



**US Army Corps  
of Engineers**  
Fort Worth District

# **Proposed Lake Ralph Hall Scoping Summary**

Project Number: SWF-2003-00336

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**June 2008**

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## **1.0 INTRODUCTION**

This report summarized the input received from the interested public and agencies relative to the Upper Trinity Regional Water District's (UTWD) proposed Lake Ralph Hall. UTWD has submitted an application to the U.S. Army Corps of Engineers, Fort Worth District (USACE) to discharge dredged and fill material into waters of the United States (U.S.), an activity subject to Section 404 of the Clean Water Act. Evaluation of Section 404 permit application is a federal action subject to review under the National Environmental Policy Act of 1969 (NEPA). Under the provisions of NEPA, the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and the USACE Procedures for Implementing NEPA (33 CFR 320), the USACE has evaluated information received during the Public Notice comment period, in addition to information received during an April 15, 2008, Scoping Meeting. The purpose of this process, referred to as Scoping, is to identify and analyze potential environmental impacts and alternatives to be addressed in detail and disclosed to the public through the preparation of an Environmental Assessment (EA) or (EIS). If the USACE determines the applicant's proposal has the potential to significantly affect the quality of the human environment an EIS will be required.

## **2.0 PUBLIC PARTICIPATION AND SCOPING PROCESS**

### **2.1 Public Notice**

On March 14, 2008, the USACE published and distributed a Public Notice to parties on the USACE Regulatory Branch mailing list for projects located in Fannin, Delta, and Lamar Counties, Texas, adjacent landowners, and other interested parties. The purpose of the Public Notice was to inform interested parties about the proposed Lake Ralph Hall, to solicit comments relevant to the Section 404 permit application, and to inform the public about an April 15, 2008, scoping meeting, proposed to be held at the Fannindel High School Gymnasium, in Ladonia, Texas. To further publicize the meeting, a notice providing information on the meeting was published in several local newspapers.

### **2.2 Public Scoping Meeting**

On Tuesday April 15, 2008, the USACE held an informal public scoping meeting from 4:00 to 8:30 pm at the Fannindel High School, located at 601 West Main Street, Ladonia, Fannin County, Texas. The purpose of this meeting was to disseminate information about the proposed lake project and its potential effects to the human environment. The USACE held this meeting in part, to seeking public comment on the applicant's proposal, in part to assist the agency in determining whether the proposed project would significantly affect the quality of the human environment. Meeting participants were offered two options to provide comments, either in written form or through verbal comment recorded by a stenographer.

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### **2.3 Comment Period**

The formal 45-day comment period for the Public Notice and scoping process closed on April 28, 2008. The USACE did not receive any requests to extend the 45-day comment period.

## **3.0 COMMENT REVIEW AND EVALUATION**

### **3.1 Receipt and Cataloging**

As the Public Notice comments and scoping comments were received, the USACE cataloged and recorded each with a unique number. All original copies, including transcript of verbal comments have been incorporated into the administrative record for this project.

### **3.2 Comment Analysis and Summarization**

The comments were identified relative to environmental/human resource type and by specific issue within each resource to identify public and agency concerns related to the proposed project.

### **3.3 Use of Results**

This summary of scoping comments presents a preliminary identification of those issue that appear to be relevant to the NEPA process and the USACE's decision whether to prepare an EA or EIS for this project. A number of comments were received regarding issues unrelated to the proposed action or for which the relationship appears to be weak or poorly defined. The USACE determined such comments to be outside the scope of the Section 404 and NEPA evaluations. As such, these comments were purposely omitted from this analysis.

## **4.0 SCOPING SUMMARY**

The scoping phase of the NEPA is designed to encourage public input to the environmental analysis and document preparation process. As such, the number of comments received at this point in the process provides an indication of the level of public interest and participation in the proposed project.

The following quantitative summary provides a general overview of the number of comments by resource and by issue. Some comments concern more than one subject;

therefore, some comments have been included in more than one quantitative issue summary, although they were counted only once for the total comments in Subsection 4.1. Although all reasonable efforts were put forth to provide the most accurate information, the numbers provided in Subsection 4.1 represent an approximate, not absolute accounting of comments.

#### 4.1 Total Written Comments and Verbal Comments Transcribed

Number of Submissions (Letters/transcript)	49
<b>Number of Comments</b>	<b>255</b>
Number of Individual Commenters	41

#### 4.2 Water Resources

<b>Number of Comments</b>	
<b>Number of Individual Commenter's</b>	
Effects to stream receiving inter basin transfer	2
Concern regarding accuracy of Jurisdictional Determination	4
Need to increase riparian and shoreline buffers	3
Need for performance bonds (mitigation)	1
Concerns regarding mitigation design	13
Impacts to aquatic resources associated with water transmission lines	2
Need for additional mitigation	2
Effects to downstream areas losing water due to interbasin transfer	1
Effects of altered flow regime (downstream)	3
Effects to downstream channel geomorphology	4
Effects to floodplain and need for map revisions	1
Need for review by Floodplain Administrator	1
Effects to water quality associated with receiving waters and source waters	5
Effects to water quality associated with lakeshore development-recreation	4
Effects to isolated wetlands and other isolated waters	2
Effects to overall water quality	6
Effects associated with increased flooding	2
Need to prohibit clearing/grazing within shoreline buffer	1
Effects associated with leakage of underground gas reserves into lake water	2

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### 4.3 Loss of Soils Erosion-Sedimentation

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Loss of valuable farmland	3
Sedimentation within conservation pool	6
Effects to downstream sediment transport	4
Need to control erosion without construction of a lake	1
General concerns regarding erosion	4

### 4.4 Biological Resources (Vegetation and Wildlife)

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Loss of bottomland hardwood forests	2
Adverse effects to wildlife	3
Concern regarding aquatic life movement	1
Lack of data on effects (adverse) to fish and wildlife	1

### 4.5 Cultural and Paleontological

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Effects to paleontological resources	2
Effects to cultural resources subject to the National Historic Preservation Act	3
Effects to cemeteries	1

### 4.6 Air Quality

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Effects to air quality (development, traffic, recreational boats)	2

### 4.7 Property Rights

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Loss of mineral rights	3
Loss of private property	5
Need for more accurate mapping of affected properties	13
Affects to property/displacement of residents	24

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#### 4.8 Social and Economic Resources

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Lack of an economic development plan	1
Lake not needed for water supply	3
Reallocation of rural water resources to urban areas	5
Concerns relating to anticipated future water shortages	3
Effects associated with increased land values	1
Effects associated with increases in property taxes	3
Need for zoning to regulate lakeshore development	3
Need for overall water conservation	3
Effects to local economy (beneficial)	2
Effects to local economy (adverse)	2
Effects (adverse) associated with loss of tax base (lake no longer on tax rolls)	3

#### 4.9 Noise and Visual Resources

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Adverse aesthetics effects due to significant fluctuations of lake levels	5
Adverse effects to rural nature of Fannin County	2

#### 4.10 Transportation

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Effects associated with road closures	2

#### 4.11 Recreation

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Concerns about excessive public access	1
Need for adequate public access	2

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#### 4.12 Project Design and Management

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Overall project design concerns	1
Underestimated project costs	2
Water transmission method	2
High cost of water to be sold Lake Ralph Hall	2
Concerns regarding long-term capacity of reservoir	6
Accuracy of firm yield estimates	2
Responsibility for shoreline maintenance	1
Dam design, construction, and safety	2
Availability of water for local use	1
Need for additional project alternatives	10
Concerns regarding high cost of project	4
Purchase of water from Oklahoma as possible alternative	2
Concerns regarding lake size	3
Concerns regarding lake levels	8
Lake not needed for local water supply	4
Concerns regarding water allocation	1
Project timing	4

#### 4.13 Regulatory Process

<b>Number of Comments</b>	
<b>Number of Individual Commenters</b>	
Lack of agency coordination	1
Overall lack of data	4
Requests for an EIS	6
Requests for a formal Public Hearing	5