



P.O. Box 13231, 1700 N. Congress Ave.
Austin, TX 78711-3231, www.twdb.texas.gov
Phone (512) 463-7847, Fax (512) 475-2053

CATEGORICAL EXCLUSION

TO ALL INTERESTED AGENCIES AND PUBLIC GROUPS:

As provided by the environmental review process adopted in the rules of the Texas Water Development Board (TWDB), 31 Texas Administrative Code (TAC) § 375.61, for projects to be funded through the Clean Water State Revolving Fund (CWSRF) 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 comprehensive environmental review requirements:

East Rio Hondo Water Supply Corporation, Cameron County, Texas
TWDB CWSRF Project No. 73972
Disposal Site Improvements Project
Total Financing Amount: \$4,880,400
Commitment No. LF1001967

The East Rio Hondo Water Supply Corporation (Corporation) is proposing to use \$4,880,400 in funding from the CWSRF Program to install combination high density polyethylene and clay liners for the development of an impermeable wetted perimeter within the two sludge basins at their water treatment plant sludge disposal facility located approximately 5 miles northeast of San Benito, Texas. Other improvements include the addition of a concrete ramp for equipment and machinery ingress/egress into the basins as well as demolition, sludge/soil earthwork, and temporary repositioning. The proposed project includes demolition and removal of the components that comprise the overflow system for the basins—two vertical standpipes, connecting pipes, and concrete pads—because the proposed project will eliminate the need for the overflow system. The purpose of the proposed project is to mitigate the infiltration of potentially contaminated leachate into subsurface strata, groundwater, and/or nearby water bodies by enhancing containment within the disposal site basins. Each basin is of earthen construction and the bottoms and embankments are unlined, natural soil composition. The construction sequencing for the proposed project consists of improving one basin at a time so that existing operations are maintained throughout the construction schedule. The Corporation will be able to continue disposing of sludge into the in-service basin while the out-of-service basin is under construction. The sludge within each basin will be temporarily repositioned into the neighboring basin while construction activities take place. The proposed project will be completed within the existing site footprint and an increase in the capacity of the sludge basins is not expected.

Proceeds of this commitment must not be used by the Corporation when sampling, testing, removing, or disposing of contaminated soils or media at the project site, except for an

Our Mission

Leading the state's efforts
in ensuring a secure
water future for Texas

Board Members

L'Oreal Stepney, P.E., Chairwoman | Tonya R. Miller, Board Member
Bryan McMath, Executive Administrator

emerging contaminants project to address per- and polyfluoroalkyl substances or any contaminant listed on Environmental Protection Agency's Contaminant Candidate Lists. The obligations must include an environmental indemnification wherein the Corporation agrees, and will require its construction contractors, to indemnify, hold harmless, and protect the TWDB from any and all claims, causes of action, or damages arising from activities performed by the Corporation or its construction contractors, including their officials and employees, in connection with the project, to the extent permitted by law.

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. The proposed project will not adversely impact waters of the United States, including wetlands. To ensure that there will be no adverse environmental impacts associated with the construction, the Corporation coordinated with the United States Department of Agriculture, Natural Resources Conservation Service (USDA/NRCS), Texas Parks and Wildlife Department (TPWD) - Ecological and Environmental Planning Program, and the Cameron County floodplain administrator. In a letter dated May 29, 2025, the USDA/NRCS stated that the proposed project involves areas of Prime or Important Farmland; however, they consider improvements to an existing water treatment facility to be a minimal activity project. Minimal activity projects are not a permanent conversion of farmland because after the installation, production agriculture can still take place. Therefore, the proposed project is exempt from the provisions of Farmland Protection Policy Act and no further consideration for protection is necessary. The USDA/NRCS strongly encourages the use of acceptable erosion control methods during the construction of the project. In a letter dated June 17, 2025, the TPWD stated that, based on a review of the documentation and project description provided, the TPWD - Ecological and Environmental Planning Program does not anticipate significant adverse impacts to rare, threatened, or endangered species, or other fish and wildlife resources. However, it is the responsibility of the Corporation to comply with all federal, state, and local laws that protect fish and wildlife. Provided the current project plans do not change, the TPWD considers coordination to be complete. The proposed project is in the 500-year floodplain; therefore, the Corporation coordinated with the Cameron County floodplain administrator. In a letter, dated May 21, 2025, the Cameron County floodplain administrator stated that a hydrologic and hydraulic (H&H) study is required to determine the 0.2 percent base flood elevation (BFE) and that the proposed project will have no adverse impact to the surrounding areas. Further, based on the estimated BFE by the H&H analysis, an elevation certificate will be required showing that the finished floor elevation is at least one foot above the BFE. Projects involving construction in the 100-year floodplain and construction of critical facilities in the 500-year floodplain, including replacement or borings, require a floodplain development permit from the local floodplain administrator prior to construction in the floodplain.

The TWDB previously recommended the 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 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 § 375.62; 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

- 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 the 500-year floodplain.

Standard Environmental Conditions

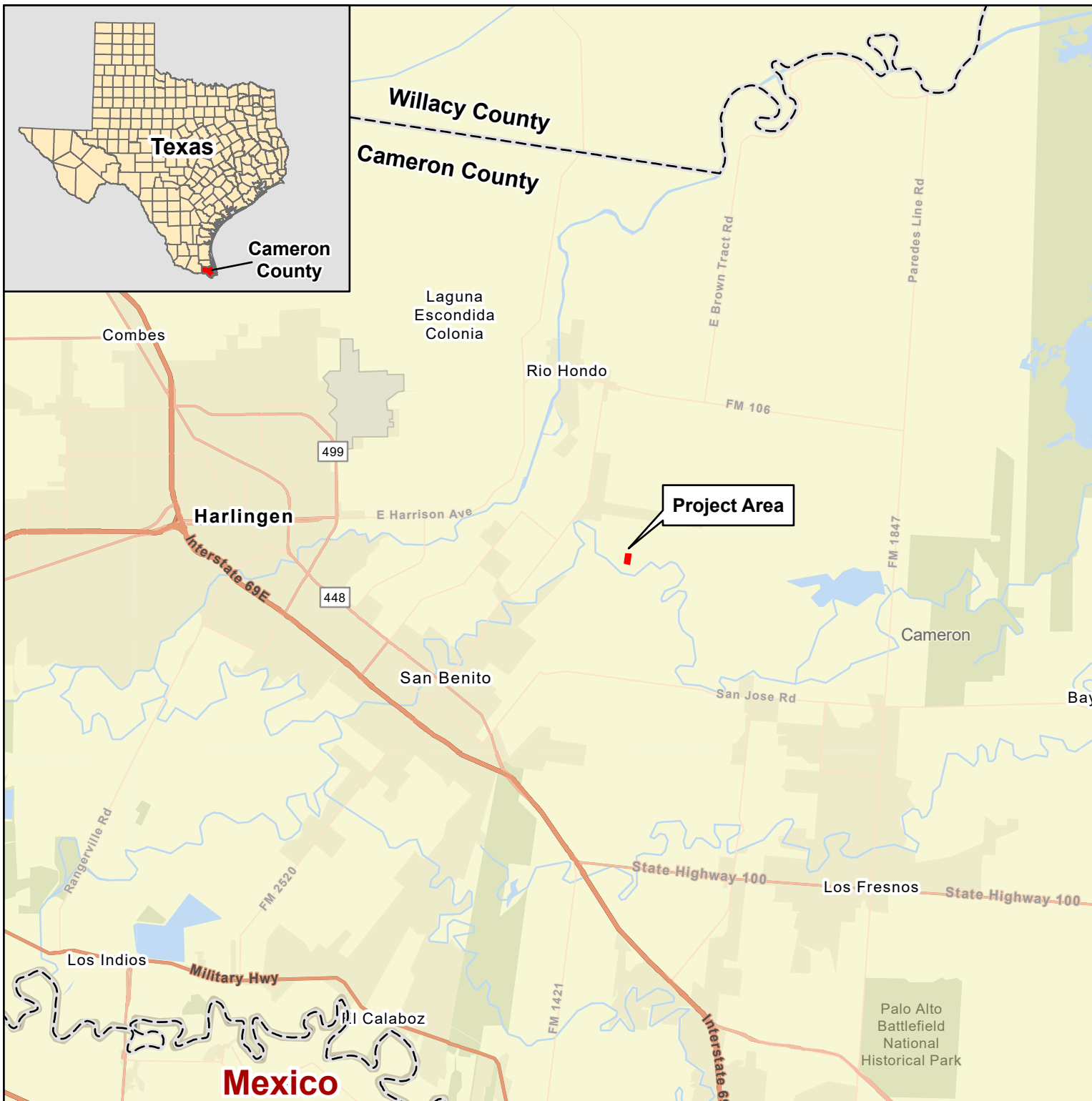
- Consistent with the Texas Water Development Board Supplemental Construction Contract Conditions (TWDB-0550), the East Rio Hondo Water Supply Corporation will abide by the standard emergency condition for the discovery of cultural resources.
- Consistent with the Texas Water Development Board Supplemental Construction Contract Conditions (TWDB-0550), the East Rio Hondo Water Supply Corporation 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



Legend

- Project Area
- County Boundary

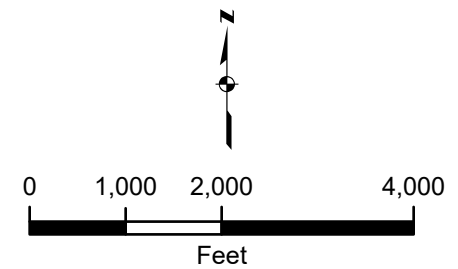
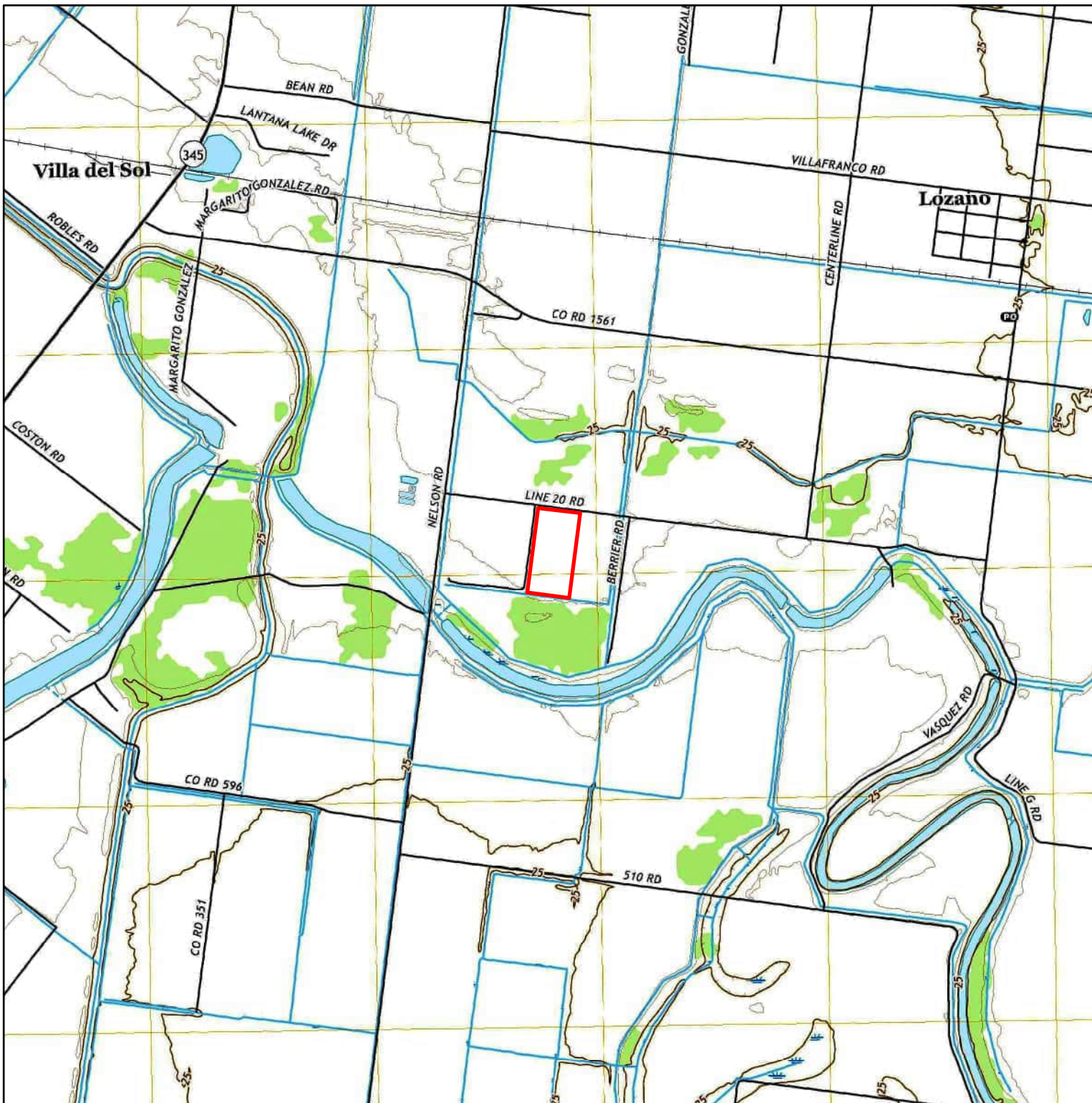
Notes:

1. Map Center: 97.5872°W 26.17871°N
2. World Street Map: Texas Parks & Wildlife, CONANP, Esri, TomTom, Garmin, Foursquare, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA, USFWS

Sludge Disposal Site Improvements
Cameron County, Texas
Date: 3/20/2025

Figure 1
Regional Location Map





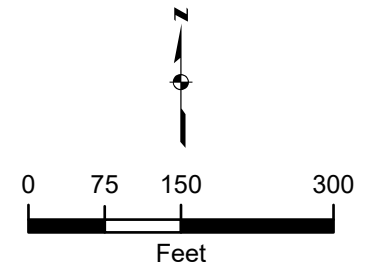
Legend

 Project Area

Notes:
1. Map Center: 97.56097°W 26.17702°N
2. USGS TopoView: "Rio Hondo, Texas", "Olmito, Texas", "Harlingen, Texas" 7.5-Minute Quadrangles (2022)

Sludge Disposal Site Improvements
Cameron County, Texas
Date: 3/20/2025

Figure 2
2022 USGS Topographic Map



Legend

 Project Area

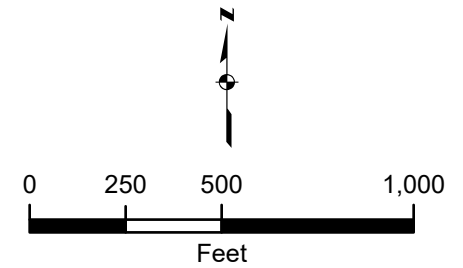
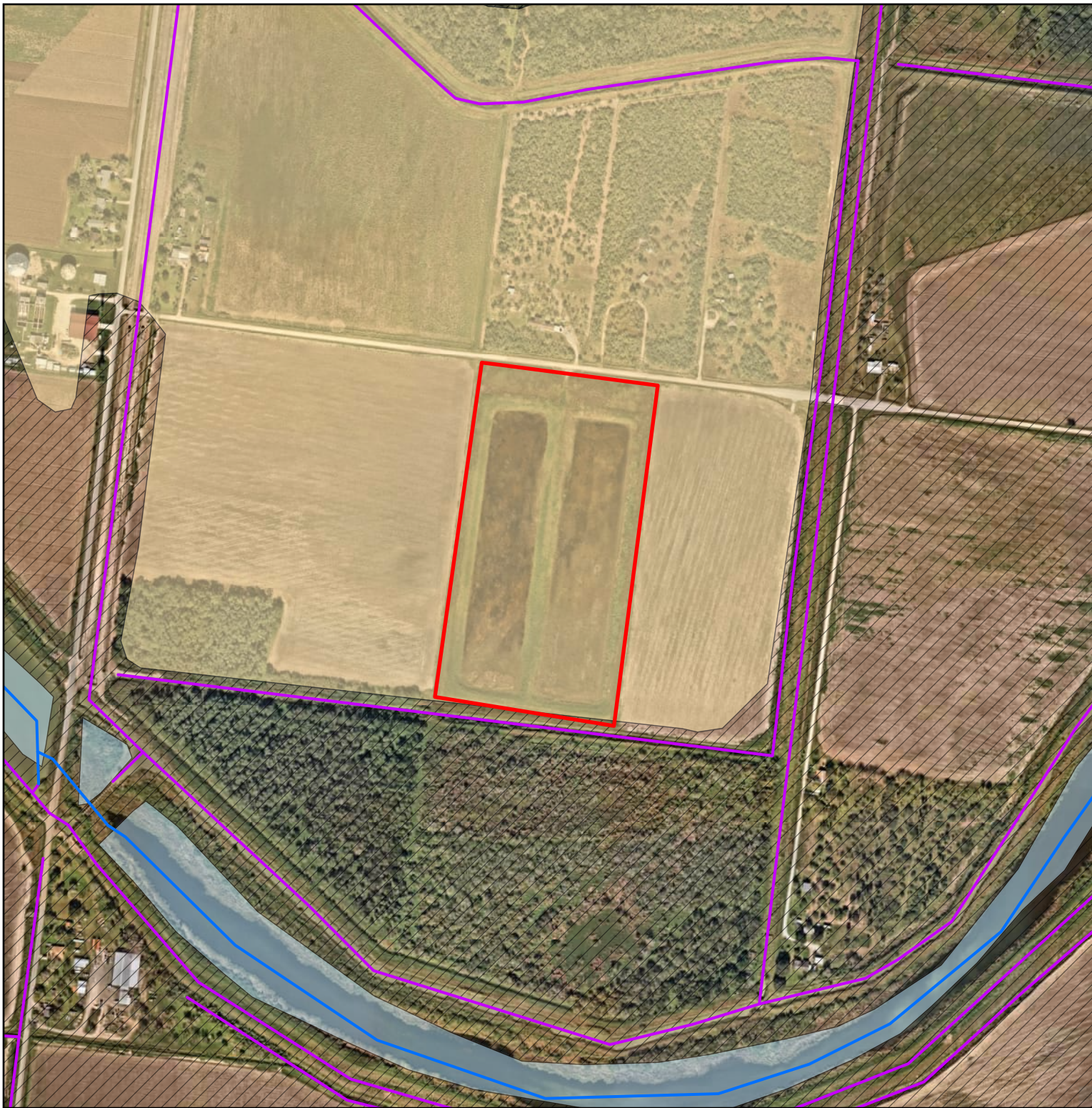
Notes:

1. Map Center: 97.56109°W 26.17721°N
2. Nearmap WMS Server: 2025
3. Drawing not to scale.

Sludge Disposal Site Improvements
Cameron County, Texas
Date: 5/28/2025

Figure 3
Project Footprint Map





Legend

 Project Area

FType


 Stream/River

 Canal/Ditch

FEMA Flood Zone

 100-Year Floodplain

 500-Year Floodplain

 Area of Minimal Flood Hazard

Notes:

1. Map Center: 97.56097°W 26.17702°N
2. Nearmap WMS Server: 2025
3. USGS National Hydrography Dataset
4. FMEA National Flood Hazard Layer

Sludge Disposal Site Improvements
Cameron County, Texas
Date: 3/20/2025

Figure 4
Floodplain Map