

TEXAS WATER DEVELOPMENT BOARD NOTES

1. IN ORDER TO COMPLY WITH REQUIREMENTS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY REGARDING IMPLEMENTATION OF THE NATIONAL FLOOD INSURANCE ACT, FLOOD DISASTER PROTECTION ACT, NATIONAL FLOOD INSURANCE REFORM ACT, FEDERAL EXECUTIVE ORDERS 11988 AND 11990, AND TO COMPLY WITH RELATED STATE STATUTES AND LOCAL FLOODPLAIN DEVELOPMENT ORDINANCES, PROPONENTS OF CONSTRUCTION PROJECTS IN SPECIAL FLOOD HAZARD AREAS MUST COORDINATE IN ADVANCE WITH LOCAL FLOODPLAIN ADMINISTRATION AND OBTAIN A FLOODPLAIN DEVELOPMENT PERMIT PRIOR TO DESIGN APPROVAL.
2. AS PER AGREEMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD PROJECT NO.____) AND TO ENSURE COMPLIANCE WITH THE MIGRATORY BIRD TREATY ACT, CLEARING WILL BE CONDUCTED OUTSIDE THE MIGRATORY BIRD NESTING SEASON WHERE POSSIBLE. IF CLEARING MUST BE PERFORMED DURING NESTING SEASON (MARCH 15TH – SEPTEMBER 15TH), NEST SURVEYS WILL BE CONDUCTED PRIOR TO CLEARING, AND A 25-FOOT BUFFER ZONE WILL BE ESTABLISHED AROUND ANY OBSERVED ACTIVE NESTS UNTIL THE YOUNG HAVE FLEDGED.
3. THE OWNER WILL COMPLY WITH THE TERMS AND CONDITIONS OF THE U.S. ARMY CORPS OF ENGINEERS' NATIONWIDE PERMIT 12, UTILITY LINE ACTIVITIES DURING CONSTRUCTION OF THE PROPOSED PIPELINES. THE PROJECT IS DESIGNED SUCH THAT CONSTRUCTION ACTIVITIES SHOULD NOT RESULT IN THE LOSS OF GREATER THAN 0.5 ACRE OF JURISDICTIONAL WATERS OF THE UNITED STATES, INCLUDING WETLANDS, FOR EACH SINGLE AND COMPLETE PROJECT. SIDE-CASTED EARTHEN MATERIAL GENERATED FROM TRENCH EXCAVATION IS NOT ANTICIPATED TO DISPERSE FROM THE PROJECT SITE. EXPOSED AREAS RESULTING FROM CONSTRUCTION ACTIVITIES WILL BE STABILIZED AS SOON AS PRACTICABLE, AND SURFACE CONTOURS WILL BE RETURNED TO PRE-CONSTRUCTION CONDITIONS AS NEAR AS POSSIBLE. SHOULD ONE OR MORE OF THE CRITERIA DESCRIBED IN THE "NOTIFICATION" SECTION OF NATIONWIDE PERMIT 12 BE ANTICIPATED, THE OWNER WILL PREPARE AND SUBMIT A PRE-CONSTRUCTION NOTIFICATION TO THE U.S. ARMY CORPS OF ENGINEERS AND AWAIT PERMIT AUTHORIZATION PRIOR TO INITIATING PROJECT CONSTRUCTION ACTIVITIES.
4. THE OWNER HAS PREVIOUSLY COORDINATED WITH THE APPROPRIATE AGENCIES AND IMPACTS TO KNOWN CULTURAL OR ARCHEOLOGICAL DEPOSITS HAVE BEEN AVOIDED OR MITIGATED. HOWEVER, THE CONTRACTOR MAY ENCOUNTER UNANTICIPATED CULTURAL OR ARCHEOLOGICAL DEPOSITS DURING CONSTRUCTION. IF ARCHEOLOGICAL SITES OR HISTORIC STRUCTURES WHICH 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 DISCOVERED AFTER CONSTRUCTION OPERATIONS ARE BEGUN, THE CONTRACTOR SHALL IMMEDIATELY CEASE OPERATIONS IN THAT PARTICULAR AREA AND NOTIFY THE OWNER, THE TWDB, AND THE TEXAS HISTORICAL COMMISSION, 1511 N. COLORADO ST. , P. O. BOX 12276, CAPITOL STATION, AUSTIN, TEXAS 78711-2276. THE CONTRACTOR SHALL TAKE REASONABLE STEPS TO PROTECT AND PRESERVE THE DISCOVERIES UNTIL THEY HAVE BEEN INSPECTED BY THE OWNER'S REPRESENTATIVE AND THE TWDB. THE OWNER WILL PROMPTLY COORDINATE WITH THE STATE HISTORIC PRESERVATION OFFICER AND ANY OTHER APPROPRIATE AGENCIES TO OBTAIN ANY NECESSARY APPROVALS OR PERMITS TO ENABLE THE WORK TO CONTINUE. THE CONTRACTOR SHALL NOT RESUME WORK IN THE AREA OF THE DISCOVERY UNTIL AUTHORIZED TO DO SO BY THE OWNER.
5. 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), AND/OR THE STATE OF TEXAS PARKS AND WILDLIFE CODE ON ENDANGERED SPECIES, OR TO DESTROY OR ADVERSELY MODIFY THE HABITAT OF SUCH SPECIES. IF A THREATENED OR ENDANGERED SPECIES IS ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL IMMEDIATELY CEASE WORK IN THE AREA OF THE ENCOUNTER AND NOTIFY THE OWNER, WHO WILL IMMEDIATELY IMPLEMENT ACTIONS IN ACCORDANCE WITH THE ESA AND APPLICABLE STATE STATUTES. THESE ACTIONS SHALL INCLUDE REPORTING THE ENCOUNTER TO THE TWDB, THE U.S. FISH AND WILDLIFE SERVICE, AND THE TEXAS PARKS AND WILDLIFE DEPARTMENT, OBTAINING ANY NECESSARY APPROVALS OR PERMITS TO ENABLE THE WORK TO CONTINUE, OR IMPLEMENT OTHER MITIGATION ACTIONS. THE CONTRACTOR SHALL NOT RESUME CONSTRUCTION IN THE AREA OF THE ENCOUNTER UNTIL AUTHORIZED TO DO SO BY THE OWNER.

NOTE:

THE DESIGN ENGINEER SHALL AFFIRM WITH THE PROGRAM MANAGER, PRIOR TO INCLUSION, THAT THE TWDB NOTES USED ARE NECESSARY AND APPROPRIATE FOR EACH SPECIFIC PROJECT.



GENERAL NOTES

APPROVED BY: *Grandaghi*
DESIGN MANAGER

EFF. DATE: 12-22-2020	REF. NO. 6
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