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April 24, 2024

DETERMINATION OF NO EFFECT

TO ALL POTENTIALLY INTERESTED AGENCIES:

Pursuant to the environmental assessment requirements of 31 Texas Administrative Code (TAC) § 363.14, the Texas Water Development Board (TWDB) staff has determined that the proposed action identified below may be exempted from formal environmental review requirements:

Dogwood Springs Water Supply Corporation, Anderson County, Texas
TWDB DFund Project No. 21806
New Public Water Well and System Improvements
Total Financing Amount: \$1,000,000
Loan No. L1001615

The Dogwood Springs Water Supply Corporation (Corporation) currently provides potable water to a population of approximately 636 persons via 212 service connections. It is anticipated that the service area will experience a population increase of approximately 26% over the next 40 years. The system includes two water plant sites, each with its own water well, service pumps, storage tanks, and disinfection units. Only the Plant No. 1 site is currently in use due to the inoperable condition of the water well at Plant No. 2. The purpose of this project is to return Plant No. 2 to operational status, which is needed to address water supply deficiencies and lack of supply redundancy.

The Corporation is proposing to use \$1,000,000 in financing from the Texas Water Development Fund (DFund) program to restore Plant No. 2 operability by replacing the failed water well and aged facilities at the existing Plant No. 2 site. Specifically, the Corporation proposes the following:

- 1) Plug existing inoperable Water Well No. 2
- 2) Construct a new Water Well No. 4 with associated electrical, piping, pumps, and appurtenances
- 3) Rehabilitate the existing pump station with electrical modifications, a new site glass, and disinfection system improvements
- 4) Cleaning the existing ground storage tank
- 5) General site work, including fencing and gravel surfacing

<p>Our Mission</p> <p>Leading the state's efforts in ensuring a secure water future for Texas</p>	<p>Board Members</p> <p>Brooke T. Paup, Chairwoman George B. Peyton V, Board Member L'Oreal Stepney, P.E., Board Member</p> <p>Bryan McMath, Interim Executive Administrator</p>
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All construction will occur within the existing plant site, which is owned and maintained by the Corporation. The project area is clear of vegetation and has been heavily disturbed by prior construction of existing water well, pumping, and storage facilities.

There are no previously recorded significant or potentially significant historic or cultural sites within or adjacent to the project footprint, according to the Texas Historical Commission's Archeological Sites Atlas, nor is the project within the protected area surrounding a historic cemetery, structure, or district. The project will not adversely impact waters of the United States, including wetlands, as no water features are found in or adjacent to the project site.

The project is not located within the 100-year floodplain; therefore, coordination with the local floodplain administrator was not required. In addition, construction is not expected to impact threatened or endangered species or habitat.

The TWDB cannot fund testing, remediation, removal, disposal, or related works for contaminated or potentially contaminated materials. However, the project proponent should ensure that, if found, such materials are tested, removed, and disposed of in accordance with applicable state and federal laws.

The decision to grant a Determination of No Effect (DNE) 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 categorical exclusion from full environmental review as a result of changes in scope, design, or location;
- 2) the project involves extraordinary circumstances as described in 31 TAC § 363.14; or
- 3) the project may violate or has violated federal, state, local, or tribal laws.

The project also must comply with the following environmental conditions:

Standard Emergency Condition for Discovery of Cultural Resources

- No activity that may affect properties listed or eligible for listing in the National Register of Historic Places or that are designated or eligible for designation as a State Archeological Landmark is authorized until the Dogwood Springs Water Supply Corporation (Corporation) has complied with the provisions of the National Historic Preservation Act (NHPA) and the Antiquities Code of Texas (ACT).

If archeological sites or historic structures that may qualify for designation as a State Archeological Landmark according to the criteria in 13 TAC Chapter 26, or that may be

eligible for listing on the National Register of Historic Places in accordance with 36 CFR Part 800, are encountered during construction, on-site personnel must immediately cease operations in the area of the encounter, avoid disturbance of the cultural resources, and notify the Corporation, the project engineer, and the Texas Water Development Board (TWDB). The on-site personnel must take reasonable steps to protect and preserve the discoveries until they have been inspected by the Corporation's representative and the TWDB, or as directed by other appropriate authorities. The Corporation must immediately implement actions in accordance with the NHPA, ACT, and other applicable State statutes and report the encounter to the State Historic Preservation Officer (SHPO), the Texas Historical Commission (THC), and any other appropriate authorities. The Corporation must promptly coordinate with the SHPO, THC, and any other appropriate authorities to obtain all necessary approvals or permits to enable the work to continue. Unless otherwise directed by appropriate authorities, work in the area of the encounter may be suspended, wholly or in part, during the impact assessment, for which the Corporation will be responsible. The Corporation must not resume activities in the area of the encounter until authorized to do so by the appropriate authorities and the TWDB, implementing mitigation measures as directed.

Standard Emergency Condition for Discovery of Threatened or Endangered Species

- No activity is authorized that is likely to jeopardize the continued existence of a threatened or endangered species as listed or proposed for listing under the Federal Endangered Species Act (ESA), or a threatened, endangered, or state-listed species under the State of Texas Parks and Wildlife Code (PWC), or to destroy or adversely modify the habitat of such species.

If a threatened, endangered, or state-listed species is encountered during construction, on-site personnel must immediately cease operations in the area of the encounter, avoid disturbance of the animal or plant, and notify the Corporation, the project engineer, and the TWDB. The on-site personnel must take reasonable steps to protect and preserve the discoveries until they have been inspected by the Corporation's representative and the TWDB, or as directed by other appropriate authorities. The Corporation must immediately implement actions in accordance with the ESA, PWC, and other applicable State statutes and report the encounter to the U.S. Fish and Wildlife Service (USFWS), the Texas Parks and Wildlife Department (TPWD), and any other appropriate authorities. The Corporation must promptly coordinate with the USFWS, the TPWD, and any other appropriate authorities to obtain all necessary approvals or permits to enable the work to continue. Unless otherwise directed by appropriate authorities, work in the area of the encounter may be suspended, wholly or in part, during the impact assessment, for which the Corporation will be responsible. The Corporation must not resume activities in the area of the encounter until authorized to do so by the appropriate authorities and the TWDB, implementing mitigation measures as directed.

Standard Emergency Condition for Discovery of Hazardous Materials

- Construction materials and equipment utilized for the project must be free of hazardous materials, except as may be stipulated in the specifications.

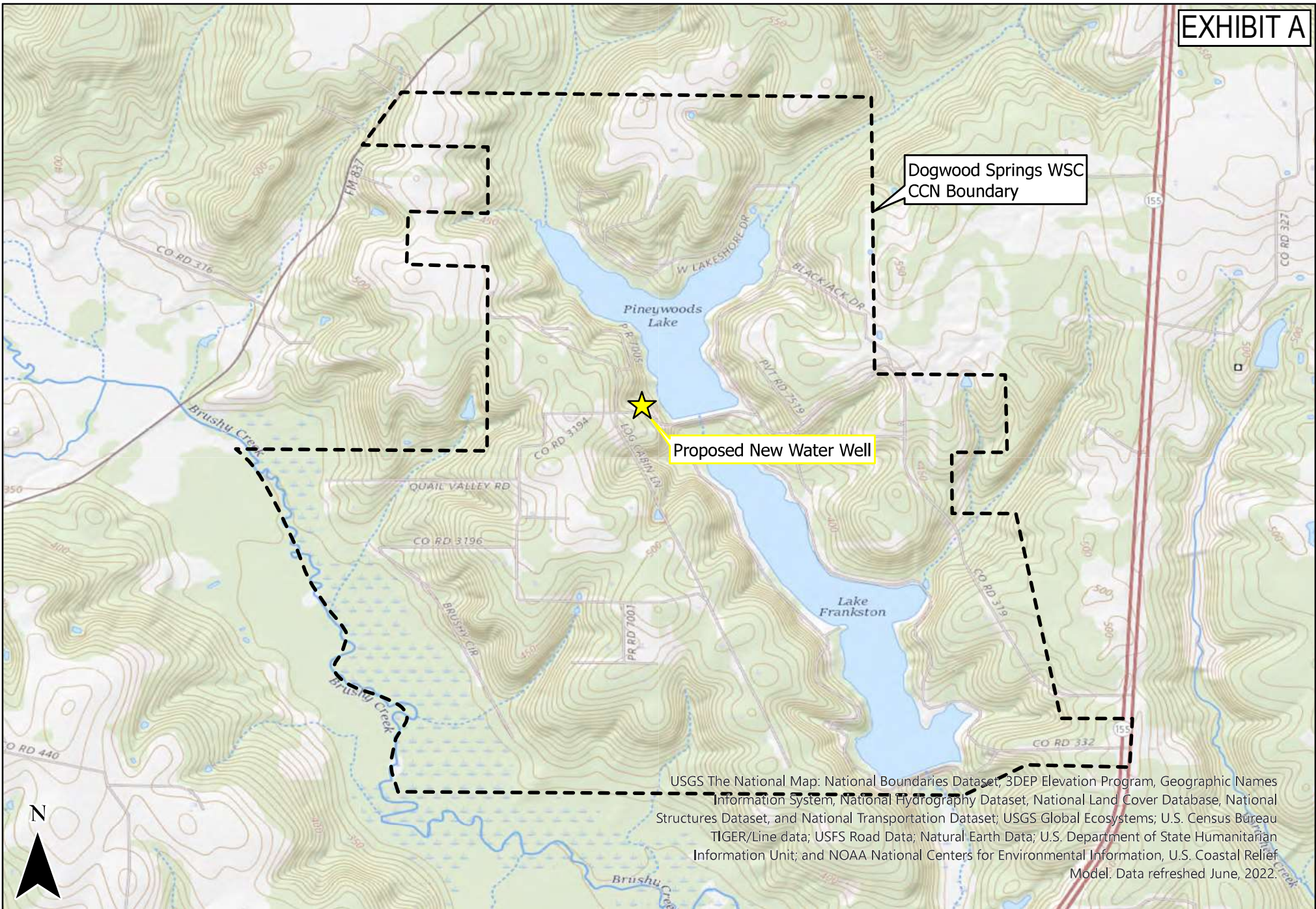
If existing hazardous materials, or material sources suspected by visual observation or smell to contain hazardous materials, are encountered during construction on sites owned or controlled by the Corporation, on-site personnel must immediately cease work in the area of the encounter, take steps needed to prevent contact with the materials, and notify the Corporation, the project engineer, the TWDB, and other appropriate authorities, depending on the circumstances, such as local emergency responders, the Texas Commission on Environmental Quality (TCEQ), and the U.S. Environmental Protection Agency (EPA). The on-site personnel must take reasonable steps to restrict access to the area of the encounter until it has been inspected by the Corporation's representative and the TWDB, or as directed by other appropriate authorities. The City must immediately implement actions in accordance with applicable statutes, regulations, and ordinances and report the encounter to the TCEQ, the EPA, and any other appropriate authorities. The Corporation must promptly coordinate with the TCEQ, the EPA, and any other appropriate authorities to obtain all necessary approvals or permits to enable the work to continue. Unless otherwise directed by appropriate authorities, work in the area of the encounter may be suspended, wholly or in part, during the testing, removal, or disposal of the hazardous materials, for which the Corporation will be responsible. The Corporation must not resume activities in the area of the encounter until authorized to do so by the appropriate authorities and the TWDB, implementing mitigation measures as directed. The TWDB does not fund the testing, remediation, removal, disposal, or related work for contaminated or potentially contaminated material.

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



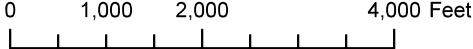
Dogwood Springs WSC
CCN Boundary

Proposed New Water Well

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed June, 2022.

Dogwood Springs WSC USGS Map

1" = 2,000'



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