



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 6

1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

JAN 9 - 2014

**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:

Tornillo Arsenic Removal Project  
Proposed by the Tornillo Water Improvement District (TWID)  
Located in Tornillo, El Paso County, Texas

Estimated EPA Share: \$ 2,000,000  
Estimated Local Share: \$500,000

The township of Tornillo is located in eastern El Paso County, Texas. Samples from the TWID wells will not comply with new EPA drinking water standards for arsenic and the arsenic treatment facility (ATF) will treat raw water from two existing wells in order to comply with water quality limits.

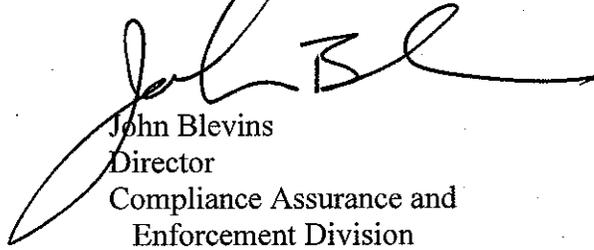
The TWID has determined that treatment of the groundwater prior to distribution will be required to reduce current arsenic levels and ensure compliance with new EPA regulations. The TWID proposes to construct an ATF at the existing Well #3 site. Under this scenario, raw water from Well #2 and Well #3 would be treated and pumped to the 200,000-gallon storage tank for distribution into the system. In addition to an ATF, a booster pump, and a 1,750-foot backwash waterline would be constructed within the existing Well #3 site. The project will supply potable water to 947 service connections.

EPA Region 6 has performed an environmental review and assessment on the Environmental Information Document, and other supporting data, prepared for the proposed Tornillo Arsenic Removal Project. The environmental review and assessment process did not identify any potentially significant adverse environmental impacts associated with the proposed action. The project individually, cumulatively over time, or in conjunction with other actions will not have a significant adverse effect on the quality of the environment. Accordingly, the EPA Region 6 has made a preliminary determination that the proposed project is not a major federal action significantly affecting the quality of the human environment, and that preparation of an Environmental Impact Statement (EIS) is not warranted.

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Removal FNSI

Comments regarding this preliminary decision not to prepare an EIS and issue a Finding of No Significant Impact (FNSI) may be submitted to the U.S. Environmental Protection Agency, Office of Planning and Coordination (6EN-XP), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733. All comments will be taken into consideration. No administrative action will be taken on this decision during the 30-day comment period. This preliminary decision, and the FNSI, will become final after the 30-day comment period expires if no new information is provided to alter this finding.

Responsible Official,



John Blevins  
Director  
Compliance Assurance and  
Enforcement Division

Enclosure

**ENVIRONMENTAL ASSESSMENT**  
**for the**  
**PROPOSED TORNILLO ARSENIC TREATMENT FACILITY PROJECT**  
**EL PASO COUNTY, TEXAS**

**1.0 GENERAL PROJECT INFORMATION**

**1.1 Purpose and Need for Proposed Action**

The Fiscal Year 2012 Appropriations Act for the Environmental Protection Agency (EPA) included special Congressional funding for drinking water construction projects. The Tornillo Water Improvement District (TWID) received appropriations funding support from the EPA for the construction of an arsenic treatment facility (ATF). Past samples from the TWID wells will not comply with EPA drinking water standards and the ATF will treat raw water from two existing wells in order to comply with arsenic water quality limits in potable water. The project will supply potable water to 947 service connections.

The township of Tornillo is located in eastern El Paso County, Texas. The population is 1,568 according to the 2010 census. Tornillo is designated a colonia by El Paso County, the Texas Water Development Board (TWDB), the Office of Rural Community Affairs (ORCA), and the EPA. A colonia is an unincorporated settlement along the United States - Mexico borders that typically lack adequate water supply and treatment systems.

**1.2 Proposed Action**

The TWID has determined that treatment of the groundwater prior to distribution will be required to reduce current arsenic levels and ensure compliance with new EPA/TCEQ regulations. An evaluation of two treatment alternatives using pilot test data was conducted and it was determined that the coagulation/oxidation/filtration process using either generic green sand or Greensand Plus reduced the arsenic content to an acceptable level.

The TWID proposes to construct an ATF at the existing Well #3 site. Under this scenario, raw water from Well #2 and Well #3 would be treated and pumped to the 200,000 gallon storage tank for distribution into the system. In addition to an ATF, a booster pump, and backwash waterline would be constructed within the existing Well #3 site.

The 1,750-foot long, six-inch diameter, backwash line will connect to the existing sanitary sewer system and be constructed entirely within existing El Paso County rights-of-way (ROW). This pipe, which will convey spent backwash water, extends from the Well #3 site to its connection at an existing sanitary sewer system manhole located at the intersection of 4<sup>th</sup> Street and Highland Road. Spent backwash water will be discharged into the existing sanitary sewer system, where it will be treated by the existing 0.75 million gallons per day (MGD) Wastewater Treatment Plant. The total land required for all project components would be less than 2.2 acres. Total project cost is approximately \$1,996,232. Construction activities would likely occur Monday through Friday between 8 a.m. and 5 p.m.

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## **2.0 ALTERNATIVES**

### **2.1 Alternatives Considered by the Applicant**

#### **2.1.1 Alternative 3-Preferred Alternative-Centralized Well-Head Treatment Facility**

This alternative consists of constructing an ATF at the existing Well # 3 site. Under this alternative, water from Well #2 and Well #3 would be treated and then pumped to the existing off-site 200,000-gallon storage tank for distribution into the system. This alternative was determined to be the most practicable alternative that meets the purpose and need of the project, which is to provide acceptable potable water for the residents of Tornillo.

#### **2.2 Alternatives Considered but Eliminated from Detailed Study**

No other alternatives, besides the preferred alternative, are considered to provide feasible or practical solutions to remove arsenic from drinking water. Therefore, these alternatives are not considered in detail.

##### **2.2.1 Alternative 1 – No Action Alternative**

Under the No Action Alternative, the system would continue operating in the current mode. This would violate EPA drinking water standards for arsenic, which can lead to skin damage, increased cancer risk, and inhibit circulatory system functions.

##### **2.2.2 Alternative 2 – Point-of-Use (POU) Treatment Program**

Treatment devices are located at the Point-of-Use within the building or home to treat only the water intended for direct consumption and are typically installed at the individual taps. This alternative is not considered feasible because the POU program is recommended for smaller systems serving 50-500 persons.

##### **2.2.3 Alternative 4 - Interconnecting with Other Systems**

This alternative would provide potable water from another nearby system that currently supplies groundwater with acceptable arsenic levels. This alternative was not considered feasible because there is not another system in close proximity to Tornillo with acceptable arsenic levels.

##### **2.2.4 Alternative 5 – Small Cluster of Individual Facilities**

Under this alternative, each of the three well sites would have its own treatment system. After treatment, the water would be pumped to a 200,000 gallon storage tank. This alternative was eliminated because it increases the number of facilities to be managed and the footprint of facilities would increase. It would also increase the regulatory burden of the TWID due to more permitting and connections.

## **3.0 ENVIRONMENTAL SETTING**

The township of Tornillo is an unincorporated community in eastern El Paso County with an estimated population of 1,568 persons. Tornillo is located approximately 40 miles southeast of the City of El Paso and 2 miles northeast of the Rio Grande River. The service area of the town is approximately 2,400 acres with an elevation of 3,620 feet above mean sea level.

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Elevation increases as you move northeast, away from the Rio Grande with farmlands giving way to desert sandhills. The climate of the project area is arid. It is characterized by low precipitation, high evaporation rates, and large variations in daily temperature.

#### **4.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES**

##### **4.1 Air Quality**

Air quality in a given location is determined by the concentration of various pollutants in the atmosphere. The EPA establishes national ambient air quality standards (NAAQS) for criteria pollutants. NAAQS represent maximum levels of background pollution limits necessary to protect human health. The EPA has designated all areas of the United States as attainment (meeting the standard), non-attainment (not meeting the standard), or unclassified with respect to NAAQS. Portions of El Paso County are "moderate" non-attainment areas for particulate matter with diameters of less than 10 microns (PM<sub>10</sub>) and "maintenance" for carbon monoxide and ozone.

Under the no action alternative, construction activities that result in particulate matter and hydrocarbon emissions would not occur. Air resources in the area of concern would not be impacted by implementation of the No-Action Alternative.

An increase of 100 tons per year (tpy) for the criteria pollutants of concern would trigger the need for a general conformity analysis. Construction activity is not expected to result in significant increases in the emissions of carbon monoxide, ozone, or PM<sub>10</sub> because of the small number of construction vehicles that would be involved and the limited and temporary nature of the construction activities. Construction activities under the Preferred Alternative may temporarily increase soil erosion and dust emissions; however, dust suppression techniques such as watering, and application of soil stabilizers would be used to minimize the fugitive dust. The emissions from the project are expected to be well below the 100 tpy threshold. Construction and operational activities associated with the Preferred Alternative would have no significant impact to air quality within the area of concern. The Texas Commission on Environmental Quality was consulted in 2011, and they concurred with this opinion.

##### **4.2 Noise**

Noise is defined as unwanted sound or, more specifically, as any sound that is undesirable because it interferes with communication, is intense enough to damage hearing or is otherwise annoying. Human responses to noise vary depending on the type and characteristics of the noise, the distance between the noise source and the receptor, receptor sensitivity, and time of day.

The day-night average sound level (L<sub>dn</sub>) is the energy-averaged sound level measured over a 24-hour period, with a 10 dB penalty added to noise occurring between 10 p.m. and 7 a.m. The 10 dB penalty is intended to compensate for the generally lower background noise and increased annoyance associated with noise during the quieter nighttime hours. L<sub>dn</sub> is

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the preferred noise metric of the US Department of Housing and Urban Development, US Department of Transportation, Federal Aviation Administration, USEPA, the US Department of Veterans Affairs, and US Department of Defense. The noise environment at the proposed project site in Tornillo is characteristic of low- to medium-density residential areas.

Under the No Action Alternative, no new infrastructure for arsenic treatment would be implemented. No construction activity would occur under this alternative, and no changes in the existing noise environment would occur. Therefore, no direct or indirect short-term or long-term noise-generating activity or associated impacts would occur.

Construction activities would likely occur from 7 a.m. to 5 p.m., Monday through Friday. Nearby residential receptors would be exposed to short-term construction noise, but no extended disruption of normal activities is expected. Further, provisions would be included in construction plans that require the contractor to make every reasonable effort to minimize construction noise through abatement measures; including proper maintenance of muffler systems. Where possible, use of electrical equipment, rather than diesel or gas, will be used. Minimal adverse short-term impacts on the noise environment at and adjacent to the project site would be expected to occur with implementation of the Proposed Action. However, any impacts would be temporary and would not be considered significant.

#### **4.3 Floodplains**

Under the Proposed Action, an ATF would be constructed at well site #3 and a water line would connect to the existing El Paso sanitary sewer system. The water line would be constructed entirely in previously disturbed El Paso ROW. No direct or indirect impacts to floodplains would occur under implementation of the Preferred Alternative. The El Paso County Floodplain Administrator was consulted in 2013, and they concurred with this opinion.

If the No Action Alternative were selected, no construction or long-term operation of an ATF would occur in the proposed project area. No activities would result in direct or indirect impacts on floodplains.

#### **4.4 Wetlands**

Section 404 of the Clean Water Act (CWA) regulates the discharge of dredged or fill material into waters of the United States, including wetlands. Under the Preferred Alternative, an ATF would be constructed at well site #3 and a water line would connect to the existing El Paso sanitary sewer system. The water line would be constructed entirely in previously disturbed El Paso ROW. No dredged or fill material would be placed in wetlands. There would be no adverse direct or indirect impacts to wetlands.

Under the No Action Alternative, no ATF would be constructed and wetlands would not be affected. Therefore, no impacts would occur under the No Action Alternative.

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#### **4.5 Ground Water Resources**

Implementation of the No Action Alternative would result in arsenic levels violating safe drinking water standards. This could potentially lead to skin damage, increased cancer risk, and inhibition of circulatory system functions.

Implementation of the Preferred Alternative would remove arsenic from the potable water system. The TWID's two active groundwater wells will be treated by the proposed ATF. The project will not affect any related municipal and industrial groundwater supplies, irrigation, water rights, water conservation, recreation or other uses. The proposed project will have a beneficial long-term impact on potable water quality for TWID customers by complying with drinking water standards.

In administering the sole source aquifer program (SSA) under Section 1424 of the Safe Drinking Water Act, EPA performs evaluations of projects utilizing federal dollars for potential impacts to designated SSA's. The project does not lie within the boundaries of a designated SSA, and therefore, does not require review under the SSA program.

#### **4.6 Surface Water Resources**

With the no action alternative, no construction would take place. This would potentially have temporary beneficial impacts from sediments not reaching waterways during the construction.

Construction and operation activities associated with the preferred alternative would not have direct impacts to surface water resources. Hay bales or silt fences would be placed along the edge of the construction ROW to ensure that siltation would not result from construction activities.

Section 10 of the Rivers and Harbors Act of 1899 tasks the U.S. Army Corps of Engineers (USACE) with overseeing any action that may affect navigable waters of the United States. USACE reviewed the project for potential impacts to navigable waters of the U.S., and concluded the project would not impact these resources. The National Park Service (NPS) administers the National Wild and Scenic River Program, and in a 2012 letter, the NPS determined that the project did not require review for impacts to Wild and Scenic Rivers.

#### **4.7 Biological Resources**

The project site is located in a semi-rural area, surrounded by residential uses, light business, and vacant land. The surrounding area has been converted from desert shrub land to the current lightly developed condition. The project will be constructed within existing ROW and an already disturbed well site; therefore, no new vegetative disturbances will occur. The project site does not contain trees or vegetation suitable for migratory bird habitat, and no nests were observed during surveys of the project area.

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With implementation of the no action alternative, the ATF and associated piping will not be constructed. Vegetation, wildlife, and threatened and endangered (T&E) species in the area of concern would not be impacted with the implementation of the No-Action Alternative because the construction activities associated with the proposed action would not occur.

With implementation of the preferred alternative, some mobile animals would escape to areas of similar habitat, and sedentary animals that utilize burrows (e.g., amphibians, lizards, and small mammals) could be potentially affected during the construction. This could affect the Mountain short-horned lizard and the Texas horned lizard, both designated as State of Texas threatened species. The Texas Parks and Wildlife Department made several recommendations which the applicant agreed to follow to ensure take of a species does not occur. A survey, conducted on May 10, 2012, found 12 harvester ant mounds within the project area. The applicant stipulated that a certified biologist would be on call during all construction activities. They also committed to training all site personnel on ID of harvester ant and horned lizards. If either of those species are seen in the project area, the certified biologist will be notified, and all construction will cease immediately until the species vacate the area on their own accord. Ground disturbing activities should not be conducted between the months of September through April. The air temperature during these months can regularly fall below 75 degrees Fahrenheit. When air temperatures fall below 75 degrees, horned lizards will go underground to hibernate and could be killed by ground disturbance.

The applicant made a "no effect" determination with respect to threatened and endangered species. According to Section (7)(a)(2) of the Endangered Species Act, and its implementing regulations, consultation with the USFWS is satisfied. The applicant is responsible for following all recommendations made by federal and state natural resource agencies regarding T&E species for the duration of the project.

Prime and unique farmland soils and those of statewide or local importance are subject to protection under the Farmland Protection Policy Act (FPPA). The purpose of the FPPA is to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of prime farmland. According to the United States Department of Agriculture Natural Resources Conservation Service (NRCS) Web Soil Survey, there are no prime farmlands in the project area. The NRCS was consulted for this project to determine potential impacts to prime farmland soils. The NRCS concluded the proposed project would not impact any prime farmland soils and further consultation was not necessary.

#### **4.8 Cultural, Historical, and Archeological Resources**

Both federal and state laws require consideration of cultural resources during project planning. At the federal level, the National Historic Preservation Act (NHPA), Archeological and Historic Preservation Act (AHPA), among others, apply to projects. In addition, state laws such as the Antiquities Code of Texas apply to these projects. Compliance with these laws often requires consultation with the Texas Historical Commission (THC) and Texas State Historic Preservation Officer (SHPO) to determine the project's effects on cultural resources.

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Construction activities associated with the proposed action would not occur with implementation of the no action alternative. As a result, historical, cultural, and archeological resources in the area of concern would not be impacted.

The historic area of potential effects (APE) was defined as 150 feet beyond the proposed project boundaries. A review of the Texas Historic Sites Atlas determined that the project area is located within a National Register District, the "El Paso County Water Improvement District No. 1". No historic resources related to the El Paso County Water Improvement District No. 1 historic district are located within the APE.

Other than the location of the project within a National Register District, no historic resources have been identified within one-quarter mile radius of the project area that are listed as a National Historic Landmark, on the National Register of Historic Places, on the list of Recorded Texas Historic Landmarks, designated as an Official Texas Historic Marker, or designated as a State Archeological Landmark.

A comparison of the 1945 *Tornillo, Texas* quadrangle and the 1985 *Tornillo, Texas* quadrangle indicates that no historic-age structures (defined as 50 years or older) appear to be located within the APE. Based on the historic map evidence, no historic resources are located within the APE. No direct, indirect, or cumulative impacts/effects to historic resources are anticipated; thus, no mitigation measures are planned for impacts to historic resources.

The archeological APE consists of the two acres where the proposed holding tank is to be constructed, and the total length of approximately two miles of proposed sewer lines. Results of the background study determined that the project site is located within the El Paso County Water Improvement District No. 1. A review of aerial images and historic topographic maps shows that no canals, features, or structures associated within the El Paso County Water Improvement District No. 1 National Register District are located within the APE. A study of high-resolution aerial images of the project site and vicinity revealed that previous earthmoving have compromised much of the integrity and intactness of soil deposits. Natural erosion and clearing activities appear to have compromised the integrity and intactness of soil deposits throughout the majority of the APE.

Given the extent of disturbances within APE, and paucity of sites recorded in the vicinity of the project site, it is unlikely that proposed action will encounter or impact intact archeological deposits. It is recommended that project plans proceed without additional archeological and historic research. A cultural resources survey of the APE is not recommended, as the APE possesses a low-probability for intact cultural deposits. No direct, indirect, or cumulative impacts to significant archeological resources are anticipated because of the proposed project. Construction activities that require subsurface excavation would include the stipulation that if any subsurface cultural materials are identified, work should cease and the appropriate personnel from the THC and the SHPO would be notified to determine the appropriate course of action. The THC agreed with these findings in a 2011 review.

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#### 4.9 Environmental Justice

U.S. Department of Transportation Order on Environmental Justice defines "low income" as a person whose median household income is at or below the Department of Health and Human Services (DHHS) poverty guidelines. The 2011 DHHS poverty guideline for a family or household of four is \$22,350. At \$22,451 and \$27,222, respectively, the median household income within the census tract (CT) and block group (BG) is above the DHHS poverty guideline. The poverty level in the study area CT is 42 percent of the total population. Since the project area BG does not have a population in which greater than 50 percent of the population was living below the poverty level, it was not identified as an area of concern.

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations*, was enacted on February 11, 1994, and mandates that federal agencies identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of programs on minority and low income populations.

According to the Council on Environmental Quality (CEQ), "Minority populations should be identified where either (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate geographical analysis". Minority populations in the project area range from 93 percent to 100 percent, which exceeds the minority threshold, and is on the same order as the comparison BG. The project area primarily contains Hispanic residents. The data shows that the total minority population of populated census Blocks is approximately 94.6 percent, which is lower than the next larger comparison area (census Block Group). No Asian/Pacific Islanders and Black/African Americans were reported.

Under the No Action Alternative, the ATF would not be constructed. Implementation of this alternative could be considered adverse with respect to public health since it would not address issues associated with the violation of arsenic drinking water quality standards.

The Proposed Action would result in positive impacts for children, minority populations, and low-income populations within the proposed project area. Implementation of an ATF would reduce the concentration of arsenic in the potable water system to acceptable levels. No adverse impacts on children and minority and low-income populations would occur under implementation of the preferred alternative.

#### 4.10 Energy

To comply with Executive Order (EO) 13514, the project has been evaluated for its potential to impact the US federal government's goal to reduce greenhouse gas emissions and energy consumption.

The No Action Alternative would provide no improvements to arsenic removal from the potable water system in Tornillo. There would therefore be no changes in energy resources. Implementation of the preferred alternative is not expected to result in adverse impacts on energy

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usage by federal or other facilities. Under this alternative, the ATF would use approximately as much energy as the existing Well #3. No new energy infrastructure would be required to accommodate the project.

#### **4.11 Cumulative Impacts**

The No-Action Alternative would contribute to a violation of drinking water standards for the TWID. This would impose regulatory and financial burdens on the residents of Tornillo, as well as lead to long-term significant adverse health impacts. The cumulative effects of the preferred alternative would be to reduce compliance costs of potable water treatment and improve the long-term health of Tornillo residents. This will lead to better quality of life for the area.

#### **4.12 Unavoidable Adverse Impacts**

Implementation of the action alternative would result only in temporary, adverse impacts such as fugitive dust emissions, vehicle emissions, noise, minor traffic disruption, and soil disturbance. Unavoidable adverse impacts associated with the no-action alternative include the adverse long-term health consequences for Tornillo residents, and repercussions from federal drinking water non-compliance.

#### **4.13 Relationship Between Short-term Uses and Long-term Productivity**

In the short term, implementation of the action alternative would result in temporary, adverse impacts such as fugitive dust emissions, noise, traffic disruption, and soil erosion. Long-term effects of the action alternative include improved long-term health and quality of life for Tornillo residents. The no action alternative would result in adverse impacts on both short- and long-term productivity from continued poor drinking water quality and public health.

#### **4.14 Irreversible and Irretrievable Commitment of Resources**

If the preferred alternative is implemented, irreversible and irretrievable resources committed to the project include energy used to construct the ATF and pipeline, depreciation in value of the equipment used in construction, monies expended toward workforce expenses during construction, and loss of land and soil resources within the footprint of the ATF.

### **5.0 PUBLIC PARTICIPATION**

The projects technical and financial information was available to the public for review by holding a public meeting in Tornillo. This meeting was announced in a newspaper that has a circulation within El Paso County. The newspaper notice was published in English and Spanish. A survey form was distributed to citizens to determine their familiarity and acceptance of the project. All meeting attendees who filled out a questionnaire were in support of the arsenic removal project.

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 (EA) will be provided to those agencies

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and offices for their final review and comments. Other interested parties may request a copy of the EA and/or Environmental Information Document by contacting Keith Hayden, via telephone at (214) 665-2133, electronically at [hayden.keith@epa.gov](mailto:hayden.keith@epa.gov), or in writing from the EPA, Office of Planning and Coordination (6EN-XP), 1445 Ross Avenue, Dallas, Texas 75202-2733.

#### **6.0 RECOMMENDATION**

Based upon completion of this Environmental Assessment, and a detailed review of the Environmental Information Document for the project, it has been determined that construction activities are considered to be environmentally sound. Therefore, it is recommended a Finding of No Significant Impact be issued.

#### **7.0 LIST OF AGENCIES CONTACTED BY BECC**

U.S. Army Corps of Engineers  
U.S. Fish and Wildlife Service  
U.S. Environmental Protection Agency  
U.S. National Park Service  
U.S. Forest Service  
Federal Emergency Management Agency  
Natural Resources Conservation Service  
Texas Commission on Environmental Quality  
Texas Parks and Wildlife Department  
Texas Historical Commission  
Council of Governments