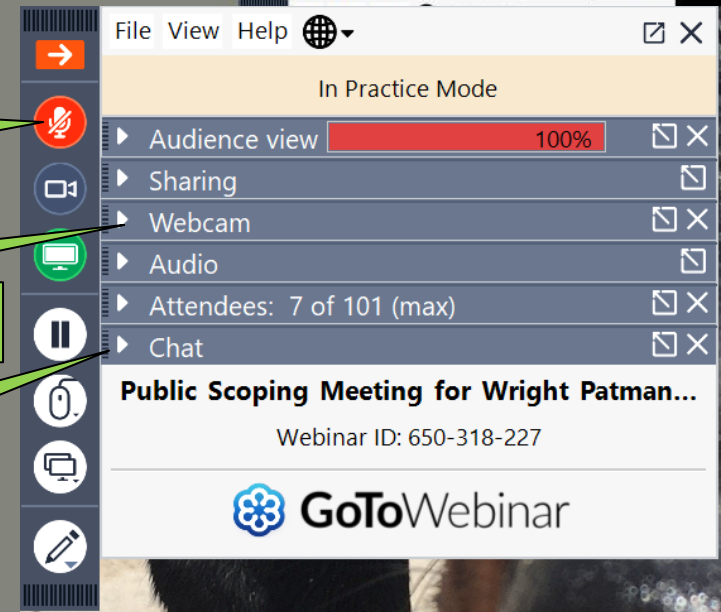


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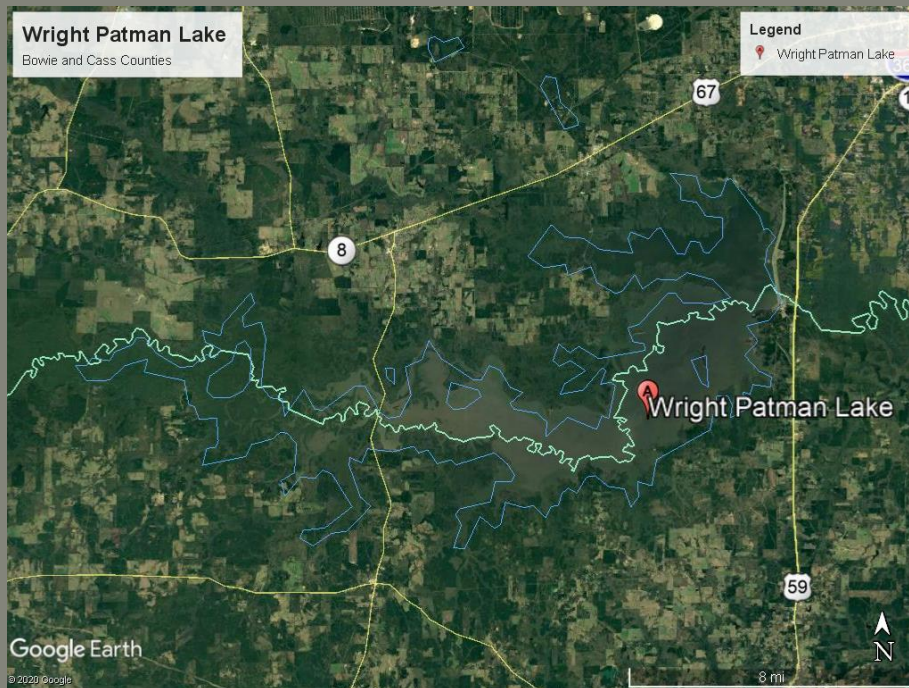
# END STATE AGREEMENT/ULTIMATE RULE CURVE

03 JUNE 2021

## WRIGHT PATMAN LAKE

### CASS AND BOWIE COUNTIES, TEXAS

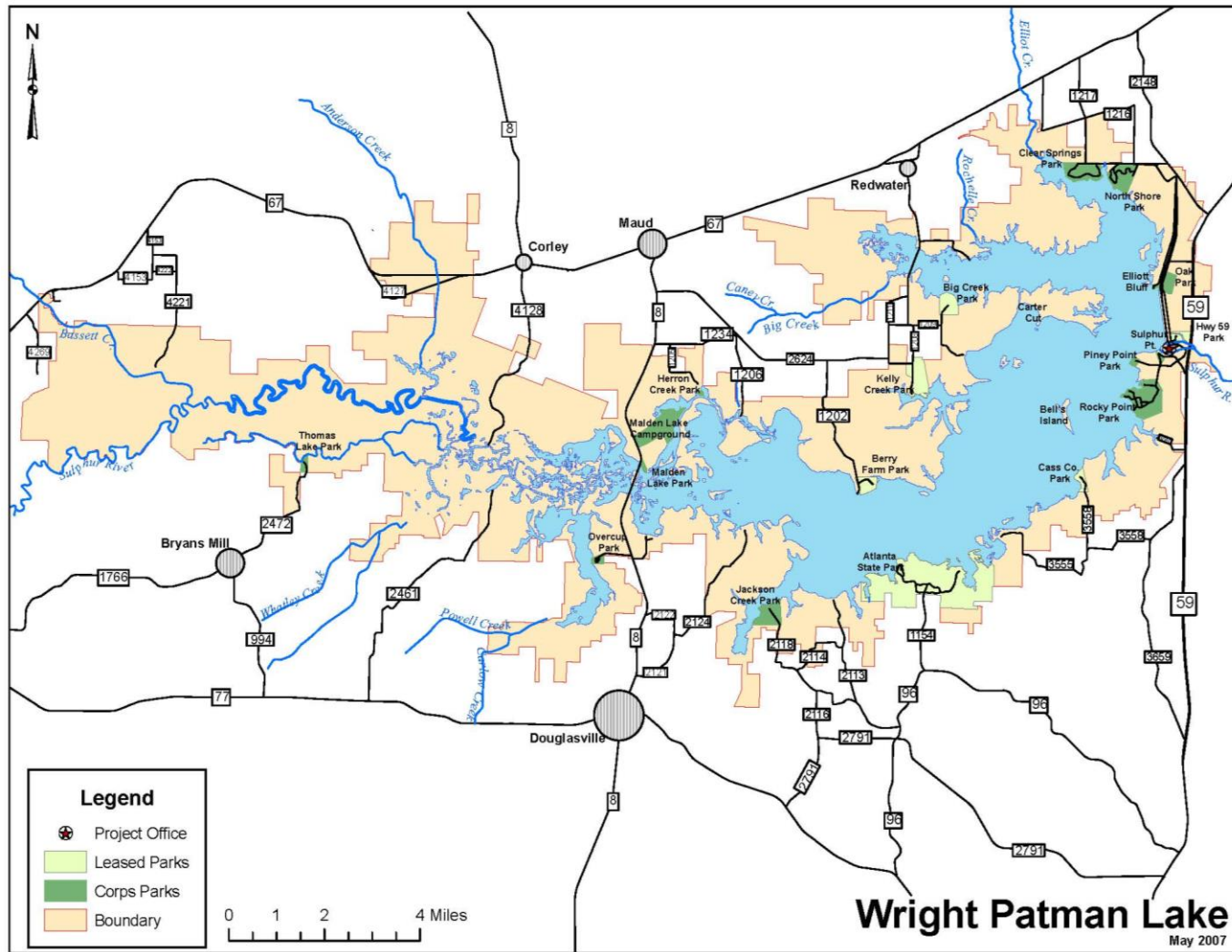
### FORT WORTH DISTRICT



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# Study Area



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# Background

Wright Patman Lake was constructed under the Flood Control Act of July 24, 1946

Jim Chapman Lake (otherwise known as Cooper Dam) was authorized on August 3, 1955

The End State Agreement, otherwise known as the Ultimate Rule Curve (URC), was approved on July 11, 1968 by the Secretary of the Army

Completion of Jim Chapman Lake authorizes the conversion of 120,000 acre-feet of flood control storage in Wright Patman Lake for water supply use



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# Background Continued

Implementation of End State Agreement is contingent upon:

- 1. Deliberate impoundment of Jim Chapman Lake**

- a) Jim Chapman Lake was impounded September 28, 1991

- 2. Mitigation of any environmental and cultural resource impacts that may be necessary**

Wright Patman Lake currently operates under the **Interim Rule Curve, also known as the Interim Water Supply Contract**



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# Water Supply Contracts

## Interim Agreement (DAC29-69-C-0019)

- **Not intended as the long-term operation of Wright Patman Lake**
- Storage Space between **220.6' mean sea level (msl)** and **227.5' msl**
- Provides storage space ranging from 12,700 acre-feet to 201,900 acre-feet for municipal and industrial water supply

## End State Agreement (DACW29-68-A-0103)

- Allows operation of the Ultimate Rule Curve
- Storage space between **224.89' msl** to **228.64' msl**
- Provides storage space ranging from 120,000 acre-feet to 241,000 acre-feet for municipal and industrial water supply
- Conversion to the End State Agreement is not mandated by the authorization for Cooper Lake; it is, however, permitted by that legislation.



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# Previous Studies

Please note that there was a Sulphur River Basin Feasibility Study conducted in the past.

There is no connection between the two projects and the only common factor is that the End State Agreement was used as the baseline condition for the Feasibility Study.

**The evaluation and/or implementation of the URC does not incur additional storage space above 228.64' msl and would not include reallocation of the flood pool as described by the Sulphur River Basin Feasibility Study. The study exceeded the time limit for completion and has never been approved by Congress.**



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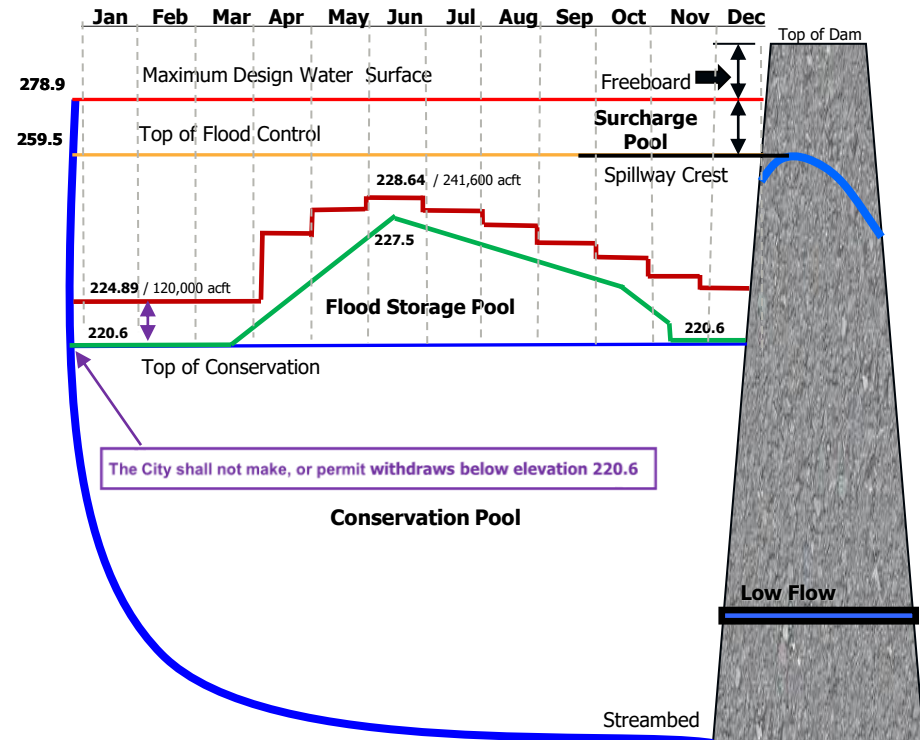


# Reservoir Operations

## Implementation & Operation of Rule Curve

- Interim Agreement **“Operating Rule Curve”** operating between elevations 220.6' – 227.5' msl. **The operating rule curve uses 220.6' msl as top of conservation pool.**
  - 220.6' msl Nov-Mar
  - Peaking at 227.5' msl until the end of May
  - Gradually falling back to elevation 220.6' msl at the end of October.
- End State Agreement **“Ultimate Rule Curve”** operating between elevations 224.89' – 228.64' msl.
  - 224.89' msl Jan – Mar increasing to 226.84' msl
  - Peaking at 228.64' msl in the month of Jun
  - Gradually falling back to elevation 224.89' msl at the beginning of Jan
  - **The City shall not make or permit withdrawals** which would lower the water level below elevation 220.6 feet above mean sea level, unless expressly approved.

## Pool Allocations



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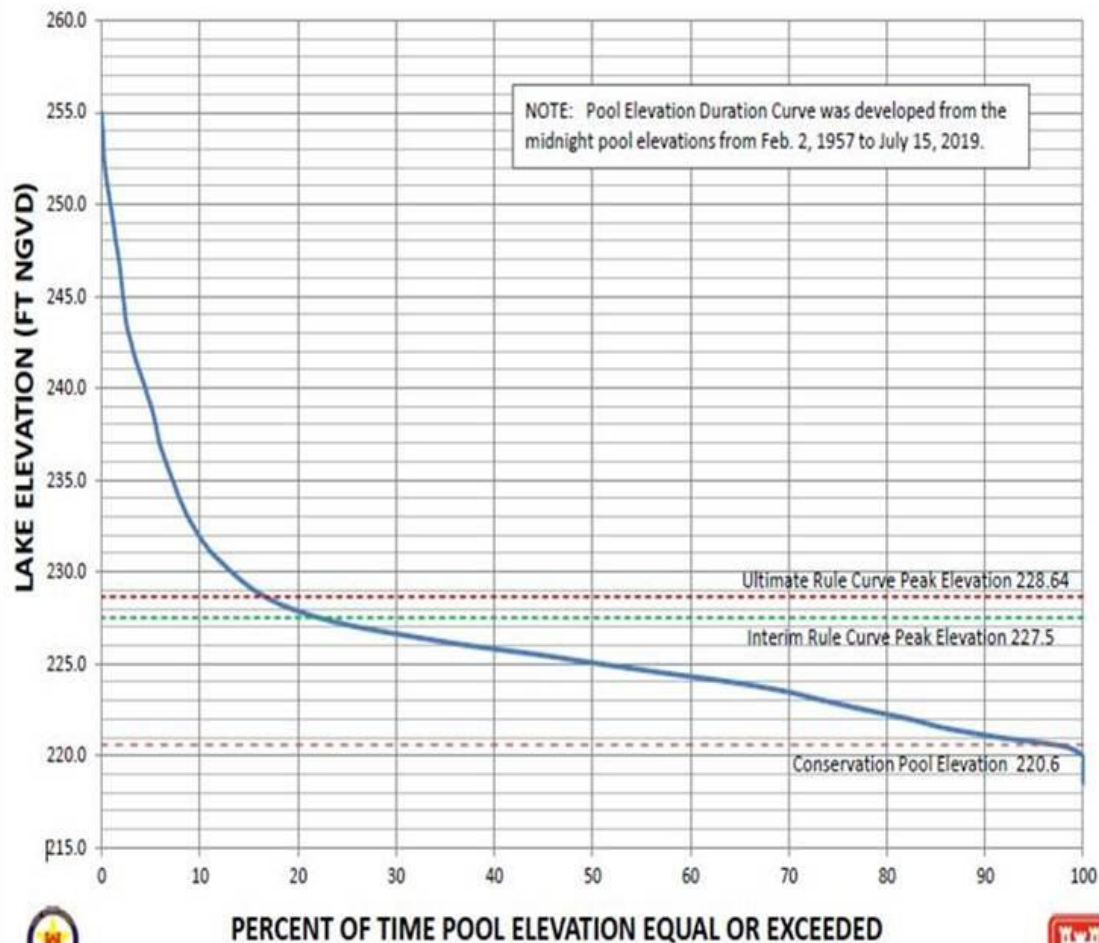




# Existing Duration Curve

## WRIGHT PATMAN LAKE

NOTE: Pool Elevation Duration Curve was developed from the midnight pool elevations from Feb. 2, 1957 to July 15, 2019.



**Existing Duration:**  
Elevation 220.6' msl is equaled or exceeded 90% of the time.

Elevation 225' msl is equaled or exceeded 50% of the time.

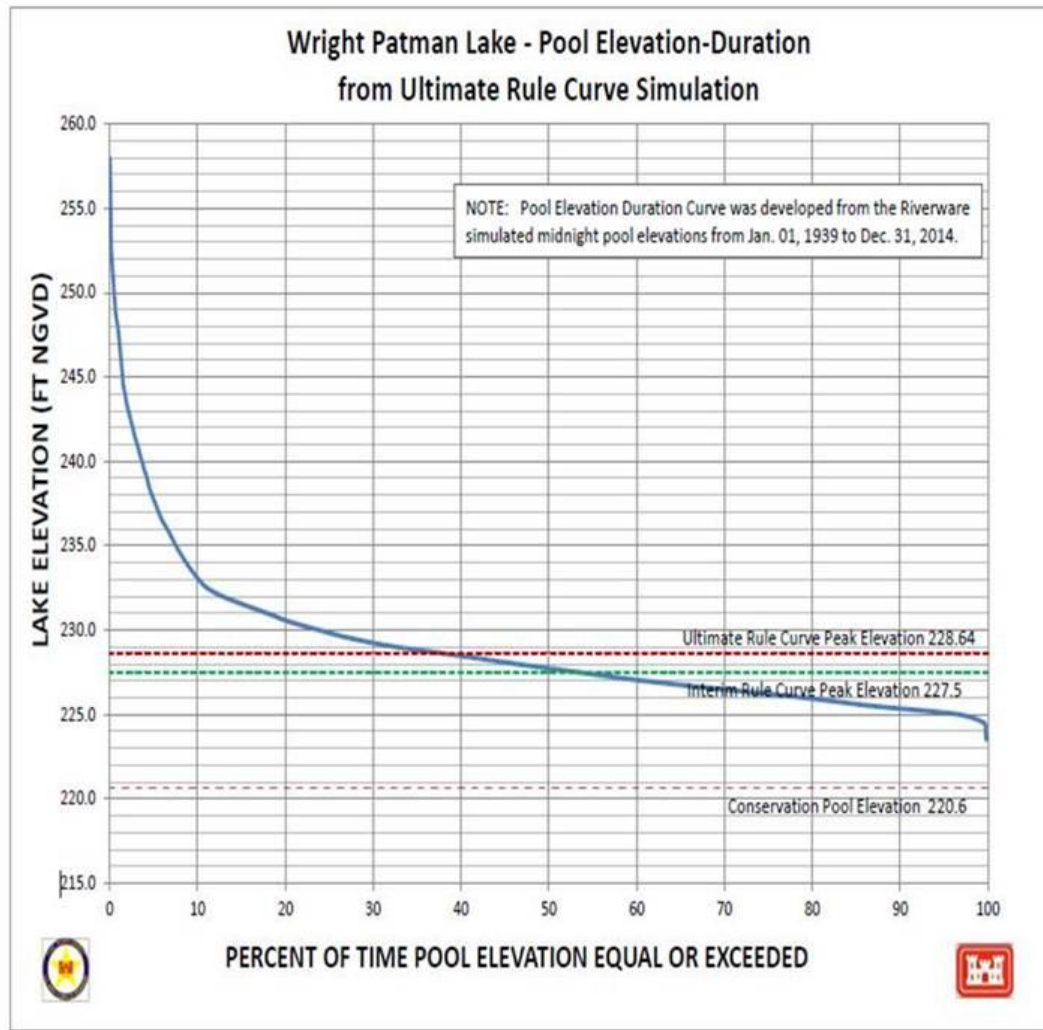
Elevation 232' msl is equaled or exceeded 10% of the time.



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# URC Elevation Duration Curve



## URC Duration:

Elevation 224.89' msl is equaled or exceeded 90% of the time.

Elevation 227.5' msl is equaled or exceeded 50% of the time.

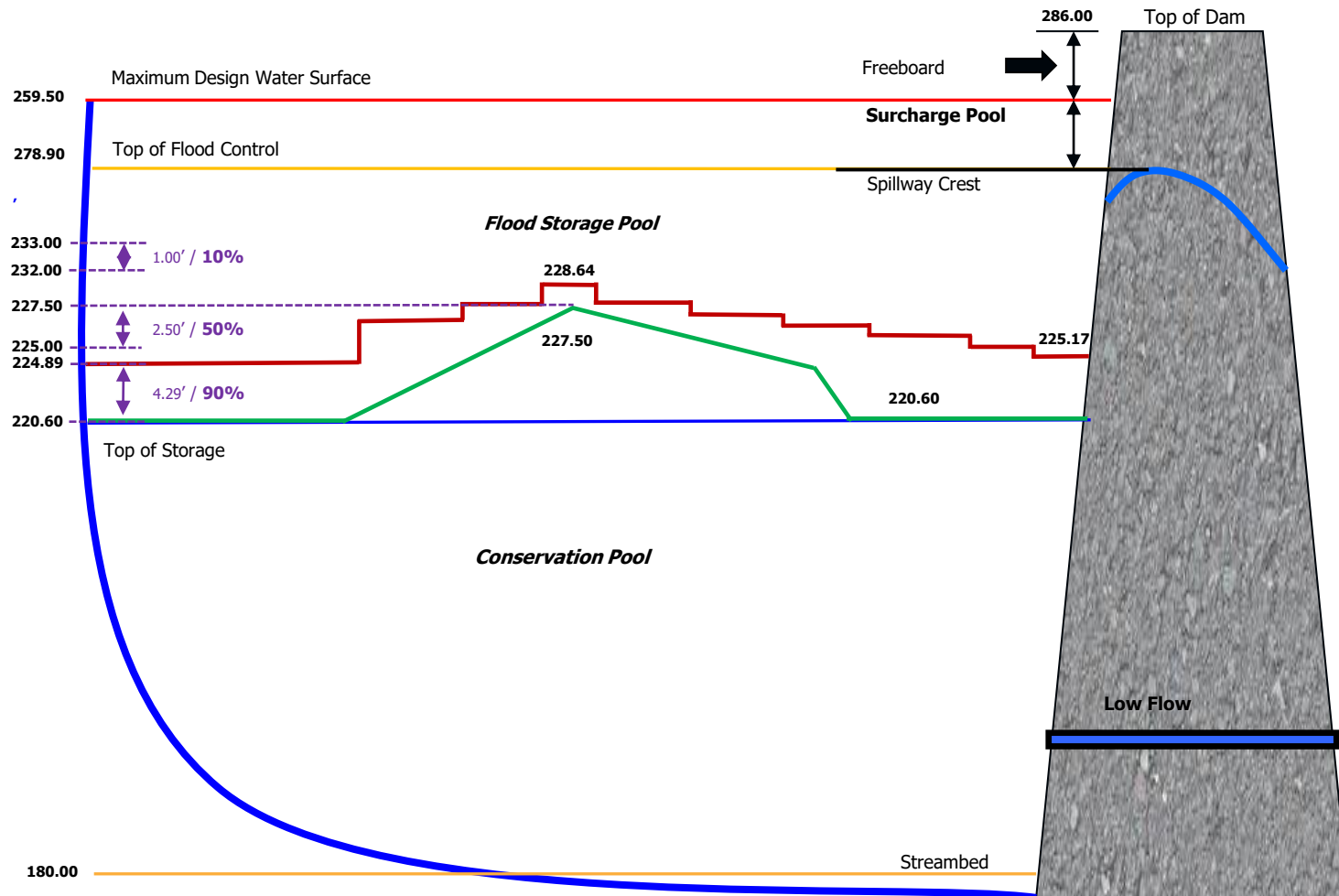
Elevation 233' msl is equaled or exceeded 10% of the time.



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# Biggest Takeaways



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# Purpose of Presentation

- **Inform** the public and stakeholders that National Environmental Policy Act (NEPA) review will be prepared for the End State Agreement (URC).
- **Define** a NEPA review
- **Describe** existing conditions and impacts, as well the process to develop a NEPA compliance document.
- **Provide instructions** on how to participate in the NEPA process
- **Encourage** participation



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# What is the Purpose of NEPA?

- The purpose of this project is to analyze impacts to the socio-economic environment resulting from implementation of the End State Agreement (URC).
- The goals of the document will be to ensure compliance with NEPA and appropriate environmental laws, regulations, agency policies and guidance, and executive orders.



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# Why NEPA?

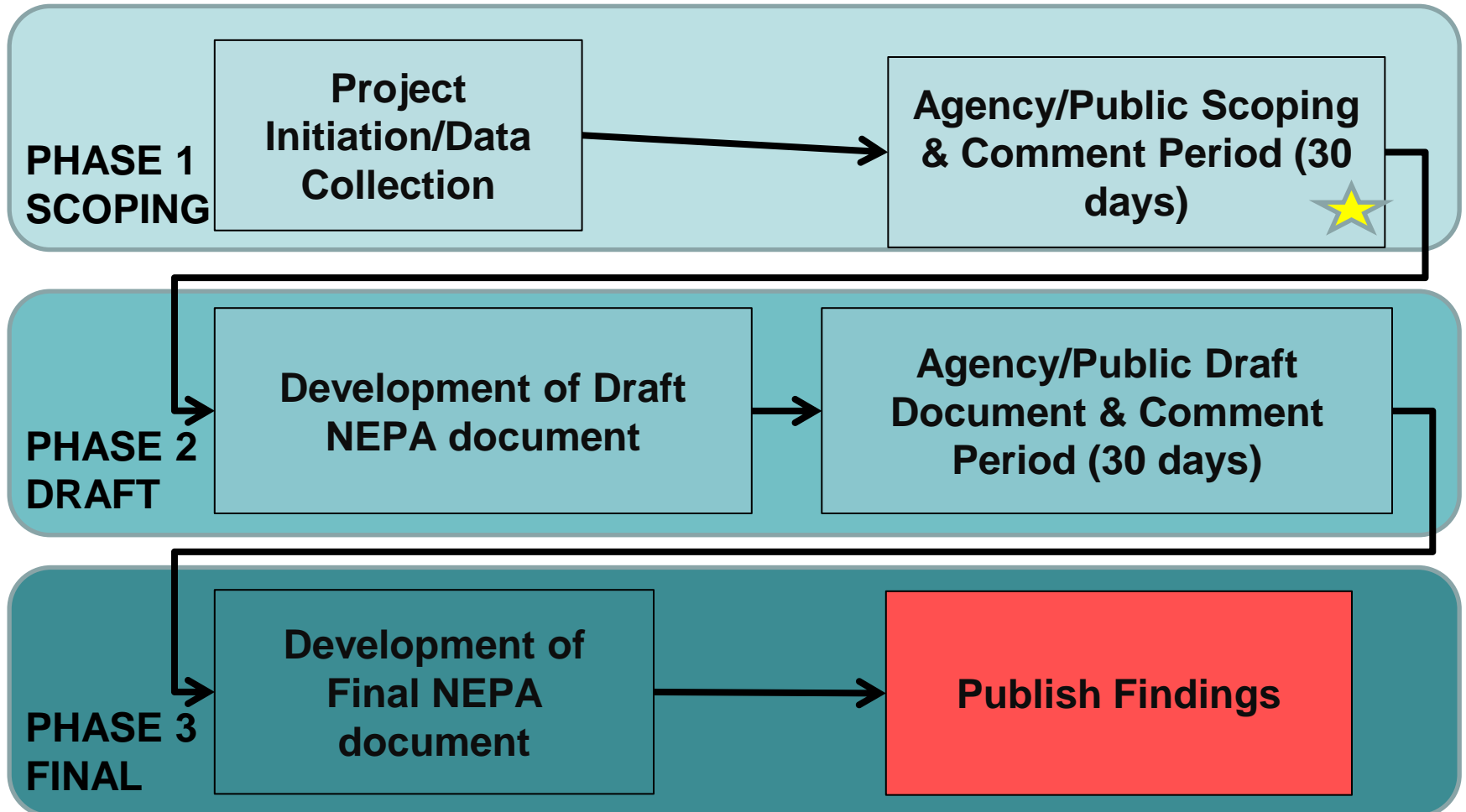
- Applies to federal actions that affect the environment such as operating curves and water levels.
- Requires federal agencies to **CONSIDER** and **DOCUMENT** the environmental impacts of their proposed actions as part of an agency's **OVERALL** planning and decision-making.
- Requires federal agencies to cooperate with other federal, state and local governments as well as with organizations and the public during project planning.
- Scoping is where the federal agency asks for input from other agencies, the public and organizations regarding the project area, resources and uses.



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# NEPA Process



Where we are today



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# Existing Conditions

## Threatened and Endangered Species

- No effect to Red Knot and Piping Plover
- State-listed species

## Recreation

- Hunting, fishing, and camping

## Vegetation

- Significant habitat types: wetlands and bottomland hardwoods

## Cultural Resources

- Archaeological sites



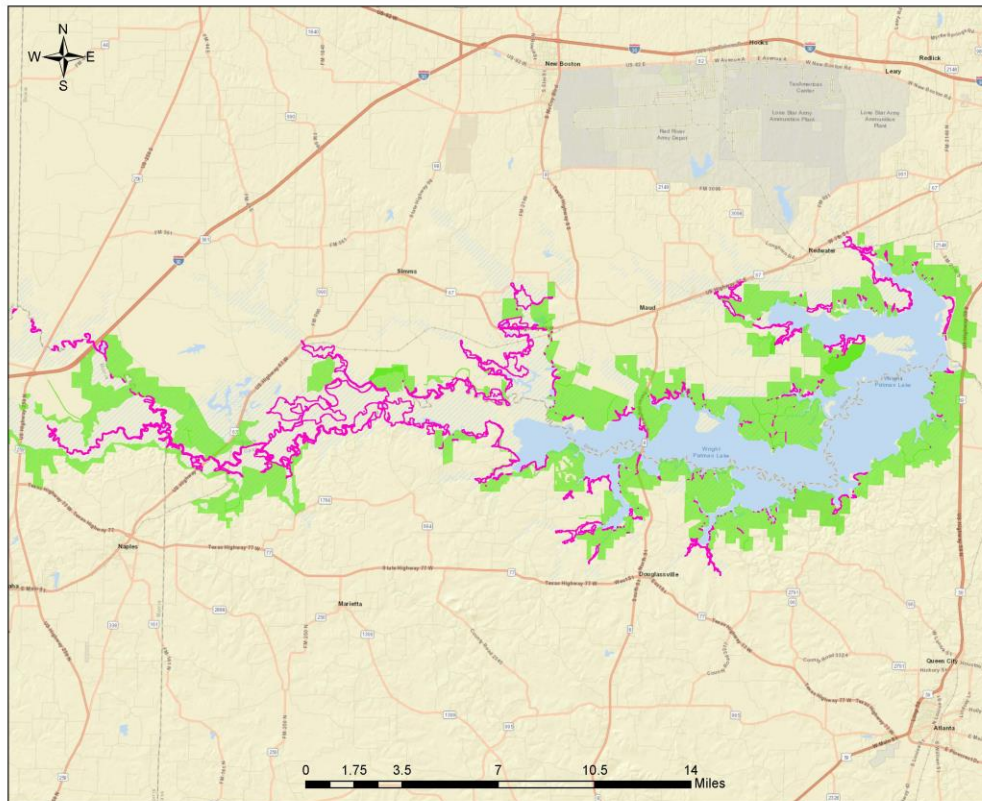
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# Cultural Resources

## Area of Potential Effect (APE):

Wright Patman Lake shoreline 228'-233' msl where impacts from inundation and erosion are likely to occur under the new conservation pool elevation of 228.6' msl



**Legend**  
233-228-PAS  
Previous Archaeological Surveys

**Wright Patman Lake  
Previous Archeological  
Surveys**



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Fort Worth District

Map Created- April 26, 2021  
by Geospatial Services Section  
USACE, Fort Worth District  
Analyst- F. Lucas Daniels  
Chief- Bryson Webber

- Survey approximately 7,000 acres
- Test previously recorded sites AND newly identified sites for National Register of Historic Places (NRHP) eligibility
- Assess and Resolve adverse effects to historic properties



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# Tribal and Agency Consultation

2014 - 2015:

- Consultation initiated with the Caddo Nation, State Historic Preservation Office (SHPO), and the Bureau of Indian Affairs

2015 - 2016

- Testing report and Historic Properties Management Plan recommending additional investigations at sites submitted to the Caddo Nation and SHPO



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# Tribal and Agency Consultation Continued

2017

- Draft Scope of Work for Phase I Survey to investigate previously unsurveyed areas within the APE effects submitted to the Caddo Nation, as well as five other federally recognized tribes and SHPO
  - One additional tribe, the Choctaw Nation of Oklahoma, requested to be a consulting party for activities in Bowie County and requested a copy of the Draft Survey Report upon completion

2021

- Revised Draft Scope of Work for Phase I Survey and Phase II Testing sent to federally recognized tribes and SHPO



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# Cultural Resources Anticipated Timeline

## Timeline for the Section 106 Process:

### IDENTIFY Historic Properties – 1 year

- Phase I Survey of 7,000 acres within the APE that have not been previously investigated
- Phase II Testing of previously recorded sites, and any newly identified sites, to determine NRHP eligibility

### ASSESS and RESOLVE Adverse Effects – Up to 3 years

- Execute a Memorandum of Agreement (Estimate 3 months from completion and acceptance of testing reports)
- Conduct Phase III Mitigation/Data Recovery of NRHP eligible sites AND/OR alternative mitigation as determined appropriate by the USACE in consultation with the Caddo Nation and other federally recognized tribes, the SHPO, and other consulting parties



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# Other Acts Considered

## National Historic Preservation Act

- Coordination & mitigation

## Clean Water Act

- Texas Commission on Environmental Quality

## Endangered Species Act

- U.S. Fish and Wildlife Service

## Fish and Wildlife Coordination Act

- Texas Parks and Wildlife Department
- U.S. Fish and Wildlife Service



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# The Process

- Environmental and Cultural Resources Investigation Initiation (November 2020)
- Evaluate Potential Impacts (Continuous)
- ★ Public Scoping Meeting (June 2021)
- Legal and Internal Review of Draft NEPA document (October 2021)
- Public Review of Draft NEPA document (December 2021)
- Finalize NEPA document and Mitigation Requirements (2022)

The goal of the project is to be able to implement operations under the End State Agreement after completing NEPA compliance.

It should be noted that implementation will not immediately occur upon completion of NEPA compliance and is contingent upon any mitigation that may be required as a result of the NEPA evaluation.



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# Public Scoping Period

There will be a 30-day public comment period

## Public Review

- Begins June 3, 2021
- Ends July 3, 2021

The presentation can be found here:

- <https://www.swf.usace.army.mil/Missions/Water-Sustainment/Wright-Patman-URC/>



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# Submitting Comments & Meeting Break

Submit your written comments by July 3, 2021 (post-marked)

- Email to:
  - Justyss.A.Watson@usace.army.mil
- Or Mail to:
  - Justyss Watson, Biologist, Environmental Branch, Regional Planning and Environmental Center, 819 Taylor Street, P.O. Box 17300, Room 3A12, Fort Worth, TX 76102-300

We will take a 15-minute break to submit your questions through the chat box.

- The presenters will review the questions and answer at the conclusion of the break.



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