

RESOLUTION NO. 2025- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS REQUESTING TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) APPROVAL OF A PROPOSED NON-RADIOACTIVE HAZARDOUS MATERIALS (NRHM) TRANSPORT ROUTE, GENERALLY LOCATED ALONG FM110, TO COMPLY WITH THE EDWARDS AQUIFER HABITAT CONSERVATION PLAN AND U.S. FISH AND WILDLIFE SERVICE INCIDENTAL TAKE PERMIT; AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE DOCUMENTS NECESSARY FOR THE SUBMISSION OF THE NRHM PROPOSED ROUTE TO TXDOT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Per the Edwards Aquifer Habitat Conservation Plan and Incidental Take Permit with U.S. Fish and Wildlife Service, the City is required to designate a hazardous material transport route which is to be used by carriers to minimize the potential for spills entering the upper San Marcos River and negative impacts to endangered species and the aquatic ecosystem; and

WHEREAS, the city council of the City of San Marcos has proposed a hazardous material transport route that generally follows FM110, which crosses the San Marcos River downstream of critical endangered species habitat, which is attached hereto; and

WHEREAS, the City has complied with the initial steps of State and federal requirements for designation of a non-radioactive hazardous materials (NRHM) transport route, including conducting initial contact with TXDOT and political subdivisions within a 25-mile radius of a proposed route and creating a route analysis and proposal report which is attached hereto; and

WHEREAS, the city council of the City of San Marcos held a public hearing on September 16, 2025, to hear public comments regarding the proposed NRHM route; and

WHEREAS, the City of San Marcos now wishes to submit the proposed NRHM route to TxDOT and other adjacent jurisdictions as required by TxDOT for approval; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The City of San Marcos hereby requests the Texas Department of Transportation to approve the designation of the attached Non-radioactive Hazardous Materials Transport Route that generally follows FM110.

PART 2. The City Manager, or her designee, is authorized to execute documents necessary for submission of the NRHM route to TxDOT on behalf of the City.

PART 3. This resolution shall be in full force and effect immediately from and after

its passage.

ADOPTED on September 16, 2025.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk