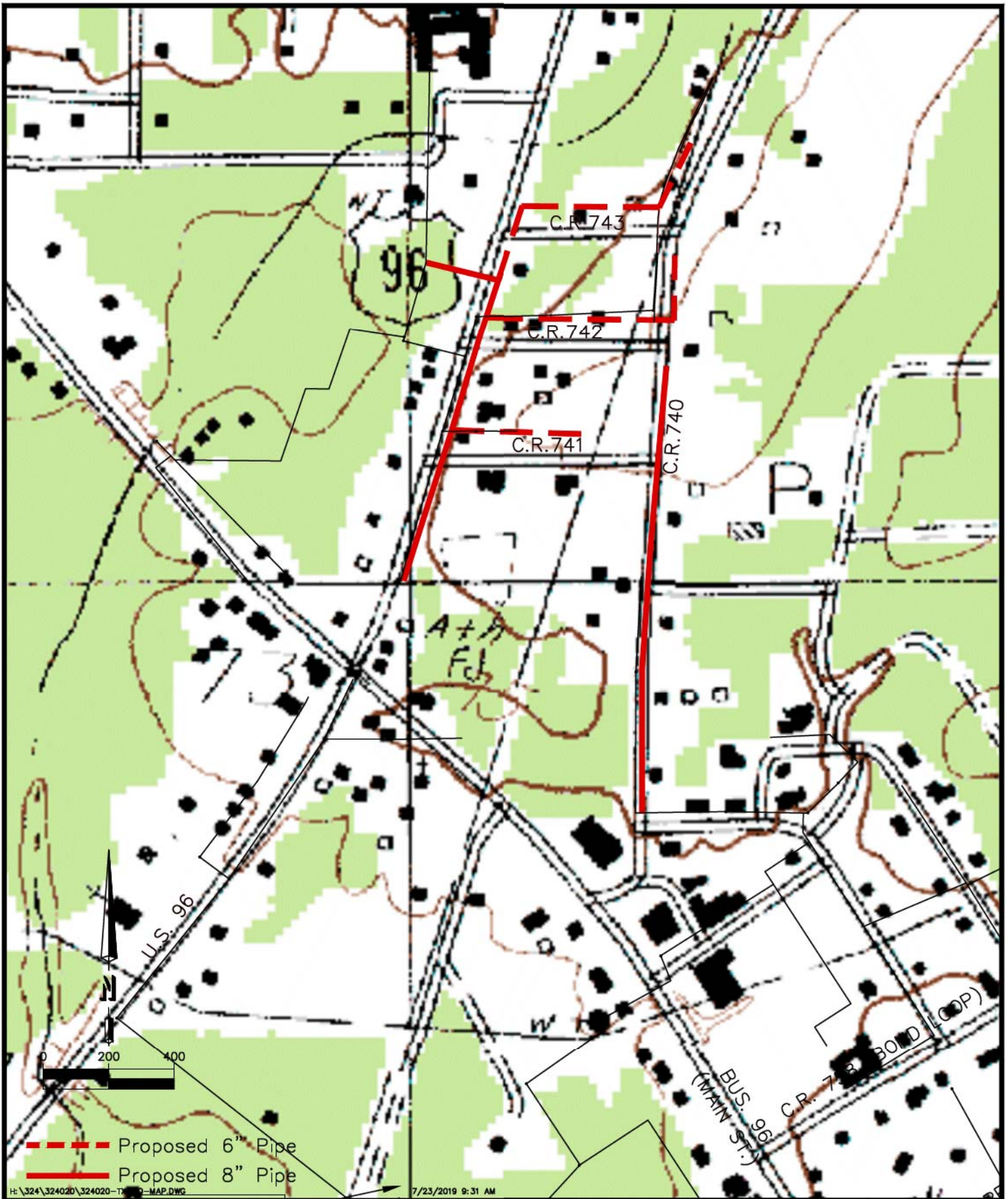
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Buna, Texas
Central System Replacement Map

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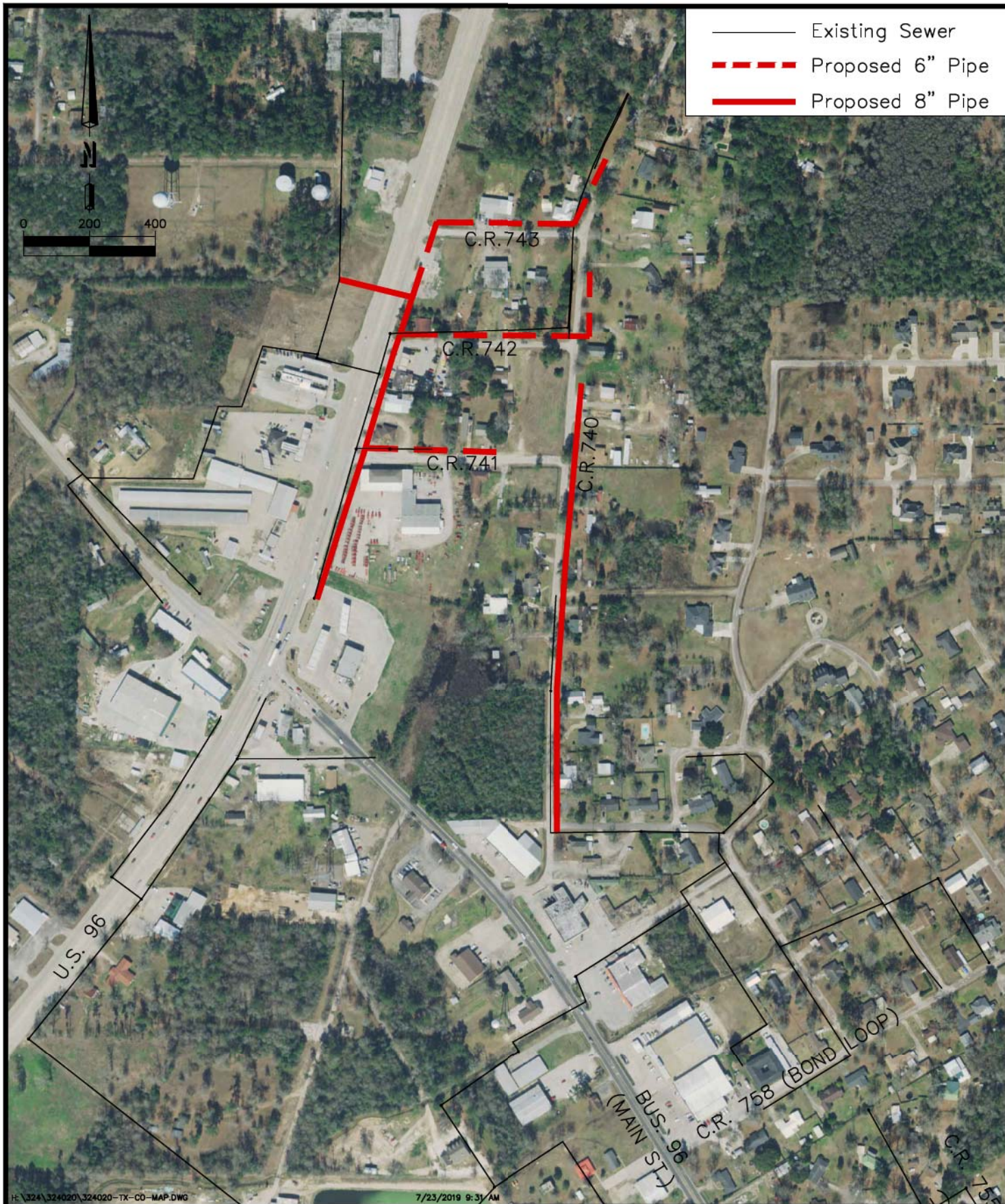
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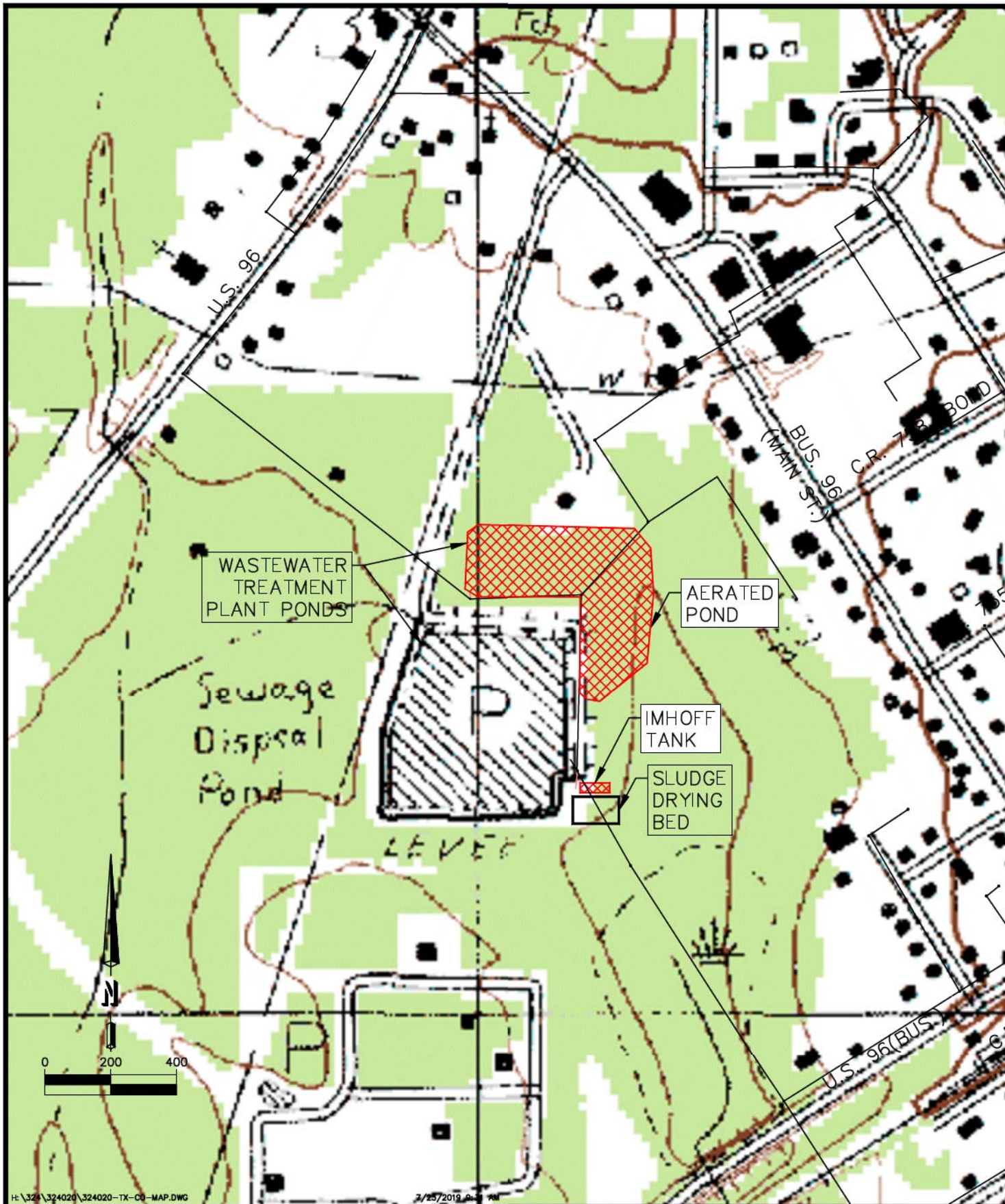
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North System Replacement Map

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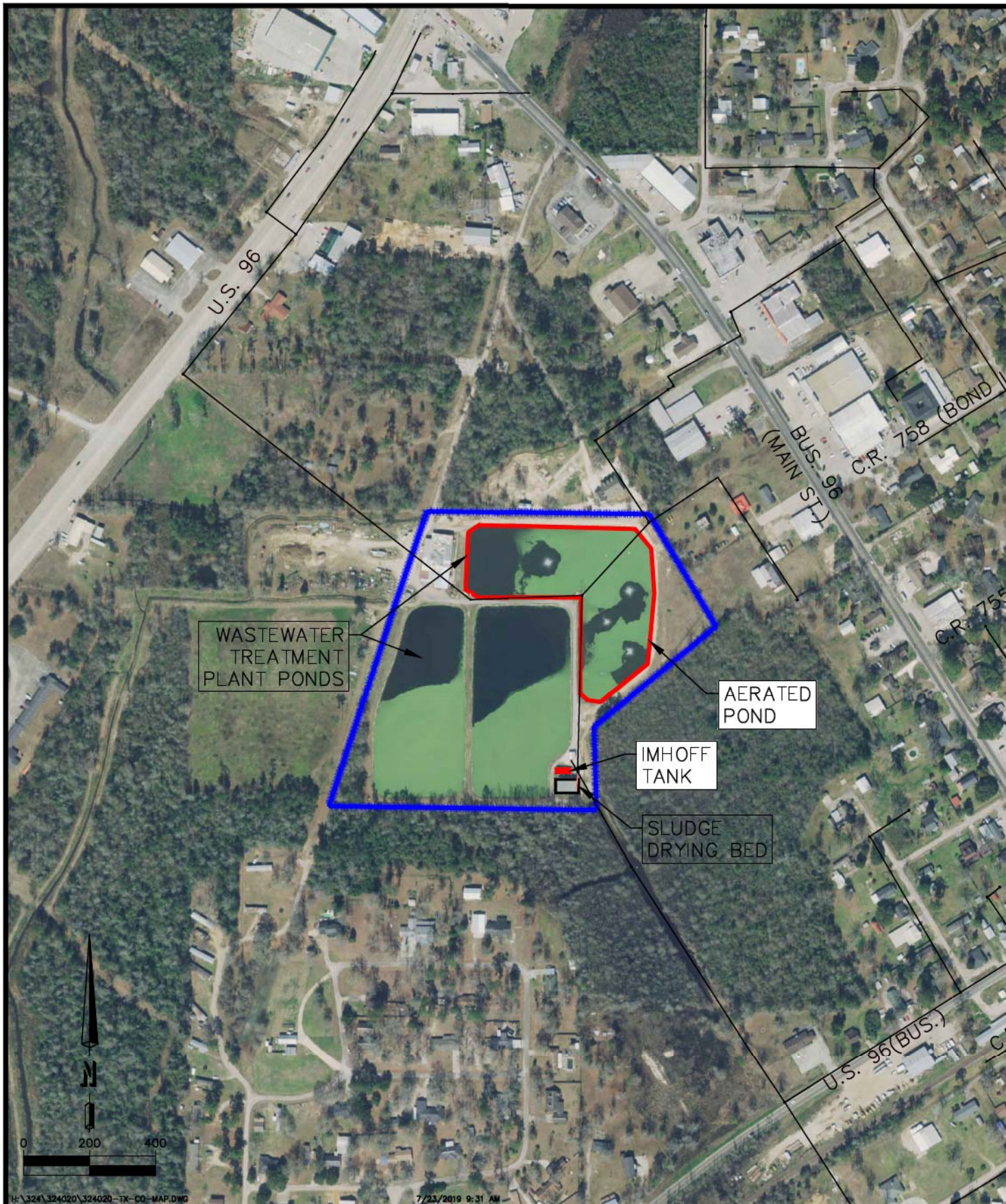
2018 CWSRF Sewer Improvements
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 Buna, Texas
Imhoff Tank Rehabilitation

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