**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

October 18, 2011

# FINDING OF NO SIGNIFICANT IMPACT

## TO ALL INTERESTED GOVERNMENT AGENCIES AND PUBLIC GROUPS:

In accordance with the environmental review guidelines of the Council on Environmental Quality found at 40 Code of Federal Regulations (CFR) Part 1500, and with the use of the implementing environmental review procedures of the United States Environmental Protection Agency (EPA) found at 40 CFR Part 6 entitled "Procedures for Implementing the Requirements of the Council on Environmental Quality on the National Environmental Policy Act" as guidance, the EPA has performed an environmental review of the following proposed action:

Drinking Water System Improvements Project
Proposed by the City of La Vernia
Located in Wilson County, Texas

Estimated EPA Share: $485,000
Estimated Local Share: $396,818

The Fiscal Year 2010 Appropriations Act for the Environmental Protection Agency (EPA) included special Congressional funding for water and wastewater construction projects. The City of La Vernia (City) was selected to receive funding support through these special appropriations. The purpose of the proposed project is to construct a new water well and associated water line.

The proposed project includes the installation of a new water well and 2,100 ft of new water line. A one-acre site on existing farmland has been acquired at the southwest corner of a local farm road and County Road (CR) 342. The City intends to drill a new well and construct a small building which will house a chlorinator. A fence will be installed to surround the well site, and an all-weather road will be constructed from CR 342 to the well site. The road is estimated to be approximately 100 ft in length. An 8-inch water distribution line will be installed running north from the new well site and will tie into an existing 8-inch water line located at the existing well site #5. The new water line will be 2,112 ft in length and will be constructed in the right-of-way (ROW) of CR 342. The ROW is a previously disturbed area.

The environmental review process, which is documented by the enclosed Environmental Assessment, indicates that no potential significant adverse environmental impacts are anticipated from the proposed action. The project individually, cumulatively over time, or in conjunction with other actions is not expected to have a significant adverse effect on the quality of the environment. On that basis, I have determined that the project is not a major federal action significantly affecting the quality of the human environment, and that preparation of an Environmental Impact Statement is not necessary. My preliminary decision is based upon

the enclosed Environmental Assessment, a careful review of the Environmental Information Document prepared for the project, the results of the public participation process, and other supporting data which are on file in the office listed below and available for public review upon request. Therefore, I am issuing this preliminary Finding of No Significant Impact pertaining to the project.

Comments regarding my preliminary decision may be submitted for consideration to the attention of the Office of Planning and Coordination (6EN-XP), Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202-2733. After evaluating any comments received, the EPA will make a final decision. No administrative action will be taken on this preliminary decision for at least 30 calendar days after release of this Finding of No Significant Impact. The preliminary decision and finding will then become final after the 30-day comment period expires if no new significant information is provided to alter this finding.

Responsible Official,

John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosure

cc: Harold Schott, Mayor
City of La Vernia

**ENVIRONMENTAL ASSESSMENT**

**DRINKING WATER SYSTEM IMPROVEMENTS PROJECT**
**Proposed by the**
**THE CITY OF LA VERNIA**
**Located in WILSON COUNTY, TEXAS**

## BACKGROUND

The Fiscal Year 2010 Appropriations Act for the Environmental Protection Agency (EPA) included special Congressional funding for water and wastewater construction projects. The City of La Vernia (City) was selected to receive funding support through these special appropriations. The purpose of the proposed project is to construct a new water well and associated water line.

The proposed project includes the installation of a new water well (#7) and 2,100 feet (ft) of new water line. The proposed project would improve the City's water quality and quantity and would establish self-sufficiency. The project vicinity and project planning areas are shown on Figures 1 and 2, respectively.

The City's existing well currently produces 250 gallons per minute (gpm). The Texas Commission on Environmental Quality (TCEQ) requires 332 gpm of well capacity. The City's existing well produces water that contains 3,000 parts per million (ppm) total dissolved solids (TDS). The TCEQ recommends additional treatment for TDS in excess of 500 ppm. In addition, there are instances where water pressures are not maintained at TCEQ required levels. In order to make up the difference in water quality and quantity, the City purchases water from an out-of-region water supplier, the Canyon Regional Water Authority (CRWA). Purchasing water from the CRWA has created a financial burden for the City.

The proposed project is considered to be a federal action requiring compliance with the National Environmental Policy Act (NEPA). In accordance with the environmental review requirements of the Council on Environmental Quality found at 40 Code of Federal Regulations (CFR) Part 1500, and with the use of the EPA's implementing regulations found at 40 CFR Part 6 entitled "Procedures for Implementing the Requirements of the Council on Environmental Quality on the National Environmental Policy Act" as guidance, the EPA is preparing this Environmental Assessment to assist in determining the environmental impacts of the proposed action, and in evaluating whether an Environmental Impact Statement or a Finding of No Significant Impact will be prepared for the proposed project.

## PROJECT DESCRIPTION

The proposed project includes the installation of a new water well and 2,100 ft of new water line. A one acre site on existing farmland has been acquired at the southwest corner of a local farm road and County Road (CR) 342. The City intends to drill a new well and construct a small building which will house a chlorinator. A fence will be installed to surround the well site,

and an all-weather road will be constructed from CR 342 to the well site. The road is estimated to be approximately 100 ft in length. An 8-inch water distribution line will be installed running north from the new well site and will tie into an existing 8-inch water line located at the existing well site #5. The new water line will be 2,112 ft in length and will be constructed in the ROW of CR 342. The ROW is a previously disturbed area.

The City recently acquired the one acre site from a willing landowner; no relocations or displacements occurred.

## ALTERNATIVES

Three alternatives are considered within this Environmental Assessment. Under Alternative One, the No-Action Alternative, installation of a new well and water line would not occur. If this action is taken, the City would continue to be in violation of TCEQ TDS requirements and minimum water pressure. Alternative Two is the optimum utilization of existing facilities. Existing facilities would not be able to produce additional water supply, even under optimal conditions. Thus, Alternative Two is not carried forward for analysis. Alternative Three, the preferred alternative, is to install a new water well and 2,100 ft of new water line. By selecting the preferred alternative, the City would be able to comply with TCEQ TDS and water pressure requirements.

## ENVIRONMENTAL SETTING

The project planning area is located in the south central portion of Texas approximately 30 miles east of San Antonio. According to the 2010 U.S. Census, La Vernia had a population of 1,034 residents.

The terrain in the project area ranges from flat to gently rolling and contains areas of post oak savannah, agricultural, and scattered rural residential homes. The county is drained principally by the San Antonio River and a tributary, Cibolo Creek. According to the Texas Parks and Wildlife Department's Vegetation Types of Texas, the proposed project is located in the Post Oak Woods, Forest, and Grassland mosaic. Commonly associated plants of this vegetation type include blackjack oak, eastern red cedar, mesquite, black hickory, live oak, sandjack oak, cedar elm, hackberry, and yaupon. The proposed project area is located within Bailey's Southwest Plateau Rio Grande Plain ecoregion. This ecoregion is characterized by arid grasslands in which shrubs and low trees grow singly or in bunches. The area has hot summers with cool winters. Air quality in the area is in attainment of all National Ambient Air Quality Standards (NAAQS) and is not in violation of any state or federal air quality control standards.

The soils within the proposed project area are mapped as part of the Eufaula-Patilo association, a deep, undulating somewhat excessively drained to moderately well drained, rapidly permeable sandy soil with loamy lower layers. Eufaula soils make up about 38 percent of the association, while Patilo soils make up about 20 percent; and minor soils about 42 percent. The soils developed from materials in the Tertiary and Quartenary Systems. The rocks are all of sedimentary origin and consist primarily of a series of alternating sand, silt, and clay strata.

According to the 2010 U.S. Census (USCB), Wilson County had a population of 42,918. The project will serve all populations of La Vernia equally, and will not exclude any particular person or population. The proposed project construction will not change the current land use patterns in the area, and will be compatible with applicable zoning ordinances. Disruption of normal traffic flow would be minimized by the utilization of a traffic control plan that complies with the Texas Department of Transportation's Manual on Uniform Traffic Control Devices. The benefits, costs, and minor impacts of the project, such as limited noise and dust created during construction activities, will be shared equally by all citizens and will cease upon completion of the project.

## IMPACTS OF THE PROPOSED PROJECT

The proposed project was analyzed to identify potential short-term, long-term, and cumulative impacts on the environment.

1. Biological Resources Including Threatened and Endangered Species: According to the U. S. Fish and Wildlife Service (USFWS) Endangered Species database, Wilson County contains the following federally listed species: interior least tern (*Sterna antillarum athalassos*) and whooping crane (*Grus americana*). According to the USFWS, the only federally listed species that has been documented or known to occur in Wilson County is the whooping crane. Wilson County is within the whooping crane migratory corridor and wintering grounds. Based upon the location and description of the proposed project area and upon coordination with the USFWS and the TPWD, construction of the proposed project should not have significant adverse impacts to fish and wildlife resources, including any of the threatened or endangered species listed above. The vegetation in the proposed project area consists of pastureland planted with Bermudagrass. This natural vegetation community has been influenced by the agricultural history of the area. Therefore, the proposed project should have no significant adverse impacts to rare or important vegetation types. The City is responsible for continued coordination with the USFWS and TPWD to insure protection of any listed animal and plant species that may be discovered
during construction.

2. Cultural/Historic Resources: The City initiated consultation with the Texas Historical Commission (THC) on March 29, 2011 and again on April 15, 2011. The THC responded on March 30, 2011 that the area has a low probability for containing significant cultural resources and that no cultural resource survey is necessary. THC again responded on May 12, 2011 that no historic properties would be affected and the project may proceed. The City also initiated coordination with the Texas Archeological Research Laboratory (TARL) on May 29, 2011 and again on April 15, 2011. TARL responded in a letter dated April 19, 2011 that there are no known historic sites within 0.31 miles (0.5 kilometers) of the proposed project. The City is responsible for continued coordination with the State Historic Preservation Officer (SHPO) to insure that no archeological or historic resources are adversely affected during construction activities.

If cultural materials are encountered during construction, work will stop immediately in the general area of the discovery, and the City will immediately notify the SHPO to initiate accidental discovery procedures. Any such resources discovered will be evaluated in accordance with the requirements of 36 CFR Part 800, and appropriate mitigation measures developed and implemented, as needed, in consultation with the SHPO before construction in the area is allowed to continue.

3. Floodplain: Based upon coordination with the Federal Emergency Management Agency (FEMA) and the local Floodplain Administrator (FA), construction of the proposed project should not have significant adverse impacts to the floodplain. The FA advised the City to submit both a development permit and a utility permit prior to construction. The City is responsible for continued coordination with the FA and must complete any additional permitting prior to the initiation of construction activities.

4. Wetlands: The City initiated coordination with the U.S. Army Corps of Engineers (USACE) on April 15, 2011. Based on the submitted information, the USACE determined that the proposed project would not involve activities subject to the requirements of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899. The City is responsible for continued coordination with the USACE to insure protection of any wetlands that may be discovered during construction.

5. Surface Water Resources: There are no waterways adjacent to the proposed project location. An unnamed tributary to Cibolo Creek is located approximately 0.35 miles to the east of the project location. However, there would be no direct impacts to the unnamed creek from the proposed project. Based upon these findings and upon coordination with the USACE, construction of the proposed project should not have significant adverse impacts to surface water resources including waters which have been designated as a wild and scenic river. Because this project would disturb more than one acre but less than 5 acres, the City would be required to comply with TCEQ's - Texas Pollutant Discharge Elimination System Construction General Permit for Storm Water Discharges from Small Construction Activities (TXR150000).

A Storm Water Pollution Prevention Plan (SW3P) would be prepared by the construction contractor in accordance with good engineering practices and would identify potential sources of pollution that may reasonably be expected to affect the quality of the stormwater discharges during construction of the project. Best management practices (BMPs) would be implemented to prevent or minimize erosion and sedimentation, especially where there is a slope where soil disturbance would occur due to excavation. Appropriate methods such as hydroseeding or providing cover in order to prevent or minimize erosion and sedimentation should be implemented. To prevent stormwater flows from entering disturbed areas, structural BMPs, such as earthen dikes or silt fences are recommended. Measures to minimize off-site tracking of sediments by construction vehicles are also recommended. The City is responsible for continued coordination with the USACE and TCEQ, and must obtain and abide by any/all necessary permits to insure that surface water resources in the area will not be adversely impacted by construction activities.

6. Ground Water Resources: Construction of the proposed project should not have significant adverse impacts to protected ground water resources because the project area is not located over a designated sole source aquifer. The funding recipient is responsible for continued coordination with the TCEQ, and must obtain and abide by any/all necessary permits to insure that ground water resources will not be adversely impacted by construction activities.

7. Prime and Unique Farmlands: Coordination with the Natural Resources Conservation Service (NRCS) confirmed that some soils in the proposed project area meet the criteria for Prime Farmland and Farmland of Statewide Importance. In accordance with the Farmland Protection Policy Act (FPPA) of 1981, the proposed project area was scored using U.S. Department of Agriculture NRCS, Form AD-1006. The combined rating of the site was 145. The FPPA law states that sites with a rating less than 160 will need no further consideration for protection, thus, no additional coordination is required.

8. Air Quality: Construction of the proposed project should not have significant adverse impacts to air quality because the project is located in an area which is in compliance with the NAAQS for all criteria air pollutants. To further insure compliance with NAAQS standards, all vehicles and motorized equipment used in construction must comply with regulations regarding the control of air pollution from mobile sources. The contractor should take all necessary actions to reduce the amount of particulate matter produced during construction. The City is responsible for continued coordination with the TCEQ, and must complete any subsequent permitting process prior to the initiation of actual construction activities.

9. Environmental Justice: Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations directs federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations, to the greatest extent practicable and permitted by law. The population within one mile of the proposed project is 340, with a minority population of 20.3 percent and low-income population of approximately 7.7 percent. No minority or low-income populations would be adversely, either directly or indirectly, impacted by the proposed project. Community cohesion, neighborhood character, access and community circulation patterns would be unchanged by this project. Because all persons and populations will be served equally by the project, there will be no adverse impacts that are considered disproportionate to any particular portion of the population.

No schools, hospitals, churches, or other public facilities and services near or adjacent to the proposed project are expected to be affected by the project. Regional and community growth in the vicinity of the proposed project is expected to continue along present trends.

The City recently acquired the one acre parcel from a willing landowner and no relocations or displacements occurred.

10. Coastal and Barrier Resources: Because the proposed project is not adjacent to any coastal location, construction of the proposed project should not have significant adverse impacts to coastal and barrier resources.

11. Cumulative Impacts: Potential cumulative impacts would be those impacts to the local environment that would result from the proposed project in combination with past, present, and reasonably foreseeable future actions. There are no known major construction activities being conducted presently or planned for the immediate future. The proposed project will not individually nor cumulatively over time have a negative impact on the quality of the human or natural environment.

Based on the information described above, there are no anticipated significant adverse environmental impacts associated with the proposed action.

## DOCUMENTATION, COORDINATION, AND PUBLIC PARTICIPATION

Public notices, which contained a project description, the decision-making process, where to find project information, and how to provide public comments, were published in The La Vernia News on June 9, 2011 and June 23, 2011. The City also sent letters to state and federal agencies, Wilson County, and the Alamo Area Council of Governments stating where copies of the Environmental Information Document (EID) are located. Copies of the EID were available at La Vernia City Hall and at the La Vernia News. A public hearing was held on July 11, 2011, in La Vernia City Hall. No members of the public attended the meeting. A copy of the hearing transcript is located in the EID. Because the proposed project is supported by the community, no adverse public comments or concerns were received.

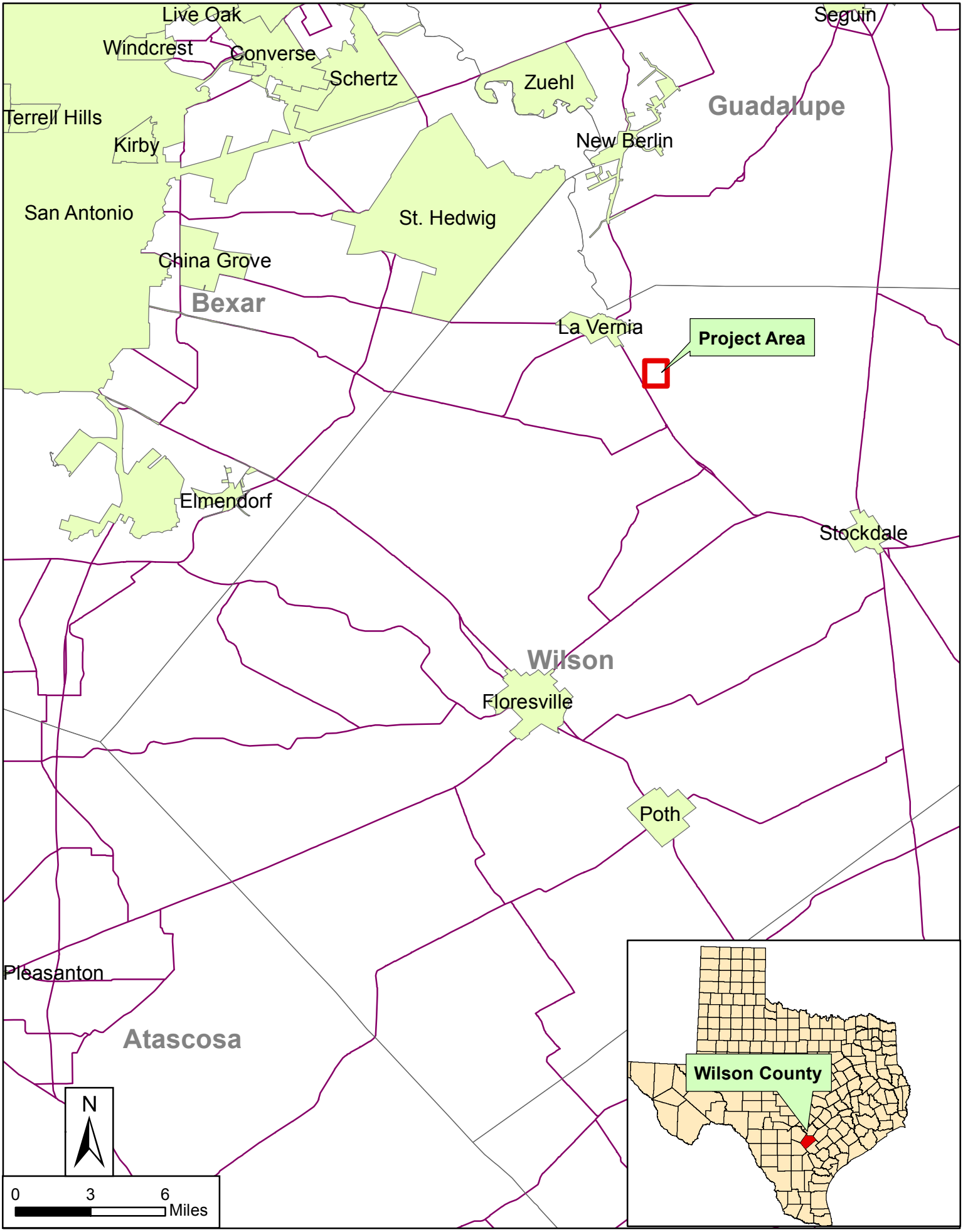
During the process of conducting the environmental review and preparing this Environmental Assessment for the project, coordination has been conducted with all required resource protection agencies and offices to solicit and incorporate their initial review and comments. Copies of this Environmental Assessment will be provided to those agencies and offices for their final review and comments. Other interested parties may request a copy of the Environmental Assessment in writing from the EPA, Office of Planning and Coordination (6EN-XP), 1445 Ross Avenue, Dallas, Texas 75202-2733.

References

1. *Description of Ecoregions of the United States*. U.S. Forest Service, August 22, 2008. Web. < http://www.fs.fed.us/land/ecosysmgmt/>.
2. *Endangered Species Database*. U.S. Fish and Wildlife Service, September 12, 2011. Web. <http://www.fws.gov/endangered/>.
3. Environmental Information Document, Water System Improvements, City of La Vernia, Wilson County. 2011.
4. *Soil Data Mart*. Natural Resources Conservation Service, Dec. 2008. Web. <http://soildatamart.nrcs.usda.gov/>.
5. *The Vegetation Types of Texas*. Texas Parks and Wildlife Department, September 13, 2011. Web. < http://www.tpwd.state.tx.us/publications/pwdpubs/pwd_bn_w7000_0120>.

## RECOMMENDATION

The engineering, social, economic and environmental investigations conducted thus far indicate that the proposed project qualifies under the criteria as an Environmental Assessment. Significant environmental impacts are not expected to occur. Therefore, it is recommended that a Finding of No Significant Impact be issued for this project.




# Figure 1. Project Vicinity

EA for City of La Vernia, TX
Drinking Water Project

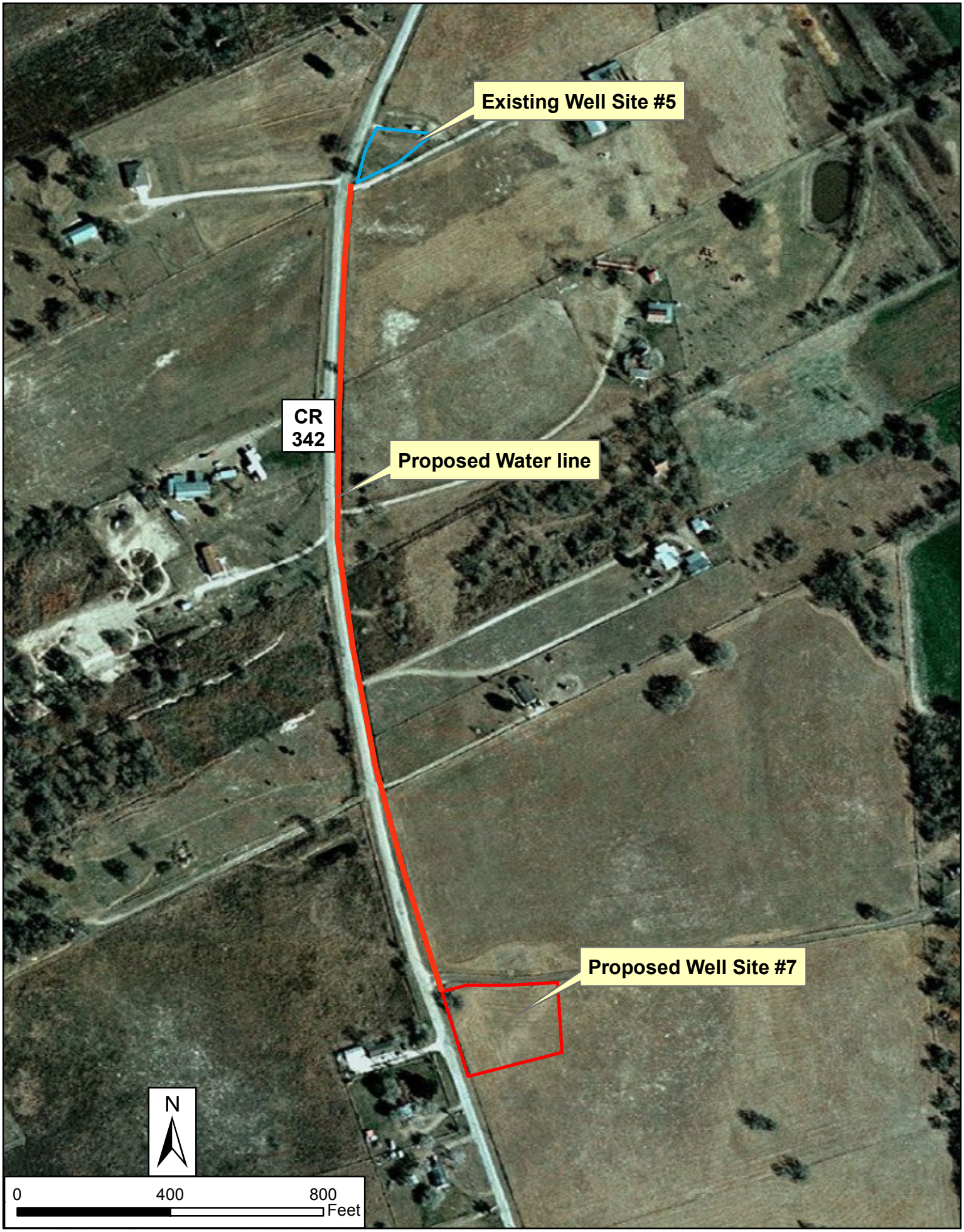



**Figure 2. Project Area**

EA for City of La Vernia, TX
Drinking Water Project