



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

REPLY TO
ATTENTION OF:

April 25, 2003

NOTICE OF AVAILABILITY
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT
Final Supplement No. 1 to the Environmental Impact Statement
For the Dallas Floodway Extension, Trinity River, Texas

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Fort Worth District has prepared a final Supplement to the Dallas Floodway Extension Environmental Impact Statement (FSEIS) addressing cumulative impacts of other similar projects in the geographic area of the Dallas Floodway Extension.

Authority. This Notice of Availability is being issued to interested parties in accordance with the National Environmental Policy Act (NEPA) of 1969, Public Law (PL) 91-190, as amended, and the implementing regulations in Engineering Regulation (ER) 200-2-2.

Authorized Project. The Dallas Floodway Extension project was authorized by Section 301 of the River and Harbor Act of 1965 (79 Stat. 1091) and modified by Section 351 of the Water Resources Development Act of 1996 (110 Stat. 3724), which authorized inclusion of non-Federal levees. The authorization was further modified to add environmental restoration and recreation as project purposes by Section 356 of the Water Resources Development Act of 1999 (Public Law 106-53). The Dallas Floodway Extension would provide protection from the Standard Project Flood for areas protected by the Lamar and Cadillac Heights levees, protection of the Interstate Highway 45 Bridge, ecosystem restoration through construction of wetlands beginning just upstream of Martin Luther King, Jr. Boulevard and extending downstream to near South Loop 12, and about 31.5 miles of recreational trails. Environmental mitigation for the project consists of providing 1,179 acres of bottomland hardwood forest and grasslands in the immediate area of the project.

Purpose and Background. The Dallas Floodway Extension was authorized for construction in 1965 as part of a basin-wide plan of improvement for the Trinity River and Tributaries in Texas. The authorized Dallas Floodway Extension is located just downstream of the existing Dallas Floodway along the Trinity River to the vicinity of Loop 12 in southern Dallas, Texas. The project was placed in an inactive status in the mid-1980s due to lack of local sponsorship by the City of Dallas. Following extensive flooding in 1989 and 1990, the City requested the Corps bring the project back to active status. A reevaluation study was initiated in January 1991. Following a lengthy period of public and interagency participation, the Corps prepared a General Re-Evaluation Report and Integrated Environmental Impact Statement. The Chief of Engineers Report and a Record of Decision for the EIS were signed in December 1999. Two lawsuits were filed in May 2000 seeking permanent injunction against proposed DFE project (Northern District - Fort Worth) and seeking enforcement of 1973 Trinity River Project injunction (Southern District - Houston).

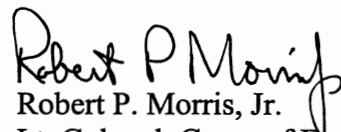
On February 26, 2001, the U.S. District Court for the Southern District of Texas denied the motion to enforce the permanent injunction. On April 10, 2002, the U.S. District Court for the Northern District directed the Corps stop work on any further action related to the construction of

the DFE project until the Corps completed further consideration of the cumulative impacts of other similar, reasonably foreseeable future projects in the same geographical area as the DFE project but ruled in favor of the Corps on three of the four counts in the lawsuit filed by various groups opposed to the DFE project.

The U.S. Army Corps of Engineers, Fort Worth District has prepared a Final Supplement to the Environmental Impact Statement on the Dallas Floodway Extension Project to address cumulative impacts as mandated by the United States District Court Order of Summary Judgment.

Written review comments on the FSEIS will also be accepted for 30 days from the date on which the Notice of Availability of the FSEIS appears in the *Federal Register*, which currently is anticipated to be May 9, 2003.

Copies of the FSEIS are available for review at the U.S. Army Corps of Engineers, P.O. Box 17300, 819 Taylor Street, Fort Worth, Texas 76102-0300. Copies have also been distributed to the main library in Dallas. Copies are also available for review at The Trinity River Corridor Project Office at City Hall, 6th Floor, 6/B/South, 1500 Marilla, Dallas, Texas, 75201. The main text of the DSEIS is also available for review on the Fort Worth District Internet Home Page at <http://www.swf.usace.army.mil/>. For further information, contact Mr. Gene T. Rice, Jr., Project Manager, at U.S. Army Corps of Engineers, Fort Worth District, CESWF-PM-C, P.O. Box 17300, Fort Worth, Texas 76102-0300 or call at (817) 886-1374.


Robert P. Morris, Jr.
Lt. Colonel, Corps of Engineers
Acting District Engineer