

October 31, 2007

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:

Elevated Drinking Water Storage Tower Construction Project
proposed by the City of Weatherford
located in Parker County, Texas

EPA Project Number: XP-96633901

Estimated EPA Share: \$ 240,600

Estimated Local Share: \$ 834,400

The Fiscal Year 2005 Appropriations Act for the EPA included special Congressional funding for water and wastewater construction projects. The City of Weatherford (City) was selected to receive funding support through these special appropriations for the construction of a 500,000 gallon elevated drinking water storage tower to serve citizens living in portions of the central, south and west areas of the City. The City currently supplies drinking water to approximately 24,000 customers throughout the area. The drinking water supply system consists of a raw water source, raw water pumping facilities, a water purification plant, and a water distribution system. The water distribution system is divided into five separate pressure planes to supply adequate volumes and pressures throughout the system. Proper operation of the water distribution system includes the maintenance of adequate pressures in the distribution lines to comply with rules and regulations imposed by the Texas Commission on Environmental Quality (TCEQ). Requirements of the TCEQ for operating practices applicable to drinking water systems include minimum acceptable pressure levels throughout the City's entire drinking water distribution system.

The City has experienced rapid growth in recent years, which has resulted in the need to upgrade the water distribution system within one of the existing pressure planes identified as the 1257 pressure plane supplying water to the three areas of that pressure plane identified above. The City has proposed the construction of a new elevated water storage tower on a one acre site, appurtenant piping, valves, instrumentation, electrical power source, and site grading and paving

to maintain minimum pressure requirements specified by the TCEQ. The City will utilize the special Congressional funding support in conjunction with local funds to finance the proposed construction project.

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 the basis of the environmental review determination that there are not any predicted or cumulative significant adverse impacts expected with the project, 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: Joe Tison, Mayor
City of Weatherford

Kevin Ward, Executive Administrator
Texas Water Development Board

ENVIRONMENTAL ASSESSMENT

ELEVATED DRINKING WATER STORAGE TOWER CONSTRUCTION PROJECT
proposed by the CITY of WEATHERFORD
located in PARKER COUNTY, TEXAS

BACKGROUND

The City of Weatherford (City) is located in Parker County, which is in the north central portion of the state approximately 30 miles west of Fort Worth. The City supplies drinking water to approximately 24,000 existing customers served by the City's drinking water distribution system. Nearby Lake Weatherford is the City's primary raw water supply source, and Lake Benbrook in Tarrant County is the secondary water supply source. The City's drinking water system consists of a raw water intake structure at each lake, pumping facilities, a water purification plant, and a water distribution system to transport the drinking water to the individual end user. The City's water distribution system consists of five separate pressure planes in order to provide adequate volumes and pressures to all areas of the City. Due to an increasing population in the existing pressure plane known locally as number 1257 or Dubellette, the City must upgrade this pressure plane in order to meet and maintain adequate pressure in the water distribution lines as mandated by the Texas Commission on Environmental Quality (TCEQ). Pressure plane 1257 serves the central, south and west portions of the City. The City is proposing to construct a new elevated water storage tower on a one acre site located in the southwest portion of the City, along with associated appurtenant piping, valves, instrumentation, electrical power source, and appropriate site grading and paving. This upgrade to the City's overall water distribution system should enable the City to maintain minimum pressure and volume requirements for normal water demands, as well as to provide adequate reserve storage capacity for firefighting needs. The City will utilize special Congressional funding support in conjunction with local funds to finance the proposed project. The project area is shown on the maps enclosed as Figures 1 and 2.

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 Environmental Protection Agency's (EPA) 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, known locally as the 1257 Pressure Plane Elevated Storage Tank project, will consist of the following construction activities:

1. Construction of a 500,000 gallon elevated water storage tower;
2. Construction of connecting lines, valves, and fire hydrants;
3. Electrical hookups and connections, as necessary; and
4. Paving/concrete, landscaping, and security fencing.

All facilities for the proposed project will be located within property that will be purchased by the City. The land is referred to as the Bay Laurel site, is currently undeveloped pastureland, and is a suitable location for the water tower because of its proximity to the City's water distribution system. The property is an appropriate size, and is available for purchase without the need for condemnation of the land. The site was selected as the most feasible of four possible sites considered for the location of the water tower.

ALTERNATIVES TO THE PROPOSED PROJECT

The funding recipient evaluated and considered a range of various alternatives to address the infrastructure needs of the area. Important factors influencing the evaluation of the processes and their recommended solutions include environmental acceptability, overall costs, availability of land for the intended uses, maximum reuse of existing facilities when applicable, operation and maintenance costs, system reliability, accommodation of future expansion needs, and public acceptance. A complete description of the alternatives is provided in the Environmental Information Document developed and provided by the funding recipient for the project.

ENVIRONMENTAL SETTING

The topography in the area is characterized as an undeveloped urban area with a few gently rolling hills. The project area is within the corporate limits of the City, which has a current population of approximately 24,000 residents served by the existing drinking water supply system. The land is currently used for livestock grazing, and will be secured by an appropriate fence for safety and security purposes. The area lies within Parker County, which is located near the Clear Fork of the Trinity River watershed, and contains primarily residential neighborhoods with a few businesses. The selected site for the new elevated water tower is 1,600 feet to the north of Interstate 20. Future development along this particular stretch of the highway will continue to be commercial. The one acre site selected for the tower contains the needed land height to provide the water pressure needed to meet TCEQ requirements, and has stable soils from a geotechnical aspect to support the tower.

The site is situated on a slightly upland location, which does not contain protected wetlands, and is not situated in the floodplain. The primary surface water body in the area is Lake Weatherford, which serves as the City's primary source of drinking water. The lake type has been classified as a reservoir and supports aquatic life, contact recreation use, and is suitable as a public water supply. The construction is not expected to have a negative impact upon this body of water, nor will it have a negative impact upon the nearby Brazos River. Development of the proposed project will be consistent with applicable zoning ordinances within the city limits, and will not affect the current land use plan developed by the City. It is anticipated that the

proposed drinking water facilities will have a useful life expectancy of 50 years, and is the first project in a phased approach to meeting the current and future water supply needs of the City. The benefits, costs and minor impacts of the project, such as limited noise and dust created during actual construction activities, will be shared equally by all citizens.

IMPACTS OF THE PROPOSED PROJECT

The proposed project was analyzed to identify potential short-term, long-term, and cumulative impacts on the environment. Factors that were considered include the probability of impact occurrence, magnitude of any occurrence, if any predicted occurrence is determined to be reversible/irreversible, direct/indirect or one-time/cumulative, the proposed action's conformity to legal mandates, and the social distribution of risks and benefits. The proposed project is not expected to have a substantial negative impact upon current land uses or land values, nor is it anticipated to have a substantial impact upon the values of surrounding land holdings. The proposed action is expected to have energy requirements typical of other construction projects of similar scope, size and duration, and will be conducted in accordance with the requirements of all local and state regulations.

The majority of the impacts associated with the proposed project will be short-term and temporary due to actual construction activities, and will cease immediately upon completion of construction work in any particular area. There are not any anticipated significant adverse environmental impacts associated with the proposed action that cannot be reduced to acceptable levels. The only irretrievable resources committed to this project are labor, machinery wear, materials, funds spent, and energy consumed during construction. The potential short and long-term, direct, indirect and cumulative impacts resulting from the proposed action are identified and discussed below.

1. Biological Resources Including Threatened and Endangered Species: Based upon initial coordination with the United States Fish and Wildlife Service (USFWS), construction of the proposed project should not have significant adverse impacts to biological resources. The funding recipient is responsible for continued coordination with the USFWS to insure that protected species and their designated habitat in the area will not be adversely impacted by construction.
2. Cultural/Historic Resources: Based upon initial coordination with the State Historic Preservation Officer (SHPO), construction of the proposed project should not have significant adverse impacts to archaeological, historical, architectural, or cultural resources. The funding recipient is responsible for continued coordination with the SHPO to insure that such resources are protected during construction activities. If cultural materials are encountered during construction, work will stop immediately in the general area of the discovery, and the funding recipient will immediately notify the SHPO of the discovery.
3. Floodplain: Based upon coordination with the local Floodplain Administrator, construction of the proposed project should not have significant adverse impacts to the floodplain.

4. Wetlands: Based upon initial coordination with the United States Army Corps of Engineers (COE) and the EPA Region 6 Marine & Wetlands Section, construction of the proposed project should not have significant adverse impacts to designated protected wetlands within the project construction area. The funding recipient is responsible for continued coordination with the COE, and must obtain and abide by any/all necessary permits to insure that designated wetlands in the area will not be adversely impacted by construction.

In order to further protect the natural beneficial functions of the floodplain and wetlands, and to minimize the potential flood hazards to life and property, the construction funding is conditioned to read:

a. The recipient agrees not to collect or treat wastewater generated by new development in the floodplain or wetlands by the project facilities for a period of 50 years from the date of the environmental assessment related to this project. This restriction does not apply to development in the floodplain or wetlands which existed prior to that date;

b. The recipient agrees to adopt and enforce suitable ordinances and implementing procedures for effective local administration of this floodplain and wetlands service area restriction. On application of the recipient's governing body and after considering all relevant information on a proposed development's effects on the natural functions and values of the affected floodplain and wetlands, the EPA Regional Administrator may waive the service area restriction in individual cases; and

c. EPA and the recipient intend that this floodplain and wetlands service area restriction shall benefit any person, organization, or entity possessing an interest in preservation of the natural environment in the 100-year floodplain and wetlands subject to this restriction. Any such beneficiary may seek enforcement of the restriction against the recipient or its successor in a court of competent jurisdiction, if notice of the intent to seek enforcement is first given to the recipient and the EPA Region 6, and neither entity initiates corrective action within 90 days of receiving such notice.

5. Surface Water Resources: Based upon initial coordination with the TCEQ, construction of the proposed project should not have significant adverse impacts to surface water resources. The funding recipient is responsible for continued coordination with the 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 the construction.

6. Ground Water Resources: Based upon coordination with the TCEQ and the EPA Region 6 Ground Water Section, construction of the proposed project should not have significant adverse impacts to ground water resources.

7. Prime and Unique Farmlands: Based upon coordination with the Natural Resource Conservation Service, construction of the proposed project should not have significant adverse impacts to protected soils or farmlands.

8. Air Quality: Based upon coordination with the TCEQ, construction of the proposed project should not have significant adverse impacts to air quality. The proposed project is located in an attainment area, which is in compliance with the National Ambient Air Quality Standards for all criteria air pollutants. All vehicles and equipment used in the construction of this project must comply with federal regulations concerning the control of air pollution from mobile sources. Adherence to these recommendations will insure that construction of the proposed project should not have significant adverse impacts to air quality.

9. Environmental Justice: The project was reviewed to ensure that construction will be conducted in an appropriate manner so that all persons and populations are served equally by the infrastructure improvements. Based upon the results of an evaluation to rank the potential environmental impacts to local communities using a computer-assisted mathematical formula, including Geographical Information System maps and census demographic data, no persons or populations will be discriminated against or denied the benefits of the proposed project. Since 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.

10. Coastal and Barrier Resources: Since the entire project planning area is located inland and 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 other ongoing actions, and those reasonably foreseeable future actions. No other major construction activity is 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.

DOCUMENTATION, COORDINATION, AND PUBLIC PARTICIPATION

A public hearing for the proposed project was held on January 19, 2007, at the Weatherford City Council Chambers located at 303 Palo Pinto Street. All necessary information related to the project was available for public review and comment prior to the hearing. The project was also discussed during the January meeting of the Weatherford Municipal Utility Board. These Board meetings are open to the public, and citizens have the opportunity to address the Board on utility topics of concern during any of these meetings. The purpose of the hearing was to inform the public of the proposed project, to identify any concerns, and to request public participation. The project is supported by the community, and 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. Environmental Information Document, Elevated Storage Tank for the 1257 Pressure Plane, City of Weatherford, June 2007.

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 that a Finding of No Significant Impact be issued for this project.