

Public Notice

Applicant: Prosper Independent School District

Project No.: SWF-2018-00127

Date: April 6, 2018

Purpose

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. Eric Dephouse, Project Manager

Phone Number: 817-886-1820

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 (WOUS) associated with the construction of Prosper High School #2 in the City of Frisco's Extraterritorial Jurisdiction (ETJ), Collin County, Texas.

APPLICANT: Prosper Independent School District

c/o Dr. Greg Bradley 605 East 7th Street, Prosper, Texas 75078

APPLICATION NUMBER: SWF-2018-00127

DATE ISSUED: April 6, 2018

LOCATION: The proposed Prosper High School #2 is located on the west side of Coit Road, approximately 800 feet north of the intersection of Rockhill Parkway and Coit Road, in the city of Frisco's ETJ, Collin County, Texas. The project area is centered at approximately 33.208997° latitude and -96.769977° longitude on the Frisco 7.5-minute USGS quadrangle map in the USGS Hydrologic Unit 120301030904. See attached Exhibits 1 and 2 of 7.

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification

PROJECT DESCRIPTION: The applicant proposes to discharge approximately 1,266 cubic yards of dredged and fill material into approximately 1.57 acres of waters of the United States consisting of 1.55 acres of emergent wetlands and 192 linear feet (0.02 acre) of intermittent stream, in conjunction with construction of Prosper High School #2 and associated attendant features (See attached Exhibit 7 of 7).

INTRODUCTION: The applicant states that it currently operates one high school (Prosper High School) with an overall student population of 2,968 as of the beginning of the 2017/2018 School Year. The short-range planning through the School Year 2019/2020 indicates a high school population of 4,203 students, which is an annual average growth rate of 14.7 percent. Based on the size of the high school and the capacity for teaching stations, PISD has determined that the existing high school has a functional capacity of approximately 3,500 students and a maximum capacity of 4,000 students. As such, the predicted growth rate within PISD indicates the existing

high school would exceed the maximum student population it is able to serve between the 2018/2019 and 2019/2020 School Year. Based on these considerations, the applicant has determined that there is a need to increase functional capacity to educate high school students; otherwise, the existing high school would become overcrowded, which could lead to substandard educational opportunities for the students that PISD serves. To do so, the applicant states that they would need to construct a new high school facility to meet the need for expanded capacity for high school students in a geographic location that most fits geographic need by the beginning of the 2020/2021 School Year, while taking into consideration long-term enrollment forecasts and anticipated attendance zones.

The proposed project would include the construction of Prosper High School #2 and all ancillary features including, interior roads, sidewalks, surface parking, competition and practice athletic fields, bus transportation parking and garages, the appropriate stormwater management, and the Panther Creek Interceptor Extension 4 sanitary sewer line. Current plans call for the development of 88.1 acres of the overall 100-acre site; the reduction of developable acreage is due to the extent of waters of the United States within the southwest corner of the property. Based on the delineation provided by the applicant, there are three wetlands and one tributary located within the school site totaling 4.97 acres and 478 linear feet of waters of the United States within the school site.

PURPOSE AND NEED STATEMENT: The purpose of the project is to construct a high school facility within the southern high school attendance zone of the PISD.

EXISTING CONDITIONS: The USGS topographic map (Frisco 7.5' Quadrangle, 1960 rev. 1982) illustrates the project site along an upland terrace. A broad U-shaped contour, that begins just south of the site boundaries, bisects the project site where water drains in a south to northwest direction. Within this contour lies a narrow V-shaped contour where an unnamed tributary of Parvin Branch occurs in a northwesterly orientation, as represented by a blue-line, near the southwestern quadrant of the project site and proceeding to the western boundary. The sanitary sewer alignment is illustrated paralleling Parvin Branch from Preston Road to the western limits of the project site. Along its alignment, the centerline crosses Parvin Branch six times and an additional two unnamed blue-line features twice (Exhibit 2 of 7).

The NRCS Digital Soils Database identifies nine soil map units within the project site and along the sanitary sewer line: Austin silty clay, 1 to 3 percent slopes; Austin silty clay, 3 to 5 percent slopes; Eddy gravelly clay loam, 1 to 3 percent slopes; Eddy gravelly clay loam, 3 to 8 percent slopes; Houston Black clay, 0 to 1 percent slopes; Houston Black clay, 1 to 3 percent slopes; Houston Black clay, 2 to 4 percent slopes; Stephen silty clay, 1 to 3 percent slopes; and Stephen-Eddy complex, 3 to 5 percent slopes, eroded). Over 50% of the project area is composed of Houston Black clay, 1 to 3 percent slopes. None of the soil map units shown within the project site are listed on the Hydric Soils of Texas list prepared by the National Technical Committee for Hydric Soils (Exhibit 3 of 7).

The FEMA FIRM (Collin County, Map Panels: 48121C0450G[4/18/2011]/48085C0235J [6/2/2009]) shows the entire project site outside the 500-year floodplain (Zone X) (Attachment A, Figure 4). Zone A (Special Flood Hazard Areas subject to inundation by the 1% annual chance

flood; No base flood elevations determined) surrounds Parvin Branch along the western extent of the sanitary sewer alignment (Exhibit 4 of 7).

The project site was comprised of four basic plant communities; a row-crop agriculture community, a grassland community, an emergent wetland community, and a forested riparian corridor community. The row-crop agriculture community was comprised of actively cultivated corn and wheat fields. These areas were fallow at the time of the field evaluation. The grassland community was generally observed in areas between the upland row-crop agriculture fields and the forested riparian corridor community. The grassland community appeared to be irregularly maintained, but actively used for livestock production. The species observed in these areas were predominantly composed of Bermudagrass (Cynodon dactylon) with perennial ryegrass (Lolium perenne), tall fescue (Schedonorus arundinaceus), annual marsh elder (Iva annua), curly dock (Rumex crispus), rough cocklebur (Xanthium strumarium), dallisgrass (Paspalum dilatatum), goldenrod (Solidago canadensis), and Johnsongrass (Sorghum halepense). The emergent wetland community was dominated by smallfruit spikerush (Eleocharis microcarpa), common spikerush (Eleocharis palustris), thin paspalum (Paspalum setaceum), eastern annual saltmarsh aster (Symphyotrichum subulatum), roundpod St. John's wort (Hypericum cistifolium), annual marsh elder, cattail (Typha latifolia), and black willow (Salix nigra) saplings. The forested riparian corridor community was comprised of trees and shrubs located along the banks of Parvin Branch and several of its unnamed tributaries. The species of trees and shrubs observed included: cedar elm (Ulmus crassifolia), eastern red cedar (Juniperus virginiana), sugar-hackberry (Celtis laevigata), red mulberry (Morus rubra), Osage-orange (Maclura pomifera), black willow, pecan (Carya illinoinensis), post oak (Quercus stellata), and cottonwood (Populus deltoides).

ADVERSE IMPACTS OF THE PROPOSED PROJECT: Activities associated with the construction of Prosper High School #2 that would result in permanent impacts to waters of the United States include the grading, filling, and dewatering of wetlands and an intermittent tributary for stormwater management and site development. Direct and permanent impacts to waters of the United States total 1.57 acres, including 1.55 acres of emergent wetlands and 192 linear feet (0.02 acre) of intermittent tributary. Based on the proposed site plan provided by the applicant, 3.40 acres of waters of the United States would be avoided within the school site. According to the applicant, the designs eliminate disruptions to the hydrologic connectivity through the site. The Panther Creek Interceptor Extension 4 sanitary sewer line would avoid impacts to all waters of the United States through using conventional boring construction technology. Through this method, the waters of the United States avoided include, 566 linear feet (0.18 acre) of Parvin Branch, 491 linear feet (0.05 acre) other tributaries, and 0.05 acre of non-forested wetlands.

ALTERNATIVES TO THE PROPOSED PROJECT: The applicant conducted a multi-level screening process to determine (1) properties that individually or combined would result in acceptable number of acres for the proposed project type and scale within the desired geographic region, (2) from the set of parcels determined of appropriate size in Step 1, parcels that were available for development, which included parcels not currently under development, not currently classified as a Planned Development, and would be offered for purchase within the foreseeable future, (3) from those parcels considered available in Step 2, a determination of the impacts to waters of the United States. Practicable, as would be used in this alternatives analysis, is defined

as meaning the alternative is available, and capable of being done after taking into consideration cost, existing technology, and/or logistics in light of the overall project purpose. The USACE has not yet evaluated the applicant's alternatives analysis.

Step 1 - An extensive analysis of properties was conducted within the southern PISD high school attendance zone; generally located south of First Street between Custer Road (Farm-to-Market Road [FM] 2478) and the Dallas North Tollway (DNT). As mentioned previously, this geographic area was chosen based on the distribution of the current and forecasted high school enrollment in addition to the number of developed lots, vacant developed lots, and planned future inventory of lots within PISD. Three primary factors were taken into consideration when determining the location and size of parcel(s) necessary to accommodate, a comparable high school facility to the existing Prosper High School:

- Site location with access to a primary thoroughfare to safely meet the anticipated traffic associated with the building and its associated events and functions that would not create unnecessary traffic burdens to adjacent residential developments and residential access streets, and;
- To accommodate the school buildings and associated sports and ancillary facilities, including surface parking, detention basins, and other infrastructure, a Site would need to be a minimum of 75 acres, if oriented correctly and completely developable. Industry standard, developed based on local zoning ordinances and regulations, is to assume that a parcel would only be able to provide 80 percent developable acreage for the building and all ancillary facilities, so the total parcel size would need to be 94 acres to accommodate allowances for infrastructure, setbacks and landscaping, along with other undevelopable site features (e.g., floodway, existing easements).

To eliminate over analyzation for the initial screening efforts, the analysis first utilized county appraisal district parcel data to determine the location and quantity of parcels greater than 20 acres in size. This number (20 acres) was arbitrarily chosen based on the overall number of parcels within PISD and their relative sizes; keeping in mind the project purpose of developing a high school facility within PISD's southern high school attendance zone. If multiple 20-acre or greater parcels were in relative proximity, several smaller parcels could be combined in a subsequent analysis to achieve the goal of developing a 94-acre school site. Publicly available information obtained from municipality, county, and/or real estate websites was also used to combine adjoining parcels, which are owned by the same person/entity or are part of the same planned development. Although several potential alternatives are much larger than meets the project purpose, these parcels share commonalities and therefore were grouped together for both simplicity and illustrative purposes. Through these analyses 24 alternative properties were identified for their use in the initial screening efforts. Although multiple other 20-acre parcels were identified scattered throughout the geographic extent of the original analyses; these parcels were determined to not be practicable due to isolation or the inability to combine multiple parcels into the necessary overall property size as well as having already been developed or currently under development. These discrete parcels were then eliminated from further consideration prior to the next step in the screening process.

Step 2 - Availability, as used in this alternative analysis, includes all parcels/combined parcels that are not currently under development, are not currently classified as an active Planned Development, and parcels that can be reasonably obtained. All 24 sites, identified in Step 1, were screened against this criterion to determine if the alternative would be considered practicable. Step 3 - Following the application of the Screening Criteria Steps 1 and 2, all alternatives deemed practicable underwent a third screening criterion using environmental factors including impacts to waters of the United States, as well as federally protected species.

The applicant utilized the above selection criteria to identify 24 off-site alternatives in Step 1 and ultimately reduced the number of available off-site alternatives to one site, the preferred alternative in Step 2. Furthermore, two additional on-site alternatives were provided and evaluated against the applicant's preferred alternative following Steps 1 and 2 to determine, which alternative the applicant believes to be the least environmentally damaging practicable alternative.

NO ACTION ALTERNATIVE: The USACE has not yet evaluated the alternatives analysis. The applicant states that under the no action alternative, the applicant would need to determine alternative means to meet the overall demand for high school education and extracurricular components within the District without impacting waters of the United States and still meeting the purpose and need. Currently, Prosper High School #2 can be constructed on the proposed site without impacts to waters of the United States for the primary building footprint, parking, and interior roadways; however, facilities needed for physical education requirements and extracurricular activities, including sports and band, as well as stormwater infrastructure associated with the site cannot be constructed within the site without impacts to waters of the United States. If the PISD is denied a permit, students would have to travel to another PISD facility for extracurricular activities and physical education requirements, if Prosper High School #2 is built. The closest alternative location would be Prosper High School. Students traveling for extracurricular activities or physical education requirements would present safety concerns for students, faculty, and parents. Additionally, reorganization of the proposed site plan to account for the reduction in athletic facilities would result in the loss of required surface parking and potentially interior roadways to certain facilities, thereby, making reorganization unfeasible. Alternatively, PISD could continue providing education services within the existing high school and not expand to a second high school. The District understands that based on the current projected growth that the student population would exceed the capacity of the existing school between the 2018/2019 and 2019/2020 School Years; putting them already behind schedule for a new high school facility. Under the status quo, there would be no additional expansion to the schools. This would create overcrowding where student to teacher ratio would exceed acceptable State of Texas standards. This overcrowding, based on current projected growth, could impact the standing of PISD with the State of Texas, which could impair its accreditation for educating students

Off-Site Alternatives

Table 3 provides the screening results of the 24 off-site alternatives. Site 12 is the only alternative site that meets the project purpose and is available for development within the southern PISD high school attendance zone.

Table 3: Screening Criteria Steps 1 and 2 for Practicability of Alternative Sites

Map ID	Under Development	Planned Development	Available	Size (Acres)	Number of Parcels	Practicable Alternative
Site 1	No	Yes	No	134	3	No
Site 2	No	Yes	No	122	2	No
Site 3	No	Yes	No	118	1	No
Site 4	No	Yes	No	99	1	No
Site 5	No	Yes	No	105	1	No
Site 6	No	No	No	75	1	No
Site 7	No	Yes	No	104	2	No
Site 8	Yes	No	No	189	4	No
Site 9	No	Yes	No	127	5	No
Site 10	No	Yes	No	101	2	No
Site 11	No	No	No	121	2	No
Site 12	No	Yes	Yes	102	3	Yes
Site 13	No	No	Yes	291	1	No
Site 14	No	No	Yes	126	2	No
Site 15	No	Yes	No	265	2	No
Site 16	No	Yes	No	396	4	No
Site 17	No	No	No	218	2	No
Site 18	No	No	No	220	2	No
Site 19	No	Yes	No	154	2	No
Site 20	No	Yes	No	73	1	No
Site 21	No	Yes	No	163	3	No
Site 22	No	Yes	No	366	5	No
Site 23	No	Yes	No	110	2	No
Site 24	No	Yes	No	449	9	No

On-Site Alternatives

On-site Alternative 1 was the original, "preferred" alternative brought forward by the engineer to PISD prior to the completion of the waters of the United States delineation. Following hydrologic modeling studies and the waters of the United States delineation efforts, it was determined the site plan would require a realigned drainage channel to accommodate 100-year storm events through

the project site without flooding the adjacent facilities and result in impacts to all waters of the United States located within the site. Through further planning, one of the practice fields was relocated south and west of Wetland 4 to minimize impacts to waters of the United States. Although this on-site alternative drastically reduces impacts and meets the project purpose; access for emergency services and safety liability of crossing the natural drainageway resulted in additional engineering and planning efforts; ultimately creating On-site Alternative 3. On-site Alternative 3 (the current preferred alternative) limits impacts to waters of the United States compared to both On-site Alternatives 1 and 2 and meets the project purpose by changing the location and alignment of the southern practice fields, yet again. The bus parking and associated facilities have been slightly realigned to accommodate both athletic fields north of Wetland 4 eliminating safety and emergency access concerns.

On-site Alternative 1 would have 289 linear feet of direct, permanent impacts to intermittent tributaries and 4.57 acres of direct, permanent impacts to non-forested wetlands. In comparison, On-site Alternative 2 proposes 192 linear feet of direct, permanent impacts to intermittent tributaries and 1.60 acres of direct, permanent impacts to non-forested wetlands. The preferred alternative, On-site Alternative 3, further reduces impacts to Wetland 4 compared to On-site Alternative 2. Total proposed impacts to waters of the United States for the preferred alternative equals 1.55 acres of non-forested wetland and 192 linear feet of intermittent tributary.

COMPENSATORY MITIGATION: To offset unavoidable adverse impacts to Waters of the U.S., the applicant proposes to purchase appropriate mitigation bank credits from Bunker Sands Mitigation Bank and Mill Branch Mitigation Bank in accordance with the methodologies prescribed within the USACE-approved mitigation banking instruments.

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 incorporates the requirements necessary to comply with the Texas Commission on Environmental Quality's (TCEQ) Tier I project criteria. Tier I projects are those that result in a direct impact of three acres or less of waters of the State or 1,500 linear feet of streams (or a combination of the two is below the threshold) for which the applicant has incorporated best management practices (BMPs) and other provisions designed to safeguard water quality. The USACE has received a completed checklist and signed statement fulfilling Tier I criteria for the project.

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 may occur in the project area. The proposed project would be located in Collin County, Texas. 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 USACE has reviewed the latest complete published version of the National Register of Historic Places and found no listed properties to be in the project area. However, presently unknown scientific, archaeological, cultural or architectural data may be lost or destroyed by the proposed work under the requested permit.

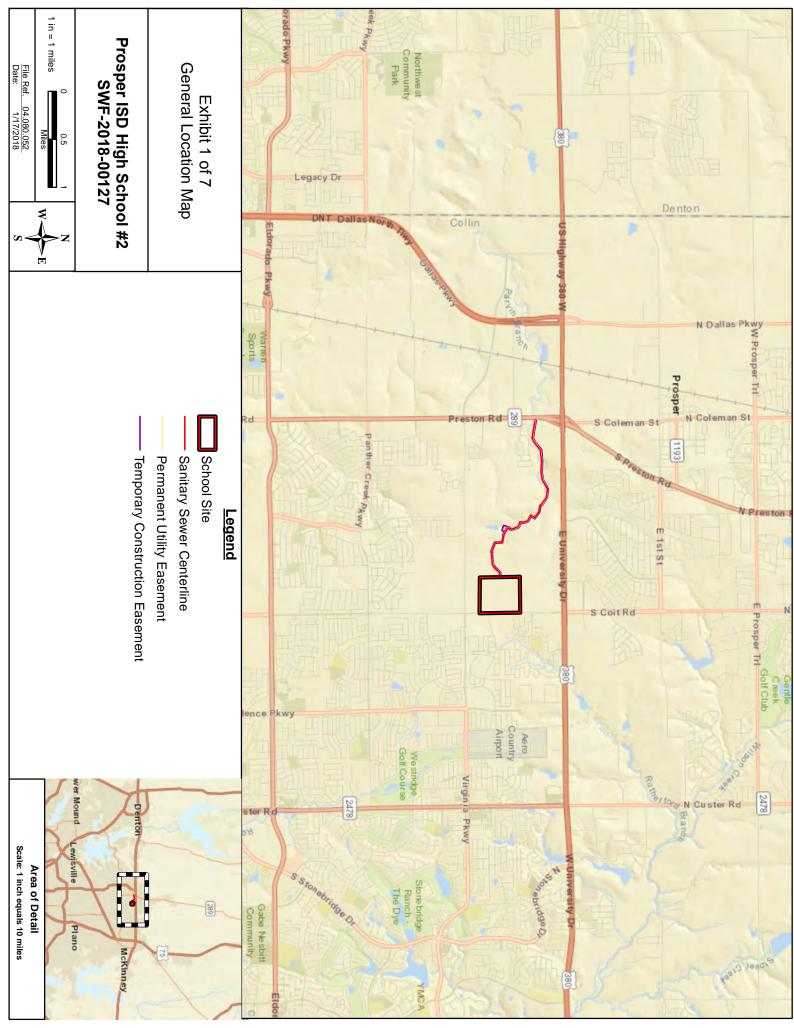
FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review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

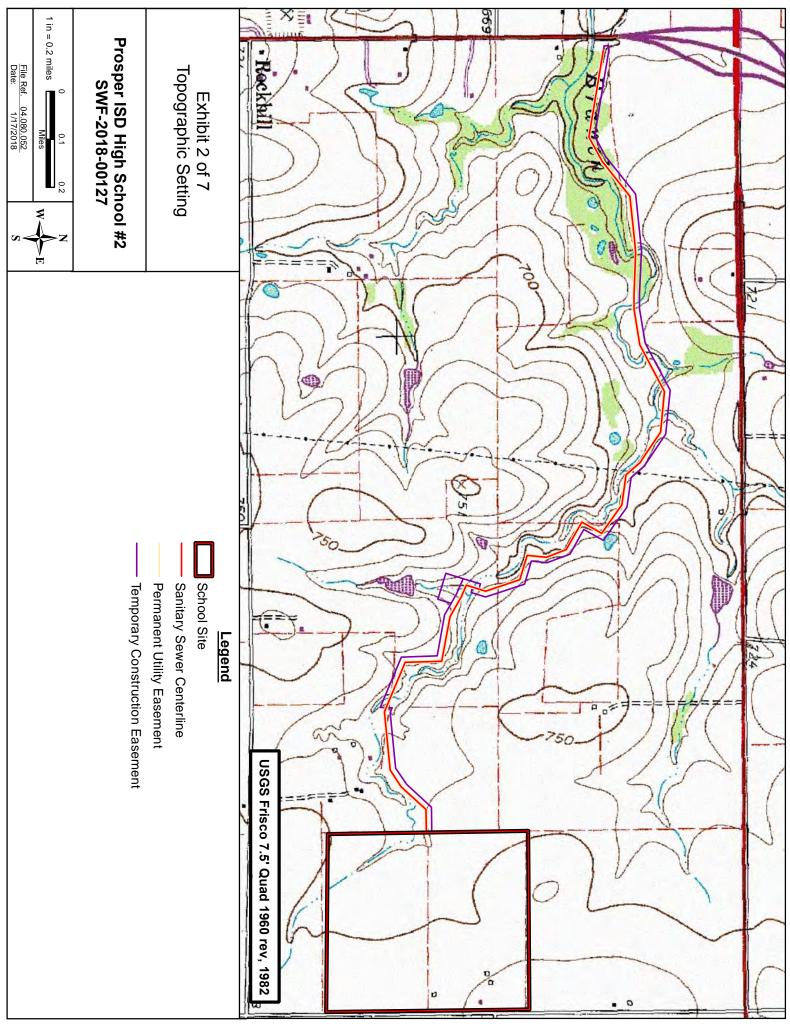
PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If 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 May 6, 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 Mr. Eric Dephouse, Project Manager, (817) 886-1820. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

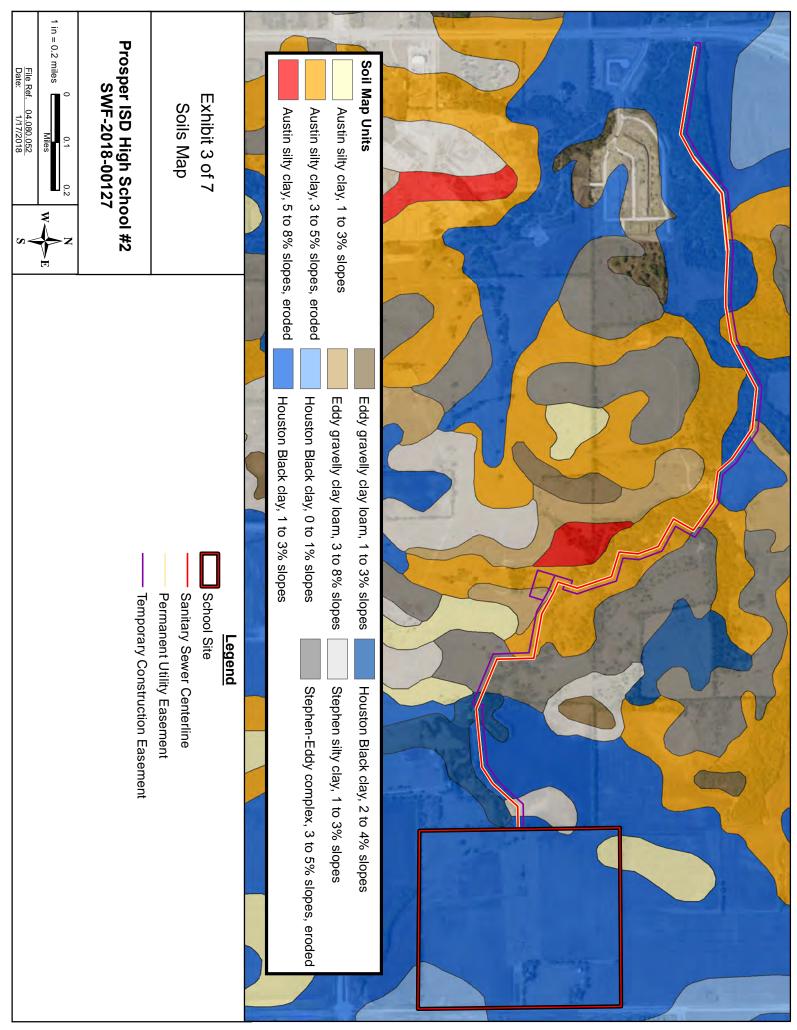
DISTRICT ENGINEER FORT WORTH DISTRICT CORPS OF ENGINEERS



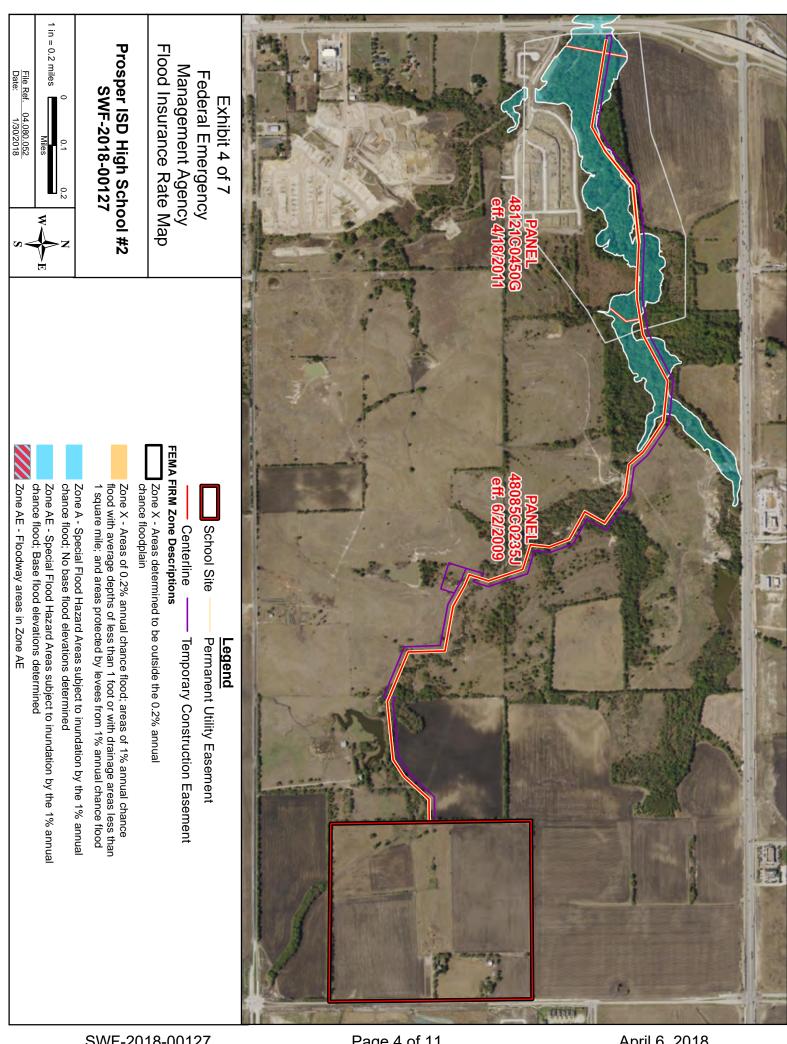
SWF-2018-00127 Page 1 of 11 April 6, 2018

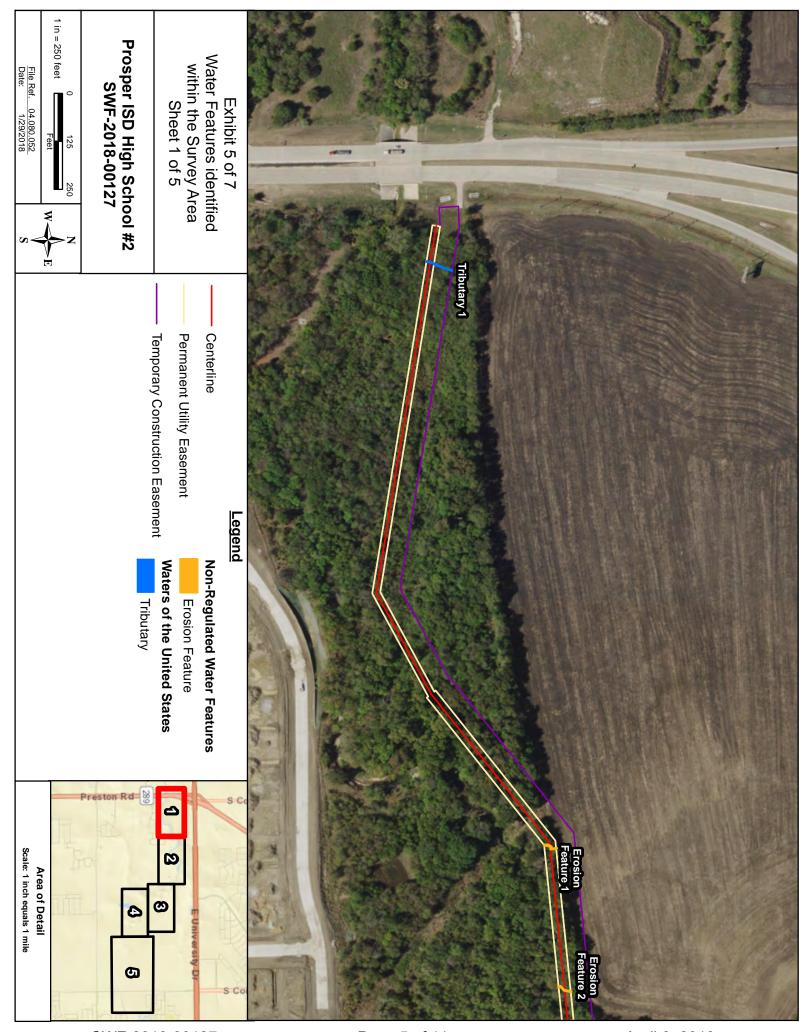


SWF-2018-00127 Page 2 of 11 April 6, 2018

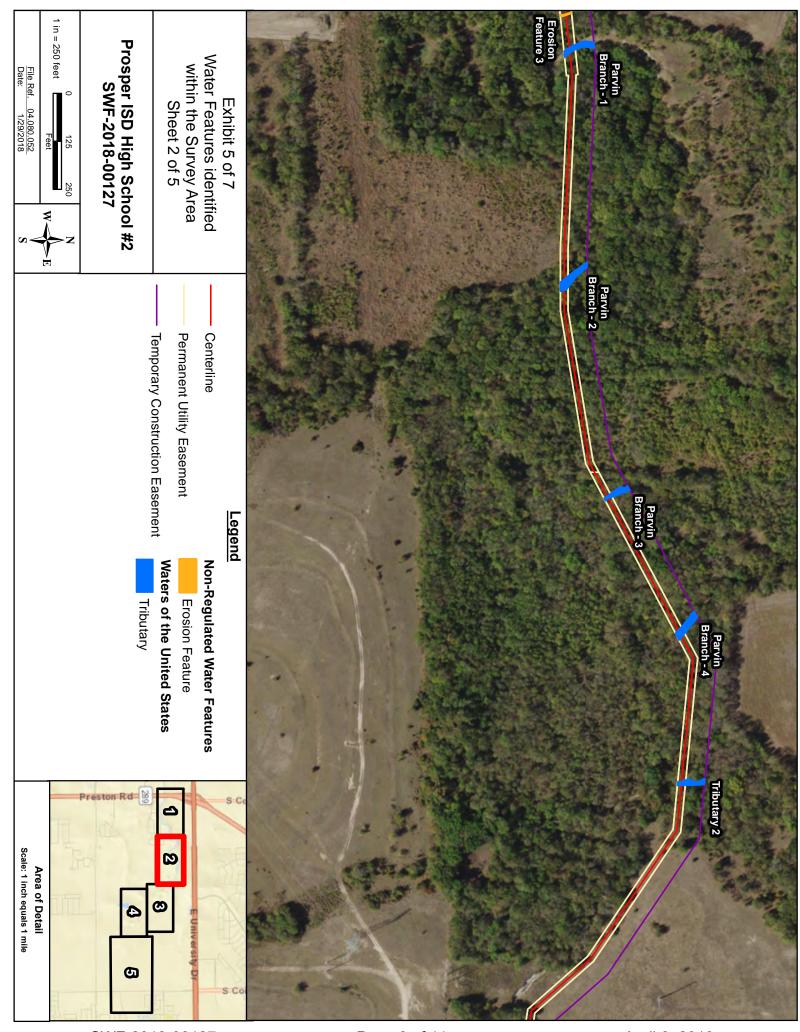


SWF-2018-00127 Page 3 of 11 April 6, 2018

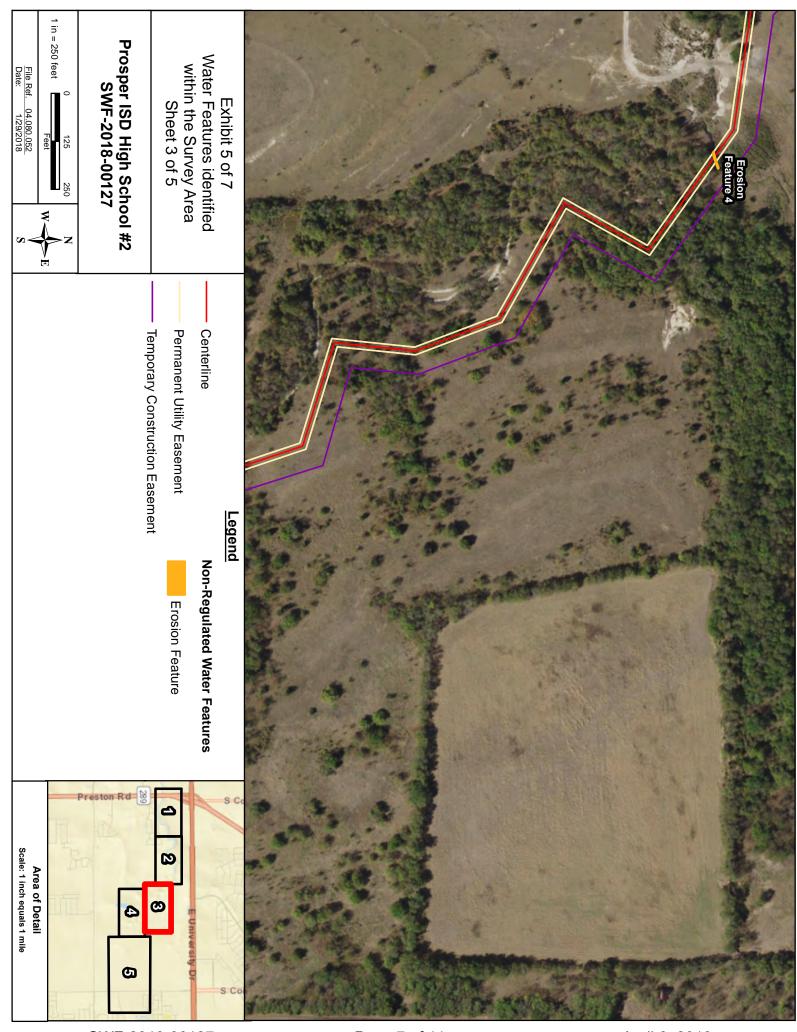




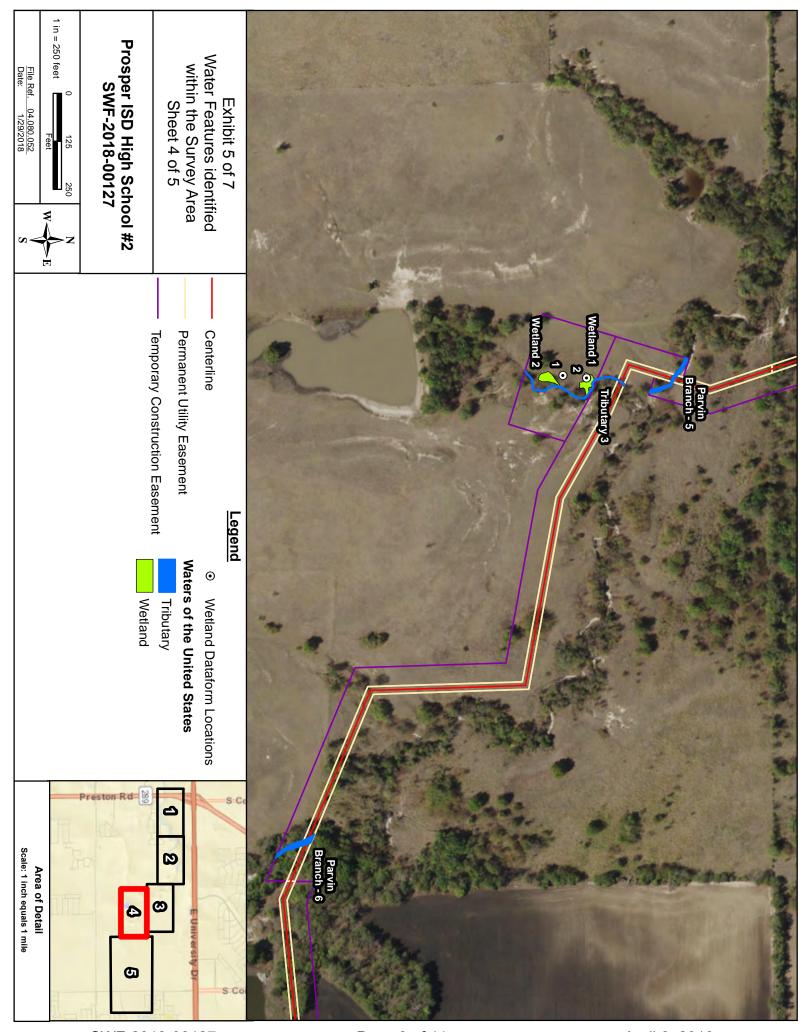
SWF-2018-00127 Page 5 of 11 April 6, 2018



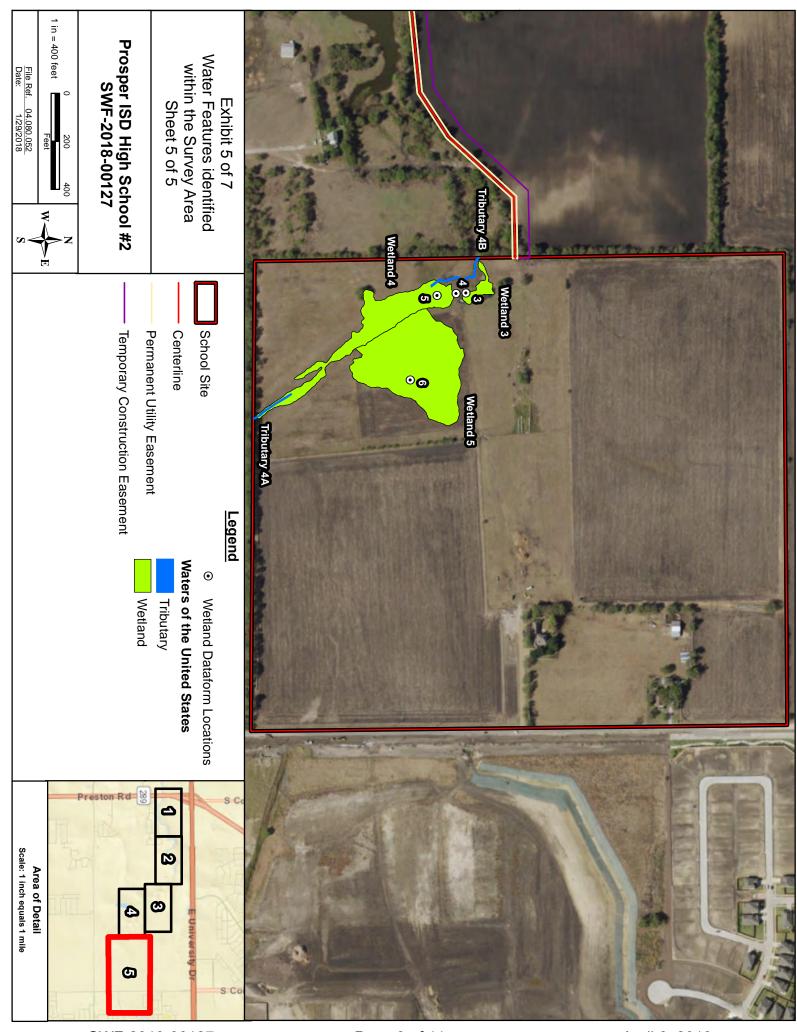
SWF-2018-00127 Page 6 of 11 April 6, 2018



SWF-2018-00127 Page 7 of 11 April 6, 2018



SWF-2018-00127 Page 8 of 11 April 6, 2018



SWF-2018-00127 Page 9 of 11 April 6, 2018

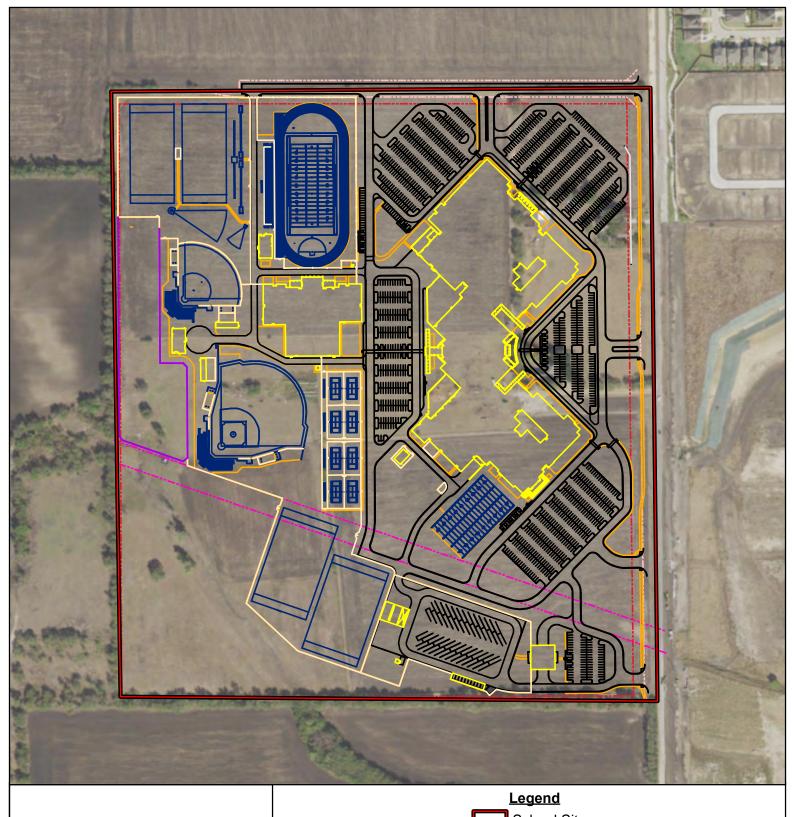
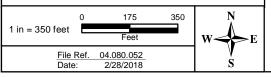


Exhibit 6 of 7 Proposed Site Plan

Prosper ISD High School #2 SWF-2018-00127



School Site

Site Plan Sidewalks **Detention Pond Athletic Facilities** -- Existing Easement Right-of-Way Buildings --- Required Setbacks Fence **Retaining Walls** Roads (Including Fireland/Parking)

SWF-2018-00127

Page 10 of 11

April 6, 2018

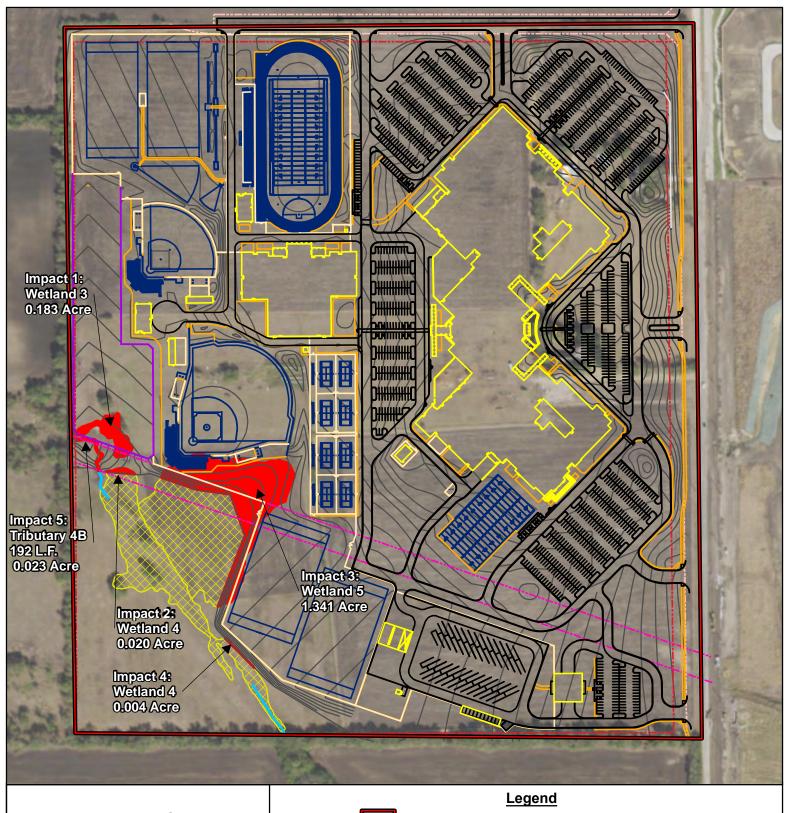
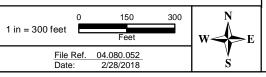
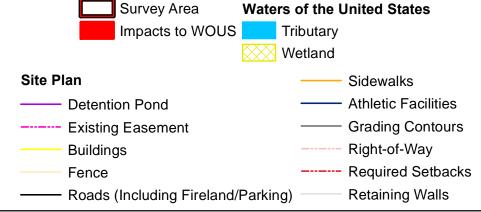


Exhibit 7 of 7 Impacts to Waters of the United States

Prosper ISD High School #2 SWF-2018-00127





April 6, 2018

SWF-2018-00127 Page 11 of 11