



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

October 10, 2024

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) § 375.62, for projects funded through the Clean Water State Revolving Fund (CWSRF) Program, and consistent with the National Environmental Policy Act, 42 U.S. Code § 4321, *et seq.*, the TWDB staff has determined that the proposed action identified below may be exempted from comprehensive environmental review requirements:

City of Mertzon, Irion County, Texas
TWDB CWSRF Project Number 73929
Wastewater System Improvements Project
Total Financial Assistance: \$4,613,800 (L1001583, LF1001584)

The City of Mertzon (City) provides wastewater collection and treatment services for residents, businesses, and institutions within its service area in largely rural Irion County, west-central Texas. The City's current population is 823 and is projected to remain essentially stable, growing to 832 by 2040. The existing wastewater treatment plant (WWTP) is outdated and incapable of meeting the conditions of its current operating permit from the Texas Commission on Environmental Quality (TCEQ), which has issued multiple citations for water-quality and procedural violations. At present, the facility is operating under a TCEQ agreed order.

The City proposes to address these deficiencies by completing a series of enhancements at its WWTP including: upgrading the headworks and influent lift station; replacing the aerators; and rehabilitating the clarifier and other components, as necessary. All proposed improvements would occur at the existing facility. By implementing these corrective measures, the City will be able to consistently meet TCEQ requirements and maintain its wastewater treatment permit.

To fund the proposed improvements, the City applied to the TWDB for financial assistance from the Clean Water State Revolving Fund for project planning, design, and construction. On November 17, 2022, the TWDB Board committed \$4,613,800 for the project. The City closed a loan and loan with principal forgiveness in the combined amount of the commitment on March 14, 2023, and used some of the planning funds to assess the proposed project's potential environmental impact and prepare a Request for Categorical Exclusion (RCE).

Our Mission	Board Members
Leading the state's efforts in ensuring a secure water future for Texas	Brooke T. Paup, Chairwoman L'Oreal Stepney, P.E., Board Member Tonya R. Miller, Board Member Bryan McMath, Executive Administrator

After reviewing the RCE, the staff of the TWDB determined construction would occur at a heavily disturbed site within a Special Flood Hazard Area (Zone A) on the left bank of Spring Creek, a perennial tributary of the Middle Concho River. No direct or indirect effects on the stream are anticipated. A search of the Texas Archeological Sites Atlas indicates there are no known significant archeological or historical sites on the property or nearby. Nor are there habitats suitable for wildlife or native vegetation or known occurrences of threatened or endangered species at the site. The proposed improvements would not change the nature of land use in the area and would not disproportionately affect low-income residents or racial minorities or otherwise disrupt the social fabric of the community.

After reviewing the information provided by the City and other pertinent records, the staff of the TWDB concurred with the City's conclusions that the project would have negligible adverse environmental, cultural, or social impact. Therefore, the staff recommended issuance of a Categorical Exclusion for the project elements described here. The Director of Regional Water Project Development of the TWDB hereby issues a finding of Categorical Exclusion, which shall be revoked if it is found that:

- (1) the project no longer meets the requirements for a Categorical Exclusion as a result of changes in scope, design, or location;
- (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 project also must comply with the following environmental conditions.

Special Environmental Condition

- Consistent with the Flood Insurance Reform Act of 2004, Flood Control Insurance Act, Executive Order 11988, Texas Water Code Section 16.315, and local floodplain development ordinances, the City must obtain a floodplain development permit issued by the Local Floodplain Administrator prior to construction in a Special Flood Hazard Area (100-year floodplain). The City of Mertzon is a participant in the National Flood Insurance Program and must meet all programmatic requirements. In addition, the Texas Commission on Environmental Quality stipulates special requirements for construction and equipment installation at wastewater treatment facilities in floodplains (30 TAC §§ 217.35 and 309.13).

Standard Environmental Conditions¹

- Standard emergency condition for discovery of cultural resources
- Standard emergency condition for discovery of threatened or endangered species

¹ For an expanded discussion of the standard environmental conditions see the TWDB guide to Supplemental Contract Conditions (TWDB-0550).

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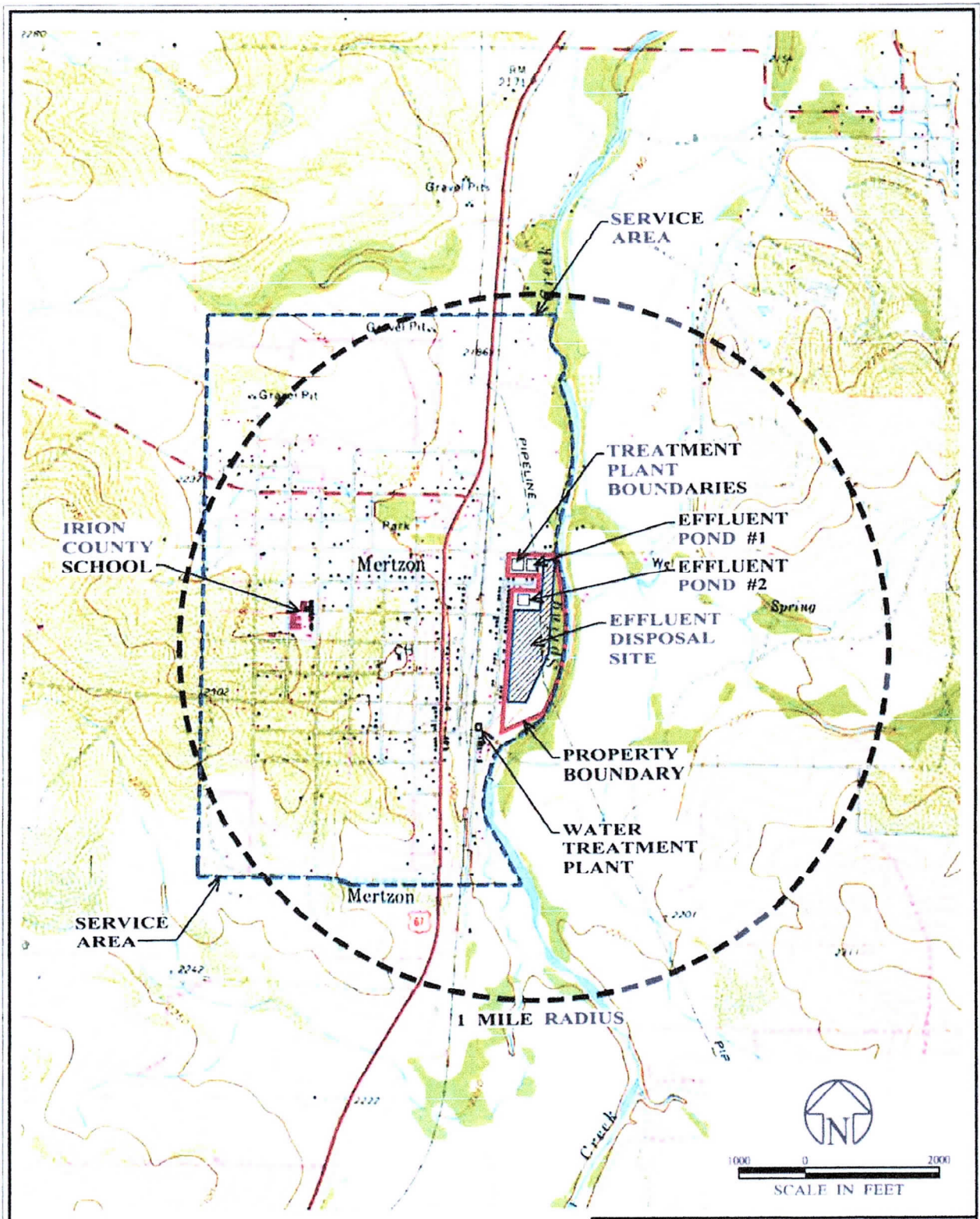
Comments regarding this determination may be submitted to the Director of Regional Water Project Development, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231 or via email at RWPD-Environmental@twdb.texas.gov.

Sincerely,

T. Clay Schultz Digitally signed by T. Clay Schultz
Date: 2024.10.11 09:04:33 -05'00'

T. Clay Schultz, Ph.D., Director
Regional Water Project Development

Enclosure



USGS TOPOGRAPHIC MAP
WASTEWATER TREATMENT PLANT
CITY OF MERTZTON,
IRION COUNTY, TEXAS
WQ0011347-001

Mertzon project area

Write a description for your map.

Legend

- Feature 1
- Irion County High School
- Mertzon
- Mertzon Meat Company
- Rico's Cafe
- Spring Creek Park



APPROXIMATE SCALE
1500 FEET
1000
500
0
250

