US Army Corps of Engineers ®
Fort Worth District

Public Notice

Applicant: Bexar-Medina-Atascosa Water Control and Improvements District No. 1

Project No.: SWF-2016-00017

Date: June 12, 2018

The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States*. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands*. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

Contact

Name: Mr. Frederick Land

Phone Number: (817) 886-1729

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT
AND
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUBJECT: Application for a Department of the Army Permit under Section 404 of the Clean Water Act (CWA) and for water quality certification under Section 401 of the CWA to discharge dredged and fill material into waters of the United States associated with the restoration of the existing Chacon Dam to operating conditions. Proposed construction would occur within Chacon Creek, City of Natalia, Medina County, Texas.

APPLICANT: Bexar-Medina-Atascosa Water Control and Improvements District No. 1
c/o Mr. George Weimer.
226 Highway 170
P.O. Box 170
Natalia, Texas 78059

APPLICATION NUMBER: SWF-2016-00017

DATE ISSUED: June 12, 2018

LOCATION: The Chacon Dam is located along Chacon Creek approximately three miles north of the City of Natalia, Medina County, Texas (Exhibit A: Vicinity Map). The proposed project is located at approximately 29.23718 North latitude and -98.87377 West longitude and is mapped on the Lytle, Texas 7.5-minute U.S. Geological Survey (USGS) topographic quadrangle map (Exhibit B). The project area is located in the Nueces-Southwestern Texas Coastal Basin, Hydrologic Unit Code (HUC) 12110109. This section of Chacon Creek was previously Chacon Reservoir.

OTHER AGENCY AUTHORIZATIONS: Section 401 State Water Quality Certification

PROJECT DESCRIPTION: The Applicant proposes to discharge approximately 50,330 cubic yards of dredged and fill material, either permanently or temporarily, into approximately 6.7 acres of waters of the U.S., including 2.88 acres of emergent wetland, 3.32 acre of forested wetlands, and 1,434 linear feet (0.5 acre) of intermittent stream and trapezoidal channel, to restore the existing Chacon Dam (Exhibit F). Permanent loss due to cut and fill activities, would include 2.88 acre of emergent wetland and 3.32 acre of forested wetlands. Permanent loss of stream, due to cut and fill activities, would include 382 linear feet (0.13 acre) of irrigation bypass channel. Approximately 1,052 linear feet of intermittent stream and trapezoidal channel may be temporarily impacted by construction activities but would be returned to preconstruction conditions (Exhibit F).

As further described below, a dam breach occurred in 2007. Because the Applicant has been actively engaged in contracting, planning, and gathering resources to reconstruct the dam to current Texas Commission on Environmental Quality (TCEQ) dam safety regulatory requirements, the environmental baseline is considered by USACE to be as if the dam was still currently operational, and the wetland and stream natural reestablishment within the reservoir footprint is not the new normal environmental circumstance or condition. To date, the Applicant's restoration actives have included the grading of 26.38 acres of emergent wetlands within the original conservation pool of Chacon Reservoir and 3.32 acres of forested, littoral, lacustrine wetlands (Exhibit F). This forested wetland, noted in the paragraph above, would be considered jurisdictional and would require mitigation. Although the naturally reestablished streams within the reservoir footprint are not considered the normal circumstance, these streams, totaling approximately 8,648 linear feet (4.98 acres), would be flooded by the proposed reservoir (Exhibits F and G). The Applicant has stated that future dam operations would be the same as the pre 2007 dam breach operations. Therefore, no additional upstream or downstream impacts are anticipated relative to the environmental baseline.

Need and Purpose: The project purpose is to provide water for crop cultivation. Chacon Reservoir has historically been atypical when compared to Diversion Lake and Pearson Lake in that Chacon is an in-line channel reservoir with water rights to capture a portion of the contributing flows received from the Chacon Creek watershed. The Applicant's stated purpose of this reservoir is to divert water to the D-2 Irrigation Canal, a portion of the D-1 Irrigation Canal, and the associated system of lateral canals.

In 2007, Chacon Reservoir was taken out of service due to dam safety concerns after a substantial rainfall event undermined the structural integrity of the emergency spillway. Efforts by the Applicant have since been focused on restoring the original capacity of the reservoir and repairing the dam to meet current TCEQ Dam Safety Guidelines. Since the period from when the reservoir was drained to present day, the ability of the Applicant to reliably provide water to the farmlands along the approximately five-mile segment of the D-2 Irrigation Canal and its associated lateral canal systems has been adversely impacted. This has affected approximately 500 farming operations and over 5,000 acres of farmland according to historical billing and account records.

Since the Chacon Reservoir is not in operation, customers serviced by the D-2 and portions of the D-1 Irrigation Canals rely on either dry land farming (dependent on rainfall) or by taking a risk that water released from Diversion Dam or Pearson Dam arrives on time. During peak growing periods, it is not unusual for water orders to be backed up, due to the time it takes for water to flow from the diversion point to the take-out point, where they fall in the water order sequence, and unexpected rainfall events that may eliminate the need for water even though water has already been released into the system resulting in wasted water. The Applicant estimates it may take 2 to 3 weeks for released water to reach a customer during peak demand periods resulting in crop damages, total loss of crops, or waste of water.

The Applicant states that the purpose and benefits of the Chacon Reservoir holding lake is to:
• Improve reliability of timely water orders to irrigators to protect crop losses.
• Improve system efficiencies and enhance water conservation efforts.
• Capture tailwater in the system when demand drops off.
• Reduce evaporation and seepage losses in the system by reducing travel time.
• Capture a portion of rainfall runoff in the Chacon Creek watershed to improve water availability and reliability in the system and reduce demand on Medina Lake which has contributions to the Edwards Aquifer groundwater recharge.
• Reduce potential demand on groundwater pumping and improve groundwater resources in times of drought for the Carrizo-Wilcox and Trinity Aquifers.

EXISTING CONDITIONS:

Setting: In the past, Chacon Reservoir also served recreational uses, and its shore was lined with fishing camps and picnic area facilities (Handbook of Texas, accessed April 2016). By the early 2000s, siltation had caused the capacity of Chacon Reservoir to shrink an estimated 250 to 300-acre feet. After a spillway failure in spring of 2007, due to seepage and piping during a large storm event, the failed spillway was removed and the reservoir drained. A restoration project was begun in 2009, and between 2009 and 2012, silt and mud were excavated from the bed of the reservoir basin.

Chacon Creek is an intermittent stream among low hills south of the Balcones Escarpment in northern Medina County and flows southward into northern Frio County, where it contributes to San Miguel Creek, which in turn contributes to the Frio River just upstream from Choke Canyon Reservoir in northeastern McMullen County. The Chacon Dam was constructed in 1912 as an earthen embankment 566 feet long with a top height of 726 feet above mean sea level (ft. MSL) and top width of approximately 17 feet. The former reservoir's contributing drainage area is approximately 29.5 square miles and it impounds an estimated 730-acre-feet at the conservation pool elevation of 718.0 ft. MSL (Exhibits A, B, F, and G).

Soils: (Exhibit C) The Leona Formation, consisting of fine silt to coarse gravel, comprises the underlying Quaternary stratigraphy of the reservoir area. Soils of the project area include eight mapped units, with Divot clay loams most prevalent within the footprint of the reservoir. Soils of the Divot series, which formed in calcareous clayey or loamy alluvium, are well-drained, very deep, and slowly and moderately slowly permeable. These nearly level soils occur in flood plains and flood plain steps and have a slope of between zero and two percent. Divot clay loam, frequently flooded, is the most prevalent soil map unit found in the northern and southernmost parts of the project area, where Chacon Creek flows into and out of the reservoir. Divot clay loam, occasionally flooded, is mapped in the northwestern, western, and northeastern parts of the project area, flanking the northern part of the reservoir on either side.

A small area mapped as Sabenyo clay loam, one to five percent slopes, occurs at the southern end of the project area, where Chacon Creek flows under FM 463. The Sabenyo series consists of very deep, well drained, moderately permeable soils on uplands. These calcareous soils formed in strongly calcareous, loamy materials on beveled slopes between terraces or on footslopes below terraces; the

slope ranges from one to five percent. Monteola clay, one to five percent slopes, is mapped along the eastern border of the reservoir. The Monteola series consists of very deep, well drained, very slowly permeable soils that formed in clays and clays interbedded with sandstone and shale of the Oakville and Fleming Formation. These gently to moderately sloping soils occur on hills on inland dissected coastal plains and have slopes ranging from zero to eight percent. Montell clay, zero to one percent slopes, occurs along the west side of the reservoir. The Montell series consists of very deep, moderately well drained, very slowly permeable soils that formed in clayey alluvium. They are nearly level to very gently sloping (slopes range from zero to three percent) and are found in valley sides or valley floors. Caid sandy clay loam, one to three percent slopes, occurs in the southwestern corner of the project area. The Caid series consists of very deep, well drained, moderately permeable soils that formed in loamy calcareous alluvium of Quaternary age. Caid series soils are found on stream terraces and are nearly level to gently sloping (zero to five percent). According to the National List of Hydric Soils maintained by the Natural Resource Conservation Service (NRCS, 2015), all but two of the project area mapped soil units, Sabenyo clay loam, one to five percent slopes, and Monteola clay, one to five percent slopes, are hydric soils.

National Wetlands Inventory: (Exhibit D) The United States Fish and Wildlife Service's (USFWS) National Wetlands Inventory (NWI) has mapped six water bodies in the project area within the reservoir footprint and along Chacon Creek: an impoundment of 103.8 acres that covers most of the reservoir footprint, a freshwater emergent wetland 1.82 acres just south of the dam, another freshwater emergent wetland of 2.38 acres along the west bank of the reservoir's central portion, a freshwater forested/shrub wetland of 3.32 acres, also in the central/western portion of the reservoir, and several other freshwater forested/shrub wetlands in the northern part of the reservoir footprint totaling 13.84 acres.

Flood Plain: (Exhibit E) According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM), the entire reservoir footprint is within a 100-year flood zone.

Aquatic Resources: (Exhibits F and G) The Applicant's consultant identified potential waters of the United States in the project area during pre-field, desk top review, and on-site, field review of the project area. These aquatic resources included Chacon Creek and its tributaries, previously mapped wetland and ponded areas within the former reservoir footprint, and the irrigation channel and dam outflow below the dam.

The Chacon Reservoir itself, following the gradual siltation of the basin and rapid failure of the dam, is not currently a lake, as depicted on National Wetland Inventory and topographic maps; it does not impound or contain water except in a low area near the old dam. Based on historical photos and current conditions, the Applicant's consultant conclude that draining the reservoir and subsequent excavation of silt disturbed existing vegetation within the basin and encouraged the growth of weedy, opportunistic, successional, plant species, some of which are invasive exotics, are not necessarily hydrophytic, and lack wetland indicator status. Within the reservoir footprint, there was a moist, hydrophytic plant-dominated swale adjacent to Chacon Creek; this area was approximately 0.02 acre and located in a low spot approximately two feet below the surrounding elevation.

The reservoir is fed by Chacon Creek and drains to an irrigation channel, which later rejoins Chacon Creek. Chacon Creek has an ordinary high water marks (OHWM) upstream and downstream of the reservoir, while the irrigation channel has an OHWM downstream of the reservoir. Chacon Creek follows a roughly northwest to southeast path through the reservoir for a total of approximately 8,648 feet and has an OHWM ranging between 5 and 45 feet and water depth of zero to two feet (pooled, not obviously flowing) at the time of this delineation. Within the reservoir, Chacon Creek is less well-defined and, except for the northern third, was mostly dry and vegetated at the time of this survey, appearing to be more of an ephemeral than an intermittent drainage. South of the failed spillway there were a few larger rocks and cobbles, but in the rest of the stream reach within the project site, it appeared to have either a mud/silt or vegetated bed, with a predominance of hydrophytic plant species within the channel.

The irrigation canal south of the dam, which was dry and vegetated at the time of the Applicant's delineation, has a channel width of approximately 20 feet and an OHWM of approximately 12 feet. The center channel below the dam that directs flows into Chacon Creek, and forms a confluence with it just north of FM 463, has a channel width of approximately 30 feet and OHWM of approximately 20 feet. It contained pooled water one to two feet deep.

The approximately 7.8-acre pond in the southern portion of the reservoir basin is fringed by wetland that met all three wetland criteria and has open water in its center and a muddy, silt bottom. It is fed by Chacon Creek and overland flow from the surrounding uplands. It is situated at the lowest point of the reservoir basin, next to the old dam.

In addition to Chacon Creek, several unnamed swales drain into the reservoir basin. These lacked OHWMs or defined channels with bed and banks within or immediately upstream of the reservoir footprint.

Vegetation: At the time of the Applicant's delineation, most of the lakebed or footprint of the Chacon Reservoir was dominated by early-successional, weedy plants that tend to be widespread in disturbed habitats in both upland and bottomland situations. Dominant species included bastard cabbage (*Rapistrum rugosum*), rescuegrass (*Bromus catharticus*), yellow sweetclover (*Melilotus indicus*), burclover (*Medicago polymorpha*), cheeseweed mallow (*Malva parvifolia*), Johnsongrass (*Sorghum halepense*), Bermudagrass (*Cynodon dactylon*), fiddle dock (*Rumex pulcher*) and sow-thistle (*Sonchus asper*). All of these species are introduced, or not native to North America; while none are listed by the USDA as noxious weeds, most are considered "invasive." Many of these species also lack wetland indicator status. Woody plants were essentially absent.

The vegetation of the Chacon Creek channel, which was dry except in the upper (northern) third, was also at an early successional state. Bermudagrass (*Cynodon dactylon*), fiddle dock (*Rumex pulcher*), Pennsylvania smartweed (*Polygonum pensylvanicum*), (which now includes large plants formerly referred to as *Persicaria bicorne*), longpod sesbania (*Sesbania herbacea*), and wandering Veronica

(*Veronica peregrina*) were present in most sites, and often common. Few other species were present in large numbers except a few weedy generalists.

The Chacon Creek channel in the northern third of the reservoir basin is broader than that to the south and more well-defined, with more ponding of water. Grassleaf mud-plantain (*Heteranthera dubia*), a submersed aquatic plant, occurred in this section but was not noticed to the south, and floating water-primrose (*Ludwigia peploides*), a floating aquatic, was more common here than elsewhere. Black willow (*Salix nigra*) seedlings and saplings, which were scattered to locally common near the dam and spillway, were frequent in this area, but not as large as the tree-sized plants beyond the north edge of the reservoir project area, where the riparian vegetation is more or less natural.

At the southern end of the project site, three stream channels cross the narrow space between the dam and FM 463. The outflow from a culvert under the dam is immediately diverted in two directions, with the western portion routed into an irrigation channel and the eastern portion flowing as a creek; it unites with the third stream, which flows out of the spillway area, at the culvert under the highway. These streams do not appear to have been impacted by the silt removal process upstream of the dam. The spillway channel was severely eroded, probably as a result of flooding at the time of the spillway wash-out. Nonetheless, buttonbush (*Cephalanthus occidentalis*) was present. This hydrophytic shrub was not observed within the lakebed but is common in this area on subirrigated gravel beds. Also of note was rice cutgrass (*Leersia oryzoides*), a native hydrophytic perennial grass that was found on the west bank of the central channel (the outflow from the dam culvert/spillway that lies between the irrigation channel to the west and the creek channel to the east). However, the dominant species in the streambeds were some of the same species that dominated the stream channel above the dam: fiddle dock, Pennsylvania smartweed, and wandering Veronica.

APPLCANTS ALTERNATIVES TO THE PROPOSED PROJECT:

The Applicant prepared an alternatives analysis for the proposed Chacon Dam Rehabilitation Project with the intention of restoring Chacon Reservoir to its previous normal pool elevation and approximate storage capacity, as it had previously existed for nearly 100 years. In addition, the proposed structure would be constructed to meet TCEQ Dam Safety Guidelines which would require hard-armoring of the embankment using roller compacted concrete to protect the integrity of the dam structure during high flow events.

Location Alternatives

The criteria the Applicant used to determine their preferred project location are as follows:

1. Sufficient availability of land to meet the project need and purpose.
2. Logistics which takes into consideration land uses, political jurisdictions, availability of utilities, topography, and site conditions feasible for proposed construction.
3. Environmental factors such as extent of potential impacts to wetlands due to fill.
4. Potential site constructability and associated costs for implementing the project.

A total of five alternatives were considered including restoring the dam to the historic normal pool, a reduced reservoir footprint, relocating the reservoir, utilizing the existing canal system, and the no action alternative.

1. The Applicant's Preferred Alternative would restore the dam to match as much of the previous dam configuration as practicable while meeting current dam safety guidelines. This alternative would restore the dam to historic storage capacities, and would provide wetland fringe benefits around the perimeter of the reservoir footprint. This alternative would impound approximately 629 acre-feet of water and 115 surface acres at the proposed 718 ft. MSL pool elevation, and create an estimated 22,716 linear foot of fringe lacustrine wetlands.

a) *Availability* – All land associated with this alternative is currently owned by the Applicant and is close to the original reservoir footprint.
b) *Logistics* – The construction design has been approved by the TCEQ Dam Safety Division and funding has been appropriated by the Applicant to construct the project. The dam would restore the previous normal pool spill crest elevation of 718 ft. MSL and generally match the previous lake shoreline perimeter.
c) *Cost* – Opinion of Probable Construction Cost is $4.3 million, which is based on the construction plan set. This option is therefore deemed by the Applicant as a practicable alternative.

2. Reduced Reservoir Size Alternative: This alternative proposes to lower the dam normal pool spill crest elevation to 710 ft. MSL. Under this alternative, the impacts to wetlands are expected to be similar but would reduce the benefits of wetlands fringe created around the lake perimeter while reducing the lake capacity to approximately 100 acre-feet and an area of 30 surface acres. This configuration does not adequately provide enough storage capacity to meet the need and purpose of the reservoir. This option is therefore deemed as a not practicable alternative by the Applicant.

3. New Location Alternative: This alternative explores the possibility of relocating the reservoir to a new location within the basin or constructing an off-channel reservoir. Both an on-channel and off-channel reservoir are anticipated to have very high costs, relative to the Applicant's preferred alternative, associated with the negotiation and acquisition of property, engineering, and environmental investigations, design, and extensive excavation requirements to meet the needed storage volumes. Additionally, new infrastructure such as new canals, roadways, and other utilities are anticipated. Finally, the environmental impacts are likely to be much greater than any of the other alternatives evaluated. This option has therefore been eliminated as a practicable alternative by the Applicant.

4. Canal System Alternative: This alternative considers utilizing the existing canals in the system to store water. This option requires no land acquisition, is not anticipated to have any environmental impacts to Waters of the U.S. and is generally a low-cost option to the Applicant. However, this is regarded as a very poor water management strategy that is susceptible to high losses due to seepage and evaporation. Channel lining may be constructed to reduce seepage losses and the entire length of the canal system could be piped to protect it from evaporation, each of which would be very costly.

The length of the D1 and D2 canals within the service area have a total length of approximately 22 miles. Roughly estimating a 48" pipe for the length of the canals would yield, generously, around 30 acre-feet of storage, which is far less than what is needed to meet to the need and purpose for the delivery area. This alternative has little benefit towards meeting the need and purpose and has therefore been eliminated as a practicable alternative.

5. No Action Alternative: The Applicant believes that if the dam is not reconstructed, then nothing would change and the current conditions of the reservoir, and water availability would remain unmet, resulting in many customers downstream not being able to maintain crops. There is ample evidence which demonstrates substantial decreased crop production as a result of the current conditions of the reservoir. This option provides the least environmental impact but does not meet the need and purpose. This alternative is therefore not considered a practicable alternative for the Applicant.

MITIGATION:

Avoidance and Minimization: The Applicant would avoid permanent direct impacts to approximately 1,052 linear feet of intermittent stream and trapezoidal channel downstream of the project and no upstream impacts in addition to the original reservoir foot print. The Applicant proposes to minimize impacts to existing forested wetlands along the tributary streams that flow into the reservoir.

Compensatory Mitigation: The Applicant's proposed conceptual mitigation for unavoidable permanent impacts to 2.88 acres of emergent wetland and 3.32 acres of forested wetlands would include restoration of the forested wetland on-site by impoundment of water and planting of trees, and restoration of lacustrine fringe, emergent wetland around the lake perimeter by grading and planting with a wetland seed mix. The concept includes assistance in natural development of freshwater forested and shrub wetlands, and fringe freshwater emergent wetlands, along the Lake Perimeter, and stream buffers, both upstream and downstream of the lake, as necessary. Conceptual mitigation for unavoidable permanent impacts to 382 linear feet (0.13 acre) of irrigation bypass channel would include native vegetation planting and onsite buffer enhancement, and reestablishment areas, followed by the selective removal of invasive species, re-establishment of the riparian and lake-edge buffers through plantings of desirable native plant species. Permanent protection of the mitigation areas, through a conservation easement, held by a third party 501(C)(3) land trust, would be required by the USACE.

EXHIBITS:

A. Vicinity Map
B. 7.5-minute USGS Topographic Quadrangle Map
C. Soils Map – Medina County, Texas
D. National Wetland Inventory Map
E. FEMA FIRM Map
F. Waters of the U.S. Impacted by the Proposed Project
G. Plan View of Project, Dam, and Spillway
H. Elevation and Cross-Section View of Chacon Reservoir Dam

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including its cumulative effects. Among the factors addressed are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE in determining whether to issue, issue with modifications, or conditions, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

STATE WATER QUALITY CERTIFICATION: This project would result in a direct impact of greater than three acres of waters of the state or 1,500 linear feet of streams (or a combination of the two is above the threshold), and as such would not fulfill Tier I criteria for the project. Therefore, Texas Commission on Environmental Quality (TCEQ) certification is required. Concurrent with USACE processing of this Department of the Army application, the TCEQ is reviewing this application under Section 401 of the Clean Water Act, and Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. By virtue of an agreement between the USACE and the TCEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. **Any comments concerning this application may be submitted to the Texas Commission on Environmental Quality, 401 Coordinator, MSC-150, P.O. Box 13087, Austin, Texas 78711-3087.** The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with a description of the work is made available for review in the TCEQ's Austin Office. The TCEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public

meeting must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requestor, or of persons represented by the requestor; and a brief description of how the application, if granted, would adversely affect such interest.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the U.S. Fish and Wildlife Service's latest published version of endangered and threatened species to determine if any listed species may occur in the project area. The proposed project would be located in a county where the Golden-cheeked Warbler (*Dendroica chrysoparia*), Red Knot (*Calidris canutus rufa*), Tobusch fishhook cactus (*Sclerocactus brevihamatus ssp. tobuschii*), and Texas wild-rice (*Zizania texana*) are known to occur or may occur as migrants. The Golden-cheeked Warbler and Texas wild-rice are endangered species and the Red Knot and Tobusch fishhook cactus are threatened species. Our initial review indicates that the proposed work would have no effect on federally-listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: The area of the proposed Chacon Reservoir Dam and Spillway Restoration Project has never been surveyed for the presence of cultural resources. The dam was constructed in 1912 and has an unknown eligibility for the National Register of Historic Places (NRHP). Additional efforts to assess NRHP eligibility and historic properties are likely required.

FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.

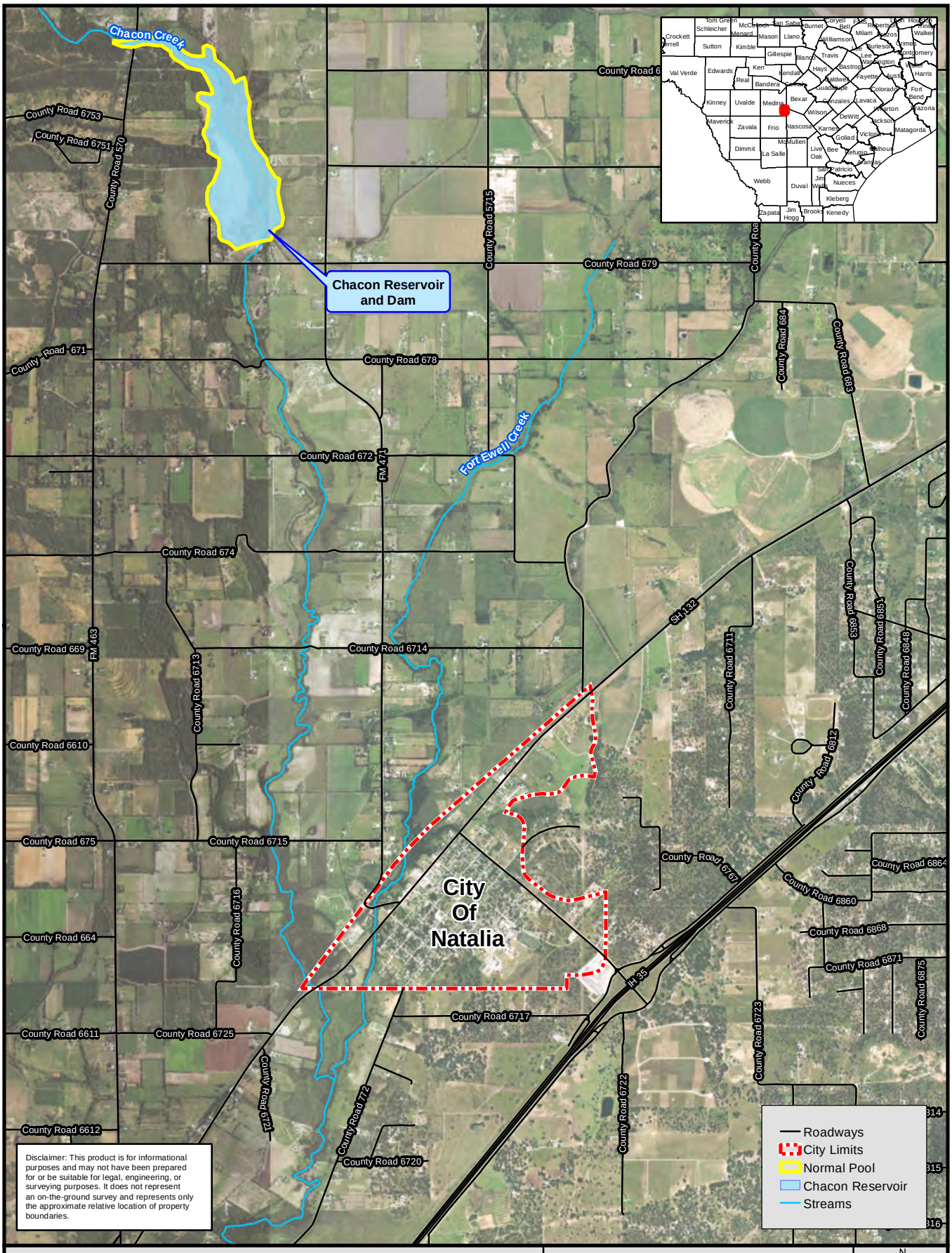
SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period, any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before July 11, 2018, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no

objections. Comments and requests for additional information should be submitted to; Regulatory Division, CESWF-DE-R; U. S. Army Corps of Engineers; Post Office Box 17300; Fort Worth, Texas 76102-0300. You may visit the Regulatory Division in Room 3A37 of the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday. Telephone inquiries should be directed to (817) 886-1731. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

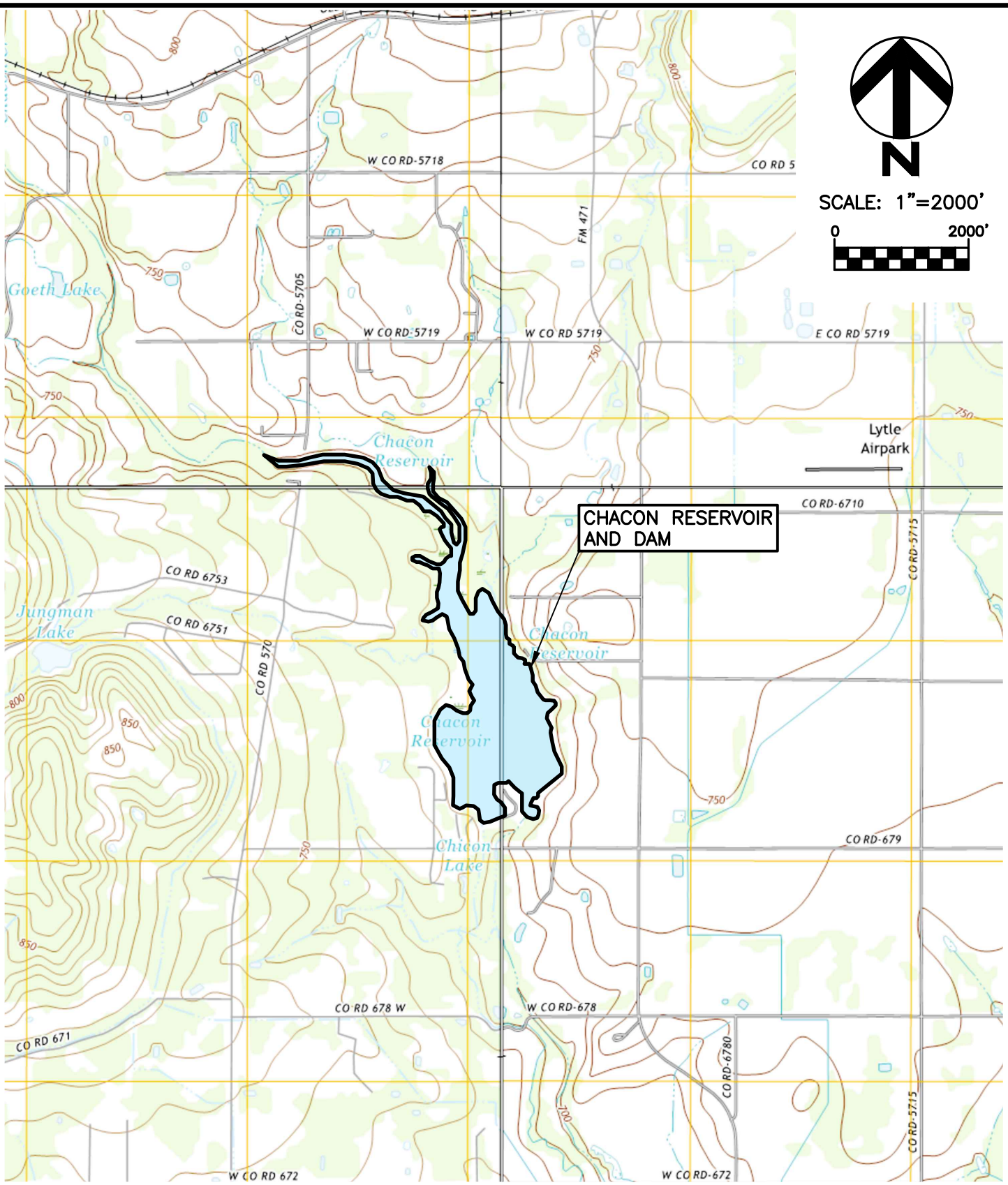
DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS



File Number:	**SWF-2016-00017**
Name:	**BMA**
Waterway:	**Chacon Reservoir**
Proposed Activity:	**Dam & Spillway Restoration**
June 2018	

Exhibit A: Vicinity Map

\\SASTORAGE\share\Projects\Bexar Medina Atascosa Water Improvement District No 1\140556 Chacon Dam and Spillway Restoration\000\Design\GIS\OCT 2017\Vicinity.mxd



1 7.5 MINUTE U.S.G.S. TOPOGRAPHIC QUADRANGLE MAP

SCALE: 1"=2000'

LNV
engineers | architects | surveyors
801 NAVIGATION, SUITE 300
CORPUS CHRISTI, TX 78408
PH. (361) 883-1984
FAX (361) 883-1986
WWW.LNVINC.COM
TBPE FIRM NO. F-366
TBPLS FIRM NO. 10126500

CHACON RESERVOIR DAM & SPILLWAY RESTORATION
BEXAR COUNTY, TEXAS

EXHIBIT B:
7.5 MINUTE U.S. GEOLOGICAL SURVEY TOPOGRAPHIC QUADRANGLE MAP

BY: JACALYN GORCZYNSKI P.G.

LICENSE NO.: 11485 DATE: 6/5/18

H:\Aaron\AMY\BEXAR\Exhibit B – 7.5 M USGS TQM.dwg
Tuesday June 05, 2018, 2:44pm

Exhibit C
Soil Map—Medina County, Texas
(Chacon Reservoir Dam)

Map Scale: 1:12,600 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

Exhibit C
Soil Map—Medina County, Texas
(Chacon Reservoir Dam)

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Medina County, Texas
Survey Area Data: Version 16, Nov 7, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 27, 2015—Dec 7, 2017

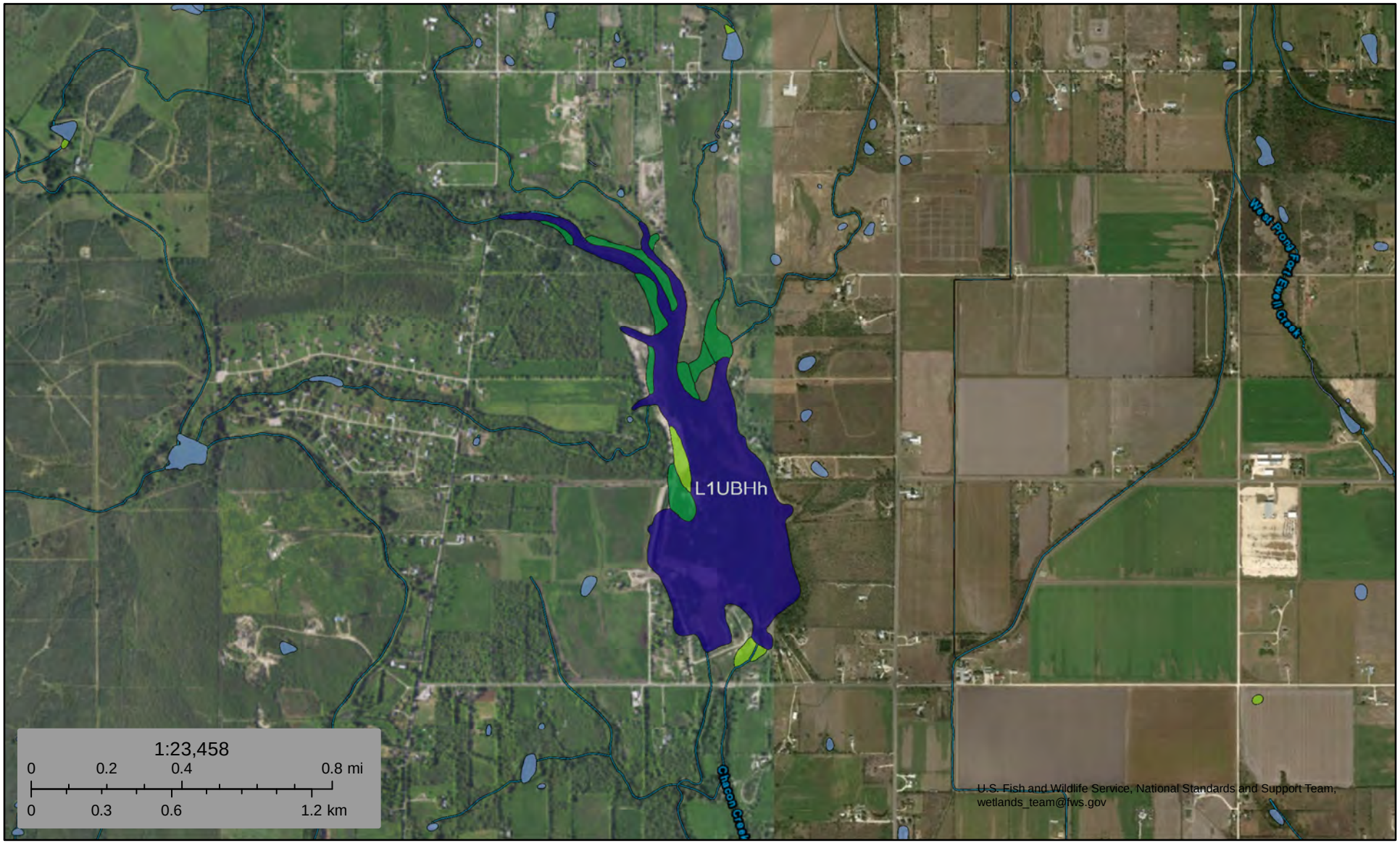
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AmA	Amphion clay loam, 0 to 1 percent slopes	6.6	0.8%
AmB	Amphion clay loam, 1 to 3 percent slopes	8.8	1.1%
CdB	Caid sandy clay loam, 1 to 3 percent slopes	54.3	6.5%
CdC	Caid sandy clay loam, 3 to 5 percent slopes	19.7	2.4%
Do	Divot clay loam, occasionally flooded	124.0	14.8%
Dp	Divot clay loam, frequently flooded	61.5	7.3%
DuA	Duval fine sandy loam, 0 to 1 percent slopes	24.9	3.0%
DuB	Duval very fine sandy loam, 1 to 3 percent slopes	35.1	4.2%
HaA	Hanis sandy clay loam, 0 to 1 percent slopes	0.7	0.1%
HaB	Hanis sandy clay loam, 1 to 3 percent slopes	50.1	6.0%
McA	Montell clay, 0 to 1 percent slopes	139.6	16.6%
McB	Montell clay, 1 to 3 percent slopes	35.2	4.2%
MgA	Miguel fine sandy loam, 0 to 1 percent slopes	14.2	1.7%
MnC	Monteola clay, 1 to 5 percent slopes	87.5	10.4%
SaC	Sabenyo clay loam, 1 to 5 percent slopes	35.4	4.2%
VcA	Victoria clay, 0 to 1 percent slopes	33.1	3.9%
W	Water	101.9	12.1%
WbB	Webb fine sandy loam, 1 to 3 percent slopes	6.7	0.8%
Totals for Area of Interest		**839.4**	**100.0%**

U.S. Fish and Wildlife Service
National Wetlands Inventory

Exhibit D: Chacon Reservoir Dam



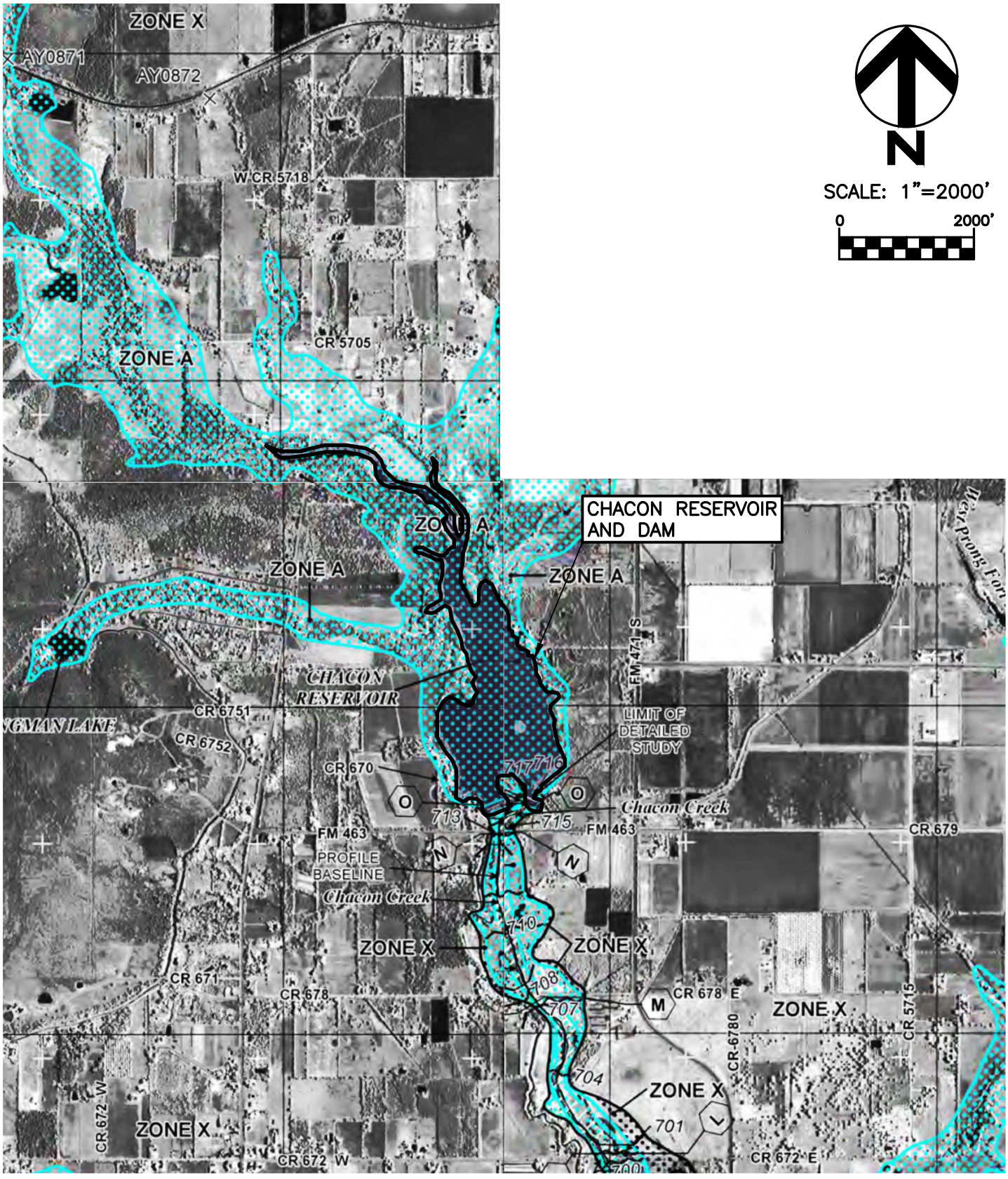
June 1, 2018

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper



SCALE: 1"=2000'

0 2000'

1 FEMA FIRM MAP

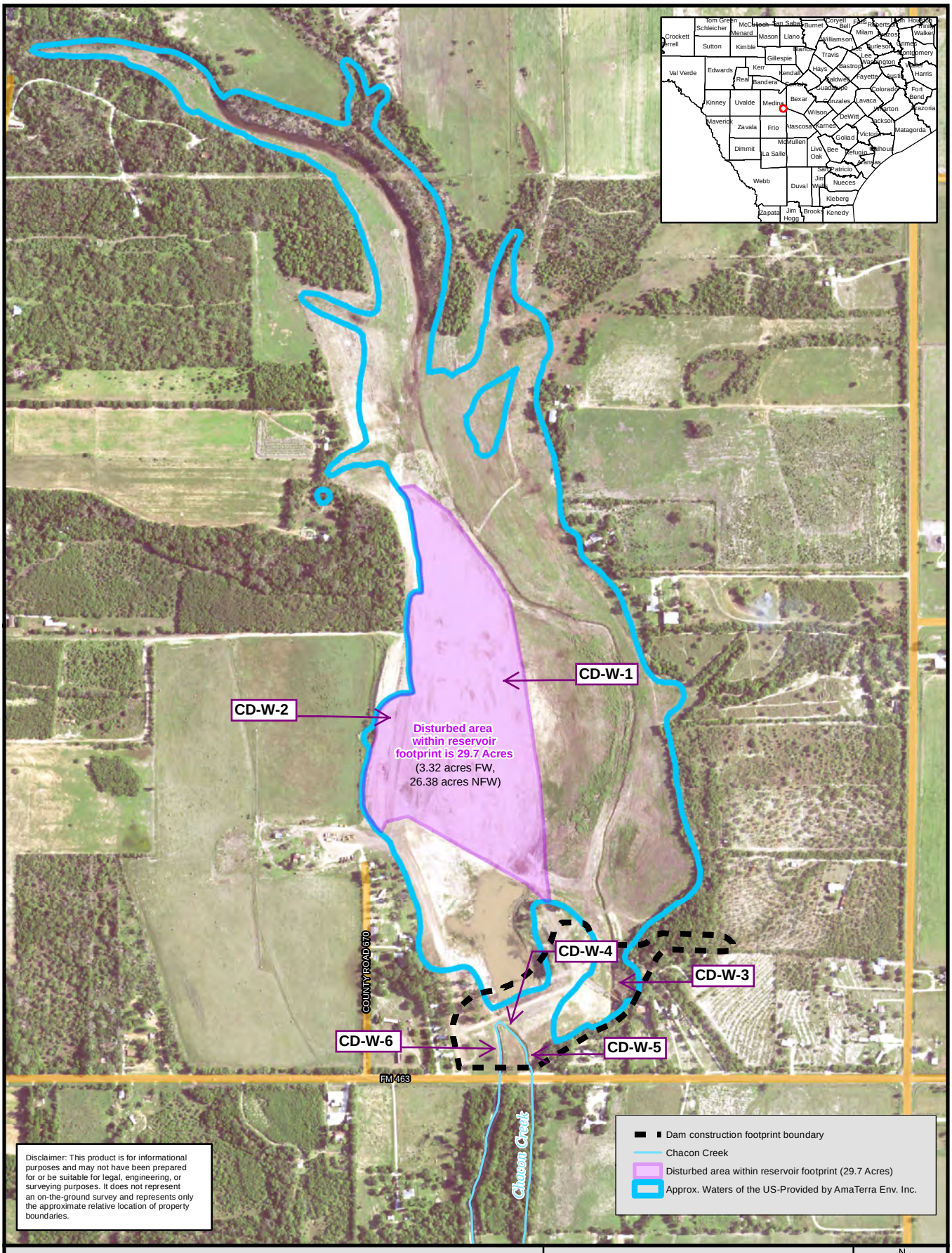
SCALE: 1"=2000'

LNV
engineers | architects | surveyors
801 NAVIGATION, SUITE 300
CORPUS CHRISTI, TX 78408
WWW.LNVINC.COM
TBPE FIRM NO. F-366
TBPLS FIRM NO. 10126500

CHACON RESERVOIR DAM & SPILLWAY RESTORATION
BEXAR COUNTY, TEXAS

EXHIBIT E:
FEMA FIRM MAP

H:\Aaron\AMY\BEXAR\Exhibit B – 7.5 M USGS TQM.dwg
Tuesday June 05, 2018, 2:45pm



File Number:	**SWF-2016-00017**
Name:	**BMA**
Waterway:	**Chacon Reservoir**
Proposed Activity:	**Dam & Spillway Restoration**
June 2018	

Exhibit F: Map of Waters of the U.S. Impacted by Proposed Project

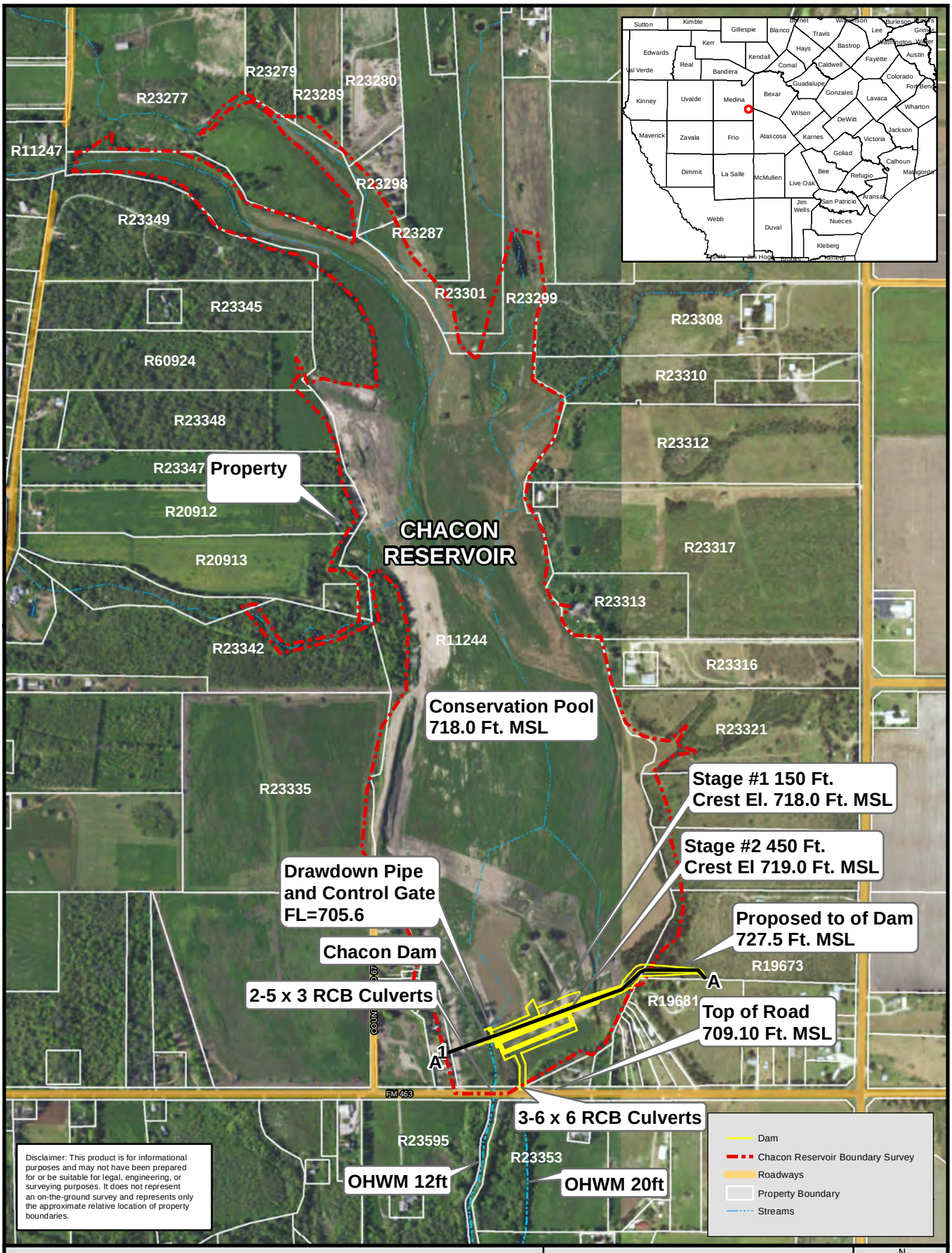
0 750 1,500 Feet

N W E S

LNV

TBPE FIRM NO. F-366

\\SASTORAGE\share\Projects\Bexar Medina Atascosa Water Improvement District No 1\140556 Chacon Dam and Spillway Restoration\000\Design\GIS\OCT 2017\Impacted by Prop Project (4).mxd



File Number:	**SWF-2016-00017**
Name:	**BMA**
Waterway:	**Chacon Reservoir**
Proposed Activity:	**Dam & Spillway Restoration**
June 2018	

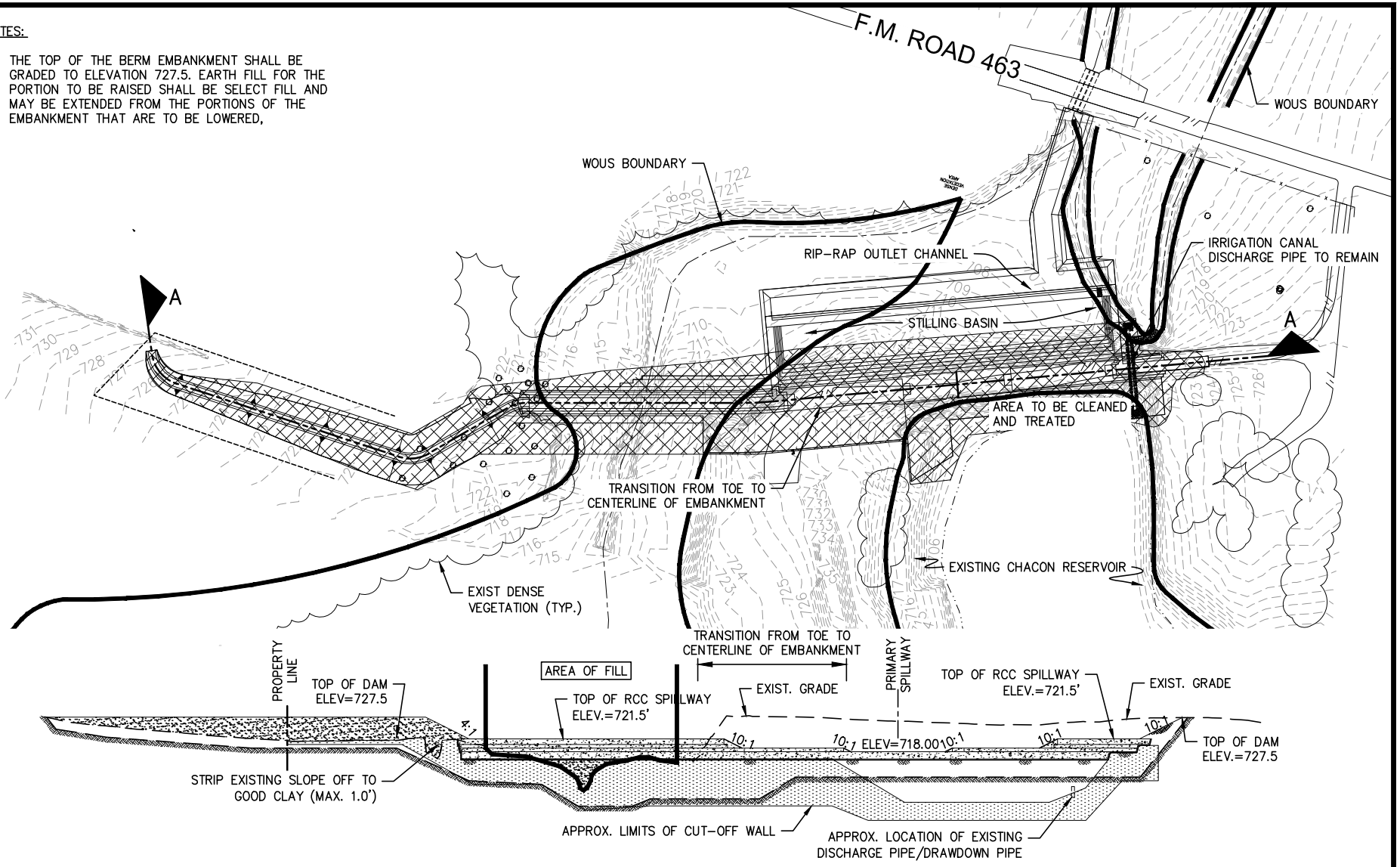
Exhibit G: Plan View

\\SASTORAGE\share\Projects\Bexar Medina Atascosa Water Improvement District No 1\140556 Chacon Dam and Spillway Restoration\000\Design\GIS\OCT 2017\Plan View.mxd

Exhibit H
Elevation and Cross-Section View
Chacon Reservoir Dam

NOTES:

1. THE TOP OF THE BERM EMBANKMENT SHALL BE GRADED TO ELEVATION 727.5. EARTH FILL FOR THE PORTION TO BE RAISED SHALL BE SELECT FILL AND MAY BE EXTENDED FROM THE PORTIONS OF THE EMBANKMENT THAT ARE TO BE LOWERED,



1 ELEVATION AND CROSS-SECTION VIEW
SCALE: 1" = 200'

FILE NUMBER:	SWC-2016-00017
BMA:	BMA
WATER WAY:	CHACON RESERVOIR
PROPOSED ACTIVITY:	DAM & SPILLWAY RESTORATION
June 2018	

S:\PROJECTS\BEXAR MEDINA ATASCOSA WATER IMPROVEMENT DISTRICT NO 1\140556 CHACON DAM AND SPILLWAY RESTORATION\000\DRAWINGS\PLANS\CIVIL\11X17BTB.DWG PLOT DATE:10/20/2015 11:39 AM PLOT BY:AVICUNA