APPENDIX H- CORRESPONDENCE

December 3, 2001

Planning, Environmental, and Regulatory Division

SUBJECT: Cultural Resources Overview of Six Areas in the Onion Creek Watershed, Travis County, Texas

Mr. Lawrence Oakes
State Historic Preservation Officer
Texas Historical Commission
P.O. Box 12276, Capitol Station
Austin, Texas 78711

Dear Mr. Oakes:

The U.S. Army Corps of Engineers, Fort Worth District, has conducted a preliminary cultural resources overview of the above referenced project area, utilizing one of our contractors, Prewitt & Associates, Incorporated. The effort consisted of a files search and reconnaissance survey of six areas in the Onion Creek watershed. Forty-five sites were identified within the project areas. Enclosed for your review is the Prewitt & Associates, Incorporated draft report of the cultural resources investigation.

Should you have questions or require additional information regarding this project, please contact Ms. Michelle Dippel, Project Archeologist at (817) 886-1719.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental,
and Regulatory Division

Enclosure

Ms. Dippel/6-1719
METZ, CESWF-PER-EC
HATHORN, CESWF-PER-E
FICKEL, CESWF-PER

PEN-E

TEXAS HISTORICAL COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWERENCE OAKS, EXECUTIVE DIRECTOR

January 8, 2002

William Fickel, Jr.
Chief, Environmental Division
CESWF-EV-EC
Dept. of the Army
Ft. Worth District, Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

Attention: Michelle Dippel

Re: Review under Section 106 of the National Historic Preservation Act
Draft Report: *Cultural Resources Overview of Six Areas in the Onion Creek Watershed, Travis County, Texas.*
(COE-FWD)

Dear Mr. Fickel:

Thank you for allowing us to review the report referenced above. This letter serves as comment on the document from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Bill Martin, has examined the document and concurs with all of your consultant's recommendations. Specifically, we concur that further survey and test excavations will be necessary prior to any construction in any of the damage areas that are under study.

Our principal regulatory comment on this well-written report is that the aerial photographs showing site locations should not be included in copies of the document distributed to the public because release of specific site locations could result in damage to the resources. Such information is exempt from public disclosure under Section 304 (a) (2) of the National Historic Preservation Act. One final copy of the report destined for the THC library should include these figures, but the nineteen copies destined for libraries across the state must not contain them.

We look forward to receiving 20 copies of the final report. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If we may be of further assistance, please contact Bill Martin at 512/463-5867.**

Sincerely,

for
F. Lawerence Oaks, State Historic Preservation Officer

FLO/wam

cc: Christopher Ringstaff, Prewitt and Associates, Inc.

P.O. BOX 12276 · AUSTIN, TX 78711-2276 · 512/463-6100 · FAX 512/475-4872 · TDD 1-800/735-2989
www.thc.state.tx.us

April 3, 2002

Planning, Environmental, and Regulatory Division

SUBJECT: Cultural Resources Overview of Six Areas in the Onion Creek Watershed, Travis County, Texas

Mr. Lawrence Oakes
State Historic Preservation Officer
Texas Historical Commission
P.O. Box 12276, Capitol Station
Austin, Texas 78711

Dear Mr. Oakes:

The U.S. Army Corps of Engineers, Fort Worth District, has finalized a preliminary cultural resources overview of the above referenced project area, utilizing one of our contractors, Prewitt & Associates, Inc. Enclosed for your files and distribution are five copies of the Prewitt & Associates, Inc. final report of the cultural resources investigation. Additionally, an Abstracts in Texas Archeology Summary Form is enclosed.

We appreciate your assistance with this project and will re-initiate coordination when a project in the area has been identified. Should you have questions or require additional information regarding this project, please contact Ms. Michelle Dippel, Project Archeologist at (817) 886-1719.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental,
and Regulatory Division

Enclosure

Ms. Dippel/6-1719
METZ, CESWF-PER-EC
HATHORN, CESWF-PER-E
FICKEL, CESWF-PER

Pt2-E

TEXAS HISTORICAL COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWERENCE OAKS, EXECUTIVE DIRECTOR

April 11, 2002

Mr. William Fickel, Jr.
Chief, Planning, Environmental,
and Regulatory Division
Department of the Army
Fort Worth District, Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102

Re: Project review under Section 106 of the National Historic Preservation Act of 1966
Final Report: *Cultural Resources Overview of Six Areas in the Onion Creek Watershed, Travis County* (COE-VD, F2, F3)

Dear Colleague:

We are in receipt of five copies of the final report for the above referenced project. We will add the report to our library and send the additional copies to libraries across the state.

Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Bill Martin 512/463-5867.**

Sincerely,

William A. Martin

for
F. Lawerence Oaks
State Historic Preservation Officer

FLO/JB/lft

cc: Ross Fields, Prewitt & Assoc.

P.O. BOX 12276 • AUSTIN, TX 78711-2276 • 512/463-6100 • FAX 512/475-4872 • TDD 1-800/735-2989
www.thc.state.tx.us

August 1, 2005

Mr. Paul E. Blackford
Airport Environmental Specialist
Texas Airport Development Office
2601 Meacham Blvd
Fort Worth, Texas 76193

Dear Mr. Blackford:

The Fort Worth District is requesting the FAA to review the enclosed plans and schedule a meeting, if needed, to discuss project planning issues related to preliminary plans for restoration work in the proximity of Austin-Bergstrom International Airport in Austin, Texas in accordance with the Memorandum of Agreement Between the Federal Aviation Administration, the U.S. Air Force, U.S. Army, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and U.S. Department of Agriculture to Address Aircraft-Wildlife Strikes (MOA).

In accordance with paragraph 4-3 of Advisory Circular 150/5200-33, we are notifying you of proposed land use changes associated with the Onion Creek Interim Feasibility Study that are proposed within the areas of concern listed in paragraph 1-3 of the AC. The primary changes would be to remove habitable structures within the floodplains in the Timber Creek Subdivision and the Onion Creek Forest Subdivision in Travis County and the city of Austin, respectively. After structures are removed, the areas would be restored back to wooded riparian areas, or the areas would be converted to recreational areas. In addition, the proposed plan could restore habitat along middle Williamson Creek. Plans are displayed on the enclosed maps.

This notification provides you and the Federal Aviation Administration the opportunity to evaluate the effects of these land use changes on aviation safety. Please provide this assessment at your earliest possible convenience so it can be considered in project planning. The Fort Worth District is in the preliminary process of developing a draft planning report and environmental assessment to evaluate the impacts of the proposed alternatives. If you have any questions or would like to schedule a meeting to discuss the proposed alternatives, please contact Mr. Rob Newman of my staff at 817-886-1762. Thanks for your consideration of this request.

Sincerely

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

Newman/1762
PAXTON, CESWF-PER-EE
HARBERG, CESWF-PER-E
FICKEL, CESWF-PER

City of Austin

Founded by Congress, Republic of Texas, 1839
Watershed Protection and Development Review Department
P.O. Box 1088, Austin, Texas 78767

October 31, 2005

Mr. Michael J. Mocek, P.E.
Deputy District Engineer
U S Army Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102-0300

Subject: Onion Creek Watershed Interim Feasibility Study-Flood Hazard Mitigation and Ecosystem Restoration Plan Alternatives Selection

Dear Mr. Mocek:

The purpose of this letter is to formally select plans for flood hazard mitigation and ecosystem restoration regarding the Onion Creek Watershed Interim Feasibility Study. The Corps presented flood hazard mitigation and ecosystem restoration plan alternatives for both Williamson Creek and Onion Creek in June 2005. The City is electing to endorse the 25-year buyout plan for the Onion Creek study area and a modification of the structural combination plan for Williamson Creek study area. In addition to the City plan selections provided in this letter, the City understands that there are two additional formal City actions required before Federal project implementation can occur: 1) City authorization of funding for project design, anticipated in 2007; and 2) City authorization of funding for project implementation anticipated in 2008.

Onion Creek
The City selects the plan identified as the 25-year buyout plan without changes. This will remove approximately 419 houses from the flood hazard area. We encourage the Corps to move swiftly with this plan as many residents are prepared to relocate as soon as possible since they experienced severe flooding in both 1998 and 2001.

Williamson Creek
The City selects the structural combination plan with modification. This plan will provide flood hazard reduction for approximately 254 houses. The modification desired by the City of Austin is to eliminate the recreational nature trail and further explore the possibility of environmental mitigation and ecosystem restoration opportunities located independently from the flood hazard mitigation areas.

If you have further questions, please contact Glen Taffinder at 974-3381.

Sincerely,

Joseph G. Pantalion, P.E., Director
Watershed Protection and Development Review Department

JGP:GT:gt

cc: Mayor Will Wynn and Council Members
Toby Hammett Futrell, City Manager
Laura J. Huffman, Assistant City Manager
Nancy L. McClintock, Assistant Director
George E. Oswald, P.E., Watershed Engineering
Elston Eckhardt, P.E. U.S. Army Corps of Engineers

The City of Austin is committed to compliance with the Americans with Disabilities Act.
Reasonable modifications and equal access to communications will be provided upon request.

Corps_Letter_LPP_20051031.doc

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

REPLY TO
ATTENTION OF

January 17, 2006

Programs and Project
Management Division

Mr. Joseph G. Pantalion, P.E.
Director, Watershed Protection and
Development Review Department
P.O. Box 1088
Austin, Texas 78767

Dear Mr. Pantalion:

Thank you for your letter dated October 31, 2005, providing written notification of the City of Austin's preferred alternatives for flood hazard mitigation and ecosystem restoration along Onion and Williamson Creeks. This selection is an important milestone for the Onion Creek Interim Feasibility Study, which is being conducted jointly by the U.S. Army Corps of Engineers and its local partners, the City of Austin, City of Sunset Valley, and Travis County. The above action essentially marks the end of the formulation phase, allowing all future study efforts to focus on refinement of the selected plans and completion of the draft Feasibility Report and Environmental Assessment. This document will ultimately be submitted to Congress, and it is our intent to recommend your selected plan for Construction Authorization.

Currently, the plans selected for potential implementation include the floodplain evacuation of approximately 419 homes within the Onion Creek Forest and Yarrabee Bend subdivisions along Onion Creek. The vacated properties will be utilized for recreation and ecosystem restoration purposes. For the Williamson Creek segment, a structural plan extending from Congress Avenue to the Bayton Loop area will utilize a benched channel concept to increase stormwater conveyance that will reduce water surface elevations of future storm events. Additionally, ecosystem restoration areas will be located in several locations that are not believed to create real estate acquisition issues.

As you are aware, extensive interest and feedback from residents within the Williamson Creek segment has led the Project Delivery Team to request the organization of four small stakeholder's groups who will represent the interests within their respective neighborhoods. These groups will begin meeting with the Project Delivery Team this month, for the purpose of refining the selected plan to insure the highest possible compatibility with the specific site. Of great importance to the team is the need to identify possible design changes which would reduce impacts to the large oak trees located adjacent to the stream in some areas.

As discussed in your letter, the City will be required to make several more decisions prior to project construction. These decisions pertain primarily with future funding commitments for project design and construction, and assume that the decision pertaining to plan selection remains

-2-

as originally stated. Any changes in the decisions reached to date may result in significant schedule delays, require additional Federal and local funding, and risk the loss of any future Federal involvement.

I look forward to our continued partnership during project implementation. If you have any questions, please contact the Corps' designated Project Manager, Elston Eckhardt, at 817-886-1681.

Sincerely,

Michael J. Mocek, P.E.
Deputy District Engineer

Copy Furnished:

Toby Futrell, City Manager
Laura J. Huffman, Assistant City Manager
Nancy L. McClintock, Assistant Director
George E. Oswald, P.E., Watershed Engineering

City of Austin

Founded by Congress, Republic of Texas, 1839
Watershed Protection and Development Review Department
P.O. Box 1088, Austin, Texas 78767

RECEIVED
APR 0 6 2005
BY:

April 4, 2006

Mr. Michael J. Mocek, P.E.
Deputy District Engineer
U S Army Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102-0300

Dear Mr. Mocek:

The purpose of this letter is to follow-up on my letter dated October 31, 2006 regarding the locally preferred plan for flood hazard reduction in the Williamson Creek watershed. City staff has conducted a series of neighborhood meetings to discuss options for public trails and ecosystem restoration associated with the project. As a result of the neighborhood input, we are requesting a modification to the public trail and ecosystem restoration plan proposed by the Corps. The revisions requested to the Corps plan are the following:

Public Trails
Please remove the public trails component from the plan formulation.

Ecosystem Restoration
Please continue refinement of the co-located ecosystem restoration component of the plan formulation in the Radam and Heartwood areas. Please pursue the identification of alternative, off-site areas in other locations within the Williamson Creek watershed for the ecosystem restoration component for the Bayton Loop and Broken Bow areas.

As we have advised the neighborhood stakeholders, the City Council may elect to request further modifications to the structural flood hazard reduction plan after the completion of Phase IIB but prior to the beginning of the preconstruction, engineering, and design phase of the project.

If you have further questions, please contact Glen Taffinder at 974-3381.

Sincerely,

Joseph G. Pantalion, P.E., Director
Watershed Protection and Development Review Department

JGP:GT:gt

cc: Mayor Will Wynn and Council Members
Toby Hammett Futrell, City Manager
Laura J. Huffman, Assistant City Manager
Nancy L. McClintock, Assistant Director
George E. Oswald, P.E., Watershed Engineering
Elston Eckhardt, P.E., U.S. Army Corps of Engineers

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

City of Sunset Valley, Texas
3205 Jones Road Sunset Valley, Texas 78745
Telephone 512/892-1383 FAX 512/892-6108

May 18, 2006

Mr. Michael J. Mocek, P.E.
Deputy District engineer
U S Army Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102-0300

Subject: Onion Creek Watershed Interim Feasibility Study-flood Hazard Mitigation and Ecosystem Restoration Plan Alternatives Selection

Dear Mr. Mocek:

The City of Sunset Valley has reviewed the flood hazard mitigation and ecosystem restoration plan alternatives for Williamson Creek as presented by the Corps. The City understands that a locally preferred plan selection is required to advance to the next phase of this project. It is also our understanding that there are two additional formal City actions required before Federal project implementation can occur:

1) City authorization of funding for project design, anticipated in 2007; and
2) City authorization of funding for project implementation anticipated in 2008.

The City endorses the ecosystem restoration plan for the Williamson Creek corridor. The City encourages restoration sites within or upstream of Sunset Valley on both Williamson Creek and the Sunset Valley Tributary to Williamson Creek.

The City of Sunset Valley selects the structural combination plan with modifications on Williamson Creek. This plan provides substantial flood hazard reduction to properties located within the City of Austin and moderate flood relief to properties within Sunset Valley. Although a significant portion of this project is located on properties within Sunset Valley's jurisdiction it is our understanding that the City of Austin will provide funding for project design and project implementation should this plan move forward. The City of Sunset Valley supports further development of the structural combination plan with the following modifications:

1) Eliminate the recreational nature trail;
2) Eliminate channel benching from property located at 19 Sunset Trail adjacent to Westgate bridge; and
3) Narrow the width of the proposed channel by extending the limits of the channel upstream into Valley Creek Park.

Page 1 of 2

The City requests that all environmental mitigation requirements for the structural channel located in Sunset Valley take place within Sunset Valley or upstream of Sunset Valley.

If you have further questions, please contact Katy Phillips at (512) 892-1383.

Sincerely,

Jayme Foley
Deputy City Administrator

JSF:KP:kp

cc: Mayor Terry Cowan
Mayor Elect Cat Quintanilla
Elston Eckhardt, P.E. U S Army Corps of Engineers

Page 2 of 2

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

REPLY TO
ATTENTION OF:

May 18, 2006

Planning, Environmental, and Regulatory Division

Ms. Rhonda Smith
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Mail Stop 6ENXP
Dallas, Texas 75202

Dear Ms. Smith:

The United States Army Corps of Engineers (USACE) in cooperation with the Lower Colorado River Authority, City of Austin, City of Sunset Valley, and Travis County is preparing a draft Integrated Project Report and Environmental Assessment for the Onion Creek Interim Feasibility Study (OCIFS). The OCIFS is a multipurpose study to address the problems and opportunities associated with flood damage reduction, ecosystem restoration, and recreation study on Onion and Williamson Creeks in Austin, Texas.

This project will be tiered from the *Final Programmatic Environmental Impact Statement for Flood Damage Reduction and Ecosystem Restoration, Lower Colorado River Basin, Colorado River, Texas, dated August 2005* (PEIS), a document in which your agency had input during its coordination. The PEIS stated that each subsequent project would require its own project specific National Environmental Policy Act (NEPA) process which would be coordinated with your agency and undergo public review.

At this time we would like to reinitiate coordination with your agency and ask for preliminary comments while preparing the draft document. We are asking for a point of contact with whom we can schedule a meeting to present the proposed project and begin resolving any issues or comments, including section 404 (b)(1) compliance, your agency has prior to public review of the document. We have enclosed an Alternative Formulation Briefing cd-rom that has very preliminary project related information for your staff to review. The draft Integrated Project Report and Environmental Assessment is scheduled to be released for public and agency review in July 2006.

Thanks for you're your consideration in this matter, and please contact Mr. Rob Newman at 817-886-1762 or by email at rob.newman@swf02.usace.army.mil with your agencies point of contact information so that we may begin coordination as soon as possible.

Sincerely,

Mark C. Harberg

For William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

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

REPLY TO
ATTENTION OF:

May 18, 2006

Planning, Environmental, and Regulatory Division

Mr. Mark Fisher
Research and Environmental Assessment Section
Water Planning and Assessment Division
Texas Commission on Environmental Quality MC 150
12100 Park Circle 35, Building F
P.O. Box 13087, Capitol Station
Austin, Texas 78711

Dear Mr. Fisher:

The United States Army Corps of Engineers (USACE) in cooperation with the Lower Colorado River Authority, City of Austin, City of Sunset Valley, and Travis County is preparing a draft Integrated Project Report and Environmental Assessment for the Onion Creek Interim Feasibility Study (OCIFS). The OCIFS is a multipurpose study to address the problems and opportunities associated with flood damage reduction, ecosystem restoration, and recreation study on Onion and Williamson Creeks in Austin, Texas.

This project will be tiered from the *Final Programmatic Environmental Impact Statement for Flood Damage Reduction and Ecosystem Restoration, Lower Colorado River Basin, Colorado River, Texas, dated August 2005* (PEIS), a document in which your agency had input during its coordination. The PEIS stated that each subsequent project would require its own project specific National Environmental Policy Act (NEPA) process which would be coordinated with your agency and undergo public review.

At this time we would like to reinitiate coordination with your agency and ask for preliminary comments while preparing the draft document. We are asking for a point of contact with whom we can schedule a meeting to present the proposed project and begin resolving any issues or comments, including section 404 (b)(1) compliance, your agency has prior to public review of the document. We have enclosed an Alternative Formulation Briefing cd-rom that has very preliminary project related information for your staff to review. The draft Integrated Project Report and Environmental Assessment is scheduled to be released for public and agency review in July 2006.

Thanks for you're your consideration in this matter, and please contact Mr. Rob Newman at 817-886-1762 or by email at rob.newman@swf02.usace.army.mil with your agencies point of contact information so that we may begin coordination as soon as possible.

Sincerely,

Mark C. Harberg

for William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

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

REPLY TO
ATTENTION OF:

May 18, 2006

Planning, Environmental, and Regulatory Division

Honorable Billy Evans Horse, Chairman
Kiowa Tribe of Oklahoma
Hwy 9 West
Carnegie, OK 73015
580-654-2300

Dear Chairman Evans Horse:

On behalf of the Lower Colorado River Authority, City of Austin, City of Sunset Valley, and Travis County, the US Army Corps of Engineers, Fort Worth District is preparing an environmental assessment for the Onion Creek Interim Feasibility Study (OCIFS). The OCIFS is a multipurpose study to address the problems and opportunities associated with flood damage reduction, ecosystem restoration, and recreation on Onion and Williamson Creeks in Austin, Texas. In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, the Fort Worth District is initiating consultation with federally-recognized tribes who historically used this region and/or continue to use the area.

Preliminary investigations of the files at the Texas Archaeological Research Laboratory indicate several cultural resources surveys have been conducted in and around the greater study area and that many archaeological sites have been recorded within the study area. A reconnaissance survey of the lower Onion Creek watershed was conducted in late 2001. A short report on the findings of this review is enclosed for your records. The Fort Worth District and the project sponsors have used this information in selecting specific projects that will address the needs of the study while avoiding impacts to as many known cultural resources as possible.

Four potential project sites have been identified within the larger overall study area. Maps showing the details of the planned projects in each of the areas are enclosed for your information. The Fort Worth District will conduct a cultural resources survey consisting of pedestrian surface coverage and shovel testing in each of these areas prior to construction. Backhoe trenching will be conducted in appropriate areas as necessary and in consultation with the State Historic Preservation Office. Copies of the reports from these investigations will be sent to you for your review and comment as they are completed.

At this time we are asking for preliminary comments regarding known sacred sites or other traditional cultural properties within any of the proposed project areas while preparing the draft Environmental Assessment and planning the cultural resources surveys. The draft integrated project report and environmental assessment is scheduled to be released for public and agency review in July 2006, at which time you will receive a copy.

Please provide comments by June 16, 2006, so they can be adequately addressed. Thank your for consideration in this matter, and please contact Ms. Nancy Parrish at 817-886-1725 or by email at nancy.a.parrish@swf02.usace.army.mil if you have any questions or comments.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

Parrish/1725
PATTERSON, CESWF-PER-EC
HARBERG, CESWF-PER-E
FICKEL, CESWF-PER

SAME LETTER SENT TO:

Honorable Wallace Coffey, Chairman
ATTN: Mr. Fred Nahwooksy
Comanche Nation
584 NW Bingo Rd
HC 32 Box 1720
Lawton, Oklahoma 73507
580-492-4988

Honorable Mark Chino, President
Mescalero Apache Tribe
Attn: Ms. Holly Houghten, Cultural Affairs Office
124 Chiricahua Plaza
Mescalero, New Mexico 88340
505-464-9270

Honorable Billy Evans Horse, Chairman
Kiowa Tribe of Oklahoma
Hwy 9 West
Carnegie, OK 73015
580-654-2300

Honorable Gary McAdams, President
Wichita Executive Committee
1 Mile North of Anadarko on HWY 281.
Anadarko, Oklahoma 73005
(405) 247-2425

Honorable Anthony E. Street, President
Tonkawa Tribe of Oklahoma
1 Rush Buffalo Road
Tonkawa, OK. 74653
(580) 628 - 2561

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

REPLY TO
ATTENTION OF:

May 19, 2006

Planning, Environmental, and Regulatory Division

Rollin MaCrae
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Dear Mr. MaCrae:

The US Army Corps of Engineers, Fort Worth District in cooperation with the Lower Colorado River Authority, City of Austin, City of Sunset Valley, and Travis County is preparing a draft Integrated Project Report and Environmental Assessment for the Onion Creek Interim Feasibility Study (OCIFS). The OCIFS is a multipurpose study to address the problems and opportunities associated with flood damage reduction, ecosystem restoration, and recreation study on Onion and Williamson Creeks in Austin, Texas.

This project will be tiered from the *Final Programmatic Environmental Impact Statement for Flood Damage Reduction and Ecosystem Restoration, Lower Colorado River Basin, Colorado River, Texas, dated August 2005* (PEIS), a document in which your agency had input during its coordination. The PEIS stated that each subsequent project would require its own project specific National Environmental Policy Act (NEPA) process which would be coordinated with your agency and undergo public review.

The Integrated Project Report and Environmental Assessment is scheduled to be released for public and agency review in July 2006, at which time you will receive a copy. We will continue coordination with your agency during development of this document and hopefully resolving any issues or comments your agency has prior to public review of the document. At this time, we have enclosed the Alternative Formulation Briefing (AFB) Documentation, a document which will be discussed with our Division and Headquarters Offices on May 25, 2006, at 12:00 via conference call. Your agency is invited to participate in the conference call if you so desire. The call number is 866-750-8968 and the passcode is 8040023. The AFB material does not provide details on the locally preferred plan, but it does provide an overall picture of the flooding problem and the government's NED/NER Plan. The locally preferred information will be coordinated with you when the required mapping is completed, within the next two weeks.

Due to the size of the AFB Document, only one copy was provided to your agency. Thanks for your consideration in this matter and if you have any questions or comments please contact Mr. Rob Newman at 817-886-1762 or by email at rob.newman@swf02.usace.army.mil.

Sincerely,

Mark C. Harberg

For William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

Copies of this letter without enclosure sent to:

Kathy Boydston and
Tom Heger
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

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

REPLY TO
ATTENTION OF:

May 19, 2006

Planning, Environmental, and Regulatory Division

Mr. Bill Seawell
U.S. Fish and Wildlife Service
Ecological Services
10711 Burnet Road, Suite 200
Austin, TX 78758

Dear Mr. Seawell:

The US Army Corps of Engineers, Fort Worth District in cooperation with the Lower Colorado River Authority, City of Austin, City of Sunset Valley, and Travis County is preparing a draft Integrated Project Report and Environmental Assessment for the Onion Creek Interim Feasibility Study (OCIFS). The OCIFS is a multipurpose study to address the problems and opportunities associated with flood damage reduction, ecosystem restoration, and recreation study on Onion and Williamson Creeks in Austin, Texas.

This project will be tiered from the *Final Programmatic Environmental Impact Statement for Flood Damage Reduction and Ecosystem Restoration, Lower Colorado River Basin, Colorado River, Texas, dated August 2005* (PEIS), a document in which your agency had input during its coordination. The PEIS stated that each subsequent project would require its own project specific National Environmental Policy Act (NEPA) process which would be coordinated with your agency and undergo public review.

The Integrated Project Report and Environmental Assessment is scheduled to be released for public and agency review in July 2006, at which time you will receive a copy. We will continue coordination with your agency during development of this document and hopefully resolving any issues or comments your agency has prior to public review of the document. At this time, we have enclosed the Alternative Formulation Briefing (AFB) Documentation, a document which will be discussed with our Division and Headquarters Offices on May 25, 2006, at 12:00 via conference call. Your agency is invited to participate in the conference call if you so desire. The call number is 866-750-8968 and the passcode is 8040023. The AFB material does not provide details on the locally preferred plan, but it does provide an overall picture of the flooding problem and the government's NED/NER Plan. The locally preferred information will be coordinated with you when the required mapping is completed, within the next two weeks.

Due to the size of the AFB Document, only one copy was provided to your agency. Thanks for your consideration in this matter and if you have any questions or comments please contact Mr. Rob Newman at 817-886-1762 or by email at rob.newman@swf02.usace.army.mil.

Sincerely,

Mark C. Harberg

For William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

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

REPLY TO
ATTENTION OF:

May 19, 2006

Planning, Environmental and Regulatory Division

Heather Young
National Marine Fisheries Service
4700 Avenue U
Galveston, TX 77551

Dear Ms. Young:

The US Army Corps of Engineers, Fort Worth District (USACE) in cooperation with the Lower Colorado River Authority, City of Austin, City of Sunset Valley, and Travis County is preparing a draft Integrated Project Report and Environmental Assessment for the Onion Creek Interim Feasibility Study (OCIFS). The OCIFS is a multipurpose study to address the problems and opportunities associated with flood damage reduction, ecosystem restoration, and recreation study on Onion and Williamson Creeks in Austin, Texas.

This project will be tiered from the *Final Programmatic Environmental Impact Statement for Flood Damage Reduction and Ecosystem Restoration, Lower Colorado River Basin, Colorado River, Texas, dated August 2005* (PEIS), a document in which your agency had input during its coordination. The PEIS stated that each subsequent project would require its own project specific National Environmental Policy Act (NEPA) process which would be coordinated with your agency and undergo public review.

At this time we would like to reinitiate coordination with your agency and ask for preliminary comments while preparing the draft document. The project would only impact Onion Creek in Austin Texas and would not affect costal resources; however, during the preparation of the PEIS, USACE stated that we would coordinate all future projects tiered from the PEIS with your agency. The draft Integrated Project Report and Environmental Assessment is scheduled to be released for public and agency review in July 2006, at which time you will receive a copy unless you notify us otherwise. Please let us know whether or not you would like to continue to be involved in this project. All future projects tiered from the PEIS would continue to be coordinated with your agency if you decide not to participate in the OCIFS.

Thanks for your consideration in this matter and please contact Mr. Rob Newman at 817-886-1762 or by email at rob.newman@swf02.usace.army.mil if you have nay questions or comments.

Sincerely,

Mark C. Hathaway

For William Fickel, Jr.
Chief, Planning, Environmental
and Regulatory Division

United States Department of the Interior

FISH AND WILDLIFE SERVICE
10711 Burnet Road, Suite 200
Austin, Texas 78758
(512) 490-0057

MAY 2 2 2006

William Fickel, Division Chief
Planning, Environmental,
and Regulatory Division
U.S. Army Corps of Engineers
P. O. Box 17300
Fort Worth, Texas 76102-0300

Dear Mr. Fickel:

This provides the U.S. Fish and Wildlife Service's (Service) comments and recommendations on the proposed Onion Creek Project in Travis County, Texas. We have reviewed the proposed plan addressing the flood damage reduction and ecosystem restoration for various reaches of Onion and Williamson creeks and offer the following comments on the currently proposed actions:

1) Onion Creek - Timber Creek Damage Center: buyout with ecosystem restoration and recreation;
2) Onion Creek - Forest / Yarrabee Bend: buyout of 25-year floodplain with ecosystem restoration and high intensity recreation;
3) Onion Creek Bear/Onion Confluence: buyout of four structures and ecosystem restoration and no recreation;
4) Williamson Creek - Heartwood Reach: optimal plan with ecosystem restoration and no recreation;
5) Williamson Creek - Radam Reach: optimal plan with ecosystem restoration and no recreation;
6) Williamson Creek - Broken Bow Reach: optimal plan with no ecosystem restoration and no recreation;
7) Williamson Creek - Bayton Loop Reach: optimal plan with ecosystem restoration upstream of the project in Sunset Valley and in between Jones and Westgate, but not upstream of Westgate on the city of Austin side of the creek in the immediate vicinity of the project.

TAKE PRIDE® IN AMERICA

Mr. Fickel 2

As mentioned in our October 11, 2002, letter, we recommend that non-structural options be used to greatest practicable extent. The proposed project includes a number of buyouts (actions 1, 2, and 3), which we fully support. It also includes channel modifications to improve flood conveyance and on-site ecosystem restoration measures (action 4 and 5), which we can support.

Two of the proposed actions (6 and 7) involve floodway modifications that will impact adjacent woodlands. It is our view that these woodlands vary from reach to reach but would likely fall into resource category 2 pursuant to the Service's mitigation policy. That is, generally, their value would lead to a recommendation that advocates avoidance and minimizing losses. Losses in resource category 2, when unavoidable, can be compensated by replacement of the same kind of habitat so there would be no net loss of in-kind habitat values.

A tree survey of the Bayton Loop area was conducted on May 3, 2006. We believe that the vegetation of the Broken Bow and Bayton Loop areas are frequently found among regional waterways and even upland areas of central Texas and thus would not be considered unique or irreplaceable (attributes of resource category 1). These woodlands (associated with creeks) in the Travis County area are less common today due to land use changes and we would recommend that the flood protection efforts minimize impacts to these woodlands where possible and plan a commensurate restoration of similar woodlands nearby as compensation.

We believe that this project's environmental effects can be adequately described and addressed through an environmental assessment. This is based on our understanding of the scope of the project and its impacts and planned benefits to fish and wildlife resources of central Texas.

Thank you for the opportunity to provide input. If you have any questions or comments or need further information, please contact Patrick Connor at (512) 490-0057, extension 227.

Sincerely,

Robert T. Pine
Supervisor

cc: Tom Heger, TPWD, Austin, TX

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue S
St. Petersburg, Florida 33701-5511

June 5, 2006

Mr. William Fickle, Jr.
Chief, Planning, Environmental,
and Regulatory Division
Fort Worth District
Department of the Army, Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

Dear Mr. Fickle:

The NOAA's National Marine Fisheries Service (NMFS) has reviewed your letter dated May 19, 2006, regarding the Onion Creek Interim Feasibility Study. According to the information that you provided, the proposed project would only impact Onion Creek in Austin, Texas, and would not affect coastal resources. Given that the proposed project will not affect essential fish habitat, no further consultation with NMFS is required for this project.

If we may be of further assistance, please contact Ms. Heather Young or Mr. Rusty Swafford of our Galveston Facility at (409) 766-3699.

Sincerely,

Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

RECEIVED 08 Jun 2006

PRE

COMANCHE TRIBE
NAGPRA

June 12, 2006

William Fickel, Jr., Chief
Department of the Army
Fort Worth District, Corps of Engineers
Planning, Environmental and Regulatory Division
PO Box 17300
Fort Worth, TX 76102-0300

Re: Lower Colorado River Authority, Environmental Assessment for the Onion Creek Interim Feasibility Study (OCIFS) near Onion and Williamson Creeks in Austin Texas.

Dear Mr. Fickel:

Thank you for your letter of May 18th regarding the above referenced planned preparation of an Environmental Assessment for the referenced project.

At this time, the Comanche Nation has no immediate concerns or issues regarding the project; however, please keep us informed of the project progress.

If in the process of the project human remains or archaeological items are discovered, we request that you immediately cease the project work and notify us so that we may discuss appropriate disposition with you and the other Tribal Nations that may be affected by such discoveries.

We look forward to your reports as activities proceed.

Sincerely,

Fred Nahwooksy

Fred Nahwooksy, NAGPRA Coordinator

P.O. Box 908 • Lawton, Oklahoma 73502 • (580) 492-3754 • (580) 492-3733 FAX

RECEIVED
19 Jun 2006

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 12, 2006

Mr. William Fickel, Jr.
Chief, Planning, Environmental, and Regulatory Division
Department of the Army
Fort Worth District, Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

Dear Mr. Fickel:

The Texas Commission on Environmental Quality (TCEQ) has received your May 18, 2006, letter regarding the preparation of the draft Integrated Project Report and Environmental Assessment for the Onion Creek Interim Feasibility Study (OCIFS). The OCIFS is a multipurpose study to address the problems and opportunities associated with flood damage reduction, ecosystem restoration, and recreation study on Onion and Williamson Creeks in Austin, Texas.

The TCEQ will continue to coordinate with the United States Army Corps of Engineers (USACE) in the development of the draft document. Mr. Peter Schaefer will be the contact for the TCEQ and will contact the USACE to arrange a meeting for the presentation of the proposed project. Mr. Schaefer's telephone number is (512) 239-4372 and his email address is pschaefe@tceq.state.tx.us.

The TCEQ appreciates the invitation to be involved in this study and looks forward to working with the USACE during the development of the flood damage reduction, ecosystem restoration, and recreation study on Onion and Williamson Creeks in Austin, Texas.

Sincerely,

L'Oreal W. Stepney, P.E., Director
Water Quality Division

LWS/EMH/jp

cc: Mr. Rob Newman, Planning, Environmental, and Regulatory Division, Department of the Army, Fort Worth District, Corps of Engineers, P.O. Box 17300, Fort Worth, Texas 76102-0300

RECEIVED 19 Jun 2006

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tceq.state.tx.us

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

REPLY TO
ATTENTION OF:

July 13, 2006

Planning, Environmental and
Regulatory Division

Subject: Onion Creek Interim Feasibility Study, Cultural Resources Investigations, Austin, Travis County, Texas.

Honorable Wallace Coffey, Chairman
Comanche Nation
584 NW Bingo Rd
HC 32 Box 1720
Lawton, Oklahoma 73507

Dear Chairman Coffey,

In a letter dated May 18, 2006, the U.S. Army Corps of Engineers, Fort Worth District, on behalf of the Lower Colorado River Authority, the City of Austin, the City of Sunset Valley and Travis County, informed you of our Onion Creek Interim Feasibility Study (OCIFS) in Austin, Travis County, Texas.

In 2002, the Fort Worth District conducted a site files search and windshield reconnaissance survey of the six damage areas. A report of the findings was enclosed in the May 18, 2006 letter. The results of that survey effort were a determination that further cultural resources studies would need to be undertaken once specific projects within the watershed had been identified.

The OCIFS has now identified four potential projects to alleviate flooding issues in the Onion Creek watershed. In accordance with 36 CFR Part 800, and in observance of the recommendations of the 2002 study, the Fort Worth District conducted a cultural resources survey consisting of pedestrian walk-over and shovel testing in three of the four proposed project areas. One area, along Williamson Creek, will require channel modification in the form of benching to achieve the desired flood damage reduction goals. Deep backhoe trenching is necessary for this area. However, currently the property is residential and the trenching would need to be conducted in the back lawns of private homes. For this reason, we have chosen to delay the backhoe testing in this area until the project has acquired the land. The cultural resources investigations will be carried out in coordination with the Texas State Historic Preservation Officer prior to any construction activities along Williamson Creek. Results of those investigates will be sent to you as they are completed.

-2-

Enclosed is a write-up of the investigation undertaken at the other three project locations, Yarrabee Bend, Timber Creek and the Bear/Onion Confluence, for your review and comment. This write-up includes a summary of the planned actions at each location, maps of the proposed buy-outs, recreation and ecosystem restoration at each location, and photographs of the existing conditions at each location.

No cultural materials were observed during the survey. Given the disturbed nature of these residential areas, the shallow impacts of the planned construction, and deep overburden of alluvium in the Yarrabee Bend and Timber Creek project areas, the Fort Worth District has determined No Historic Properties will be affected by the proposed projects in those two locations. Likewise, given the steep terrain, modern disturbances of housing and road construction on the flatlands, and the shallow nature of the planned impacts at the Bear/Onion Confluence project area, we have determined that No Historic Properties will be affected by the proposed project. The Fort Worth District has asked the State Historic Preservation Office for concurrence with these determinations.

A project feasibility report with an integrated Environmental Assessment should be available soon for your review. We will send it to you as soon as it becomes available. If you have any questions pertaining to the enclosed report or its findings, please to not hesitate to contact Ms. Nancy Parrish at (817) 886-1725 or via email at nancy.a.parrish@swf02.usace.army.mil.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental
and Regulatory Division

Enclosure

Copy furnished with enclosure:

Mr. Fred Nahwooksy
Comanche Nation
584 NW Bingo Rd
HC 32 Box 1720
Lawton, Oklahoma 73507

Copy furnished without enclosure:
Mr. F. Lawerence Oaks
State Historic Preservation Officer
Texas Historical Commission
1511 Colorado St.

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

REPLY TO
ATTENTION OF:

July 13, 2006

Planning, Environmental and
Regulatory Division

Subject: Onion Creek Interim Feasibility Study, Cultural Resources Investigations, Austin, Travis County, Texas.

Honorable Billy Evans Horse, Chairman
Kiowa Tribe of Oklahoma
Hwy 9 West
Carnegie, OK 73015

Dear Chairman Evans Horse,

In a letter dated May 18, 2006, the U.S. Army Corps of Engineers, Fort Worth District, on behalf of the Lower Colorado River Authority, the City of Austin, the City of Sunset Valley and Travis County, informed you of our Onion Creek Interim Feasibility Study (OCIFS) in Austin, Travis County, Texas.

In 2002, the Fort Worth District conducted a site files search and windshield reconnaissance survey of the six damage areas. A report of the findings was enclosed in the May 18, 2006 letter. The results of that survey effort were a determination that further cultural resources studies would need to be undertaken once specific projects within the watershed had been identified.

The OCIFS has now identified four potential projects to alleviate flooding issues in the Onion Creek watershed. In accordance with 36 CFR Part 800, and in observance of the recommendations of the 2002 study, the Fort Worth District conducted a cultural resources survey consisting of pedestrian walk-over and shovel testing in three of the four proposed project areas. One area, along Williamson Creek, will require channel modification in the form of benching to achieve the desired flood damage reduction goals. Deep backhoe trenching is necessary for this area. However, currently the property is residential and the trenching would need to be conducted in the back lawns of private homes. For this reason, we have chosen to delay the backhoe testing in this area until the project has acquired the land. The cultural resources investigations will be carried out in coordination with the Texas State Historic Preservation Officer prior to any construction activities along Williamson Creek. Results of those investigates will be sent to you as they are completed.

-2-

Enclosed is a write-up of the investigation undertaken at the other three project locations, Yarrabee Bend, Timber Creek and the Bear/Onion Confluence, for your review and comment. This write-up includes a summary of the planned actions at each location, maps of the proposed buy-outs, recreation and ecosystem restoration at each location, and photographs of the existing conditions at each location.

No cultural materials were observed during the survey. Given the disturbed nature of these residential areas, the shallow impacts of the planned construction, and deep overburden of alluvium in the Yarrabee Bend and Timber Creek project areas, the Fort Worth District has determined No Historic Properties will be affected by the proposed projects in those two locations. Likewise, given the steep terrain, modern disturbances of housing and road construction on the flatlands, and the shallow nature of the planned impacts at the Bear/Onion Confluence project area, we have determined that No Historic Properties will be affected by the proposed project. The Fort Worth District has asked the State Historic Preservation Office for concurrence with these determinations.

A project feasibility report with an integrated Environmental Assessment should be available soon for your review. We will send it to you as soon as it becomes available. If you have any questions pertaining to the enclosed report or its findings, please to not hesitate to contact Ms. Nancy Parrish at (817) 886-1725 or via email at nancy.a.parrish@swf02.usace.army.mil.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental
and Regulatory Division

Enclosure

Copy furnished without enclosure:

Mr. F. Lawerence Oaks
State Historic Preservation Officer
Texas Historical Commission
1511 Colorado St.

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

REPLY TO
ATTENTION OF:

July 13, 2006

Planning, Environmental and
Regulatory Division

Subject: Onion Creek Interim Feasibility Study, Cultural Resources Investigations, Austin, Travis County, Texas.

Honorable Mark Chino, President
Mescalero Apache Tribe
124 Chiricahua Plaza
Mescalero, New Mexico 88340

Dear President Chino,

In a letter dated May 18, 2006, the U.S. Army Corps of Engineers, Fort Worth District, on behalf of the Lower Colorado River Authority, the City of Austin, the City of Sunset Valley and Travis County, informed you of our Onion Creek Interim Feasibility Study (OCIFS) in Austin, Travis County, Texas.

In 2002, the Fort Worth District conducted a site files search and windshield reconnaissance survey of the six damage areas. A report of the findings was enclosed in the May 18, 2006 letter. The results of that survey effort were a determination that further cultural resources studies would need to be undertaken once specific projects within the watershed had been identified.

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Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental
and Regulatory Division

Enclosure

Copy furnished with enclosure:

Ms. Holly Houghten, Cultural Affairs Office
Mescalero Apache Tribe
124 Chiricahua Plaza
Mescalero, New Mexico 88340

Copy furnished without enclosure:
Mr. F. Lawerence Oaks
State Historic Preservation Officer
Texas Historical Commission
1511 Colorado St.

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

REPLY TO
ATTENTION OF:

July 13, 2006

Planning, Environmental and
Regulatory Division

Subject: Onion Creek Interim Feasibility Study, Cultural Resources Investigations, Austin, Travis County, Texas.

Honorable Anthony E. Street, President
Tonkawa Tribe of Oklahoma
1 Rush Buffalo Road
Tonkawa, OK. 74653

Dear President Street,

In a letter dated May 18, 2006, the U.S. Army Corps of Engineers, Fort Worth District, on behalf of the Lower Colorado River Authority, the City of Austin, the City of Sunset Valley and Travis County, informed you of our Onion Creek Interim Feasibility Study (OCIFS) in Austin, Travis County, Texas.

In 2002, the Fort Worth District conducted a site files search and windshield reconnaissance survey of the six damage areas. A report of the findings was enclosed in the May 18, 2006 letter. The results of that survey effort were a determination that further cultural resources studies would need to be undertaken once specific projects within the watershed had been identified.

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A project feasibility report with an integrated Environmental Assessment should be available soon for your review. We will send it to you as soon as it becomes available. If you have any questions pertaining to the enclosed report or its findings, please to not hesitate to contact Ms. Nancy Parrish at (817) 886-1725 or via email at nancy.a.parrish@swf02.usace.army.mil.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental
and Regulatory Division

Enclosure

Copy furnished without enclosure:

Mr. F. Lawerence Oaks
State Historic Preservation Officer
Texas Historical Commission
1511 Colorado St.

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

REPLY TO
ATTENTION OF:

July 13, 2006

Planning, Environmental and
Regulatory Division

Subject: Onion Creek Interim Feasibility Study, Cultural Resources Investigations, Austin, Travis County, Texas.

Honorable Gary McAdams, President
Wichita Executive Committee
1 Mile North of Anadarko on HWY 281.
Anadarko, Oklahoma 73005

Dear President McAdams,

In a letter dated May 18, 2006, the U.S. Army Corps of Engineers, Fort Worth District, on behalf of the Lower Colorado River Authority, the City of Austin, the City of Sunset Valley and Travis County, informed you of our Onion Creek Interim Feasibility Study (OCIFS) in Austin, Travis County, Texas.

In 2002, the Fort Worth District conducted a site files search and windshield reconnaissance survey of the six damage areas. A report of the findings was enclosed in the May 18, 2006 letter. The results of that survey effort were a determination that further cultural resources studies would need to be undertaken once specific projects within the watershed had been identified.

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A project feasibility report with an integrated Environmental Assessment should be available soon for your review. We will send it to you as soon as it becomes available. If you have any questions pertaining to the enclosed report or its findings, please to not hesitate to contact Ms. Nancy Parrish at (817) 886-1725 or via email at nancy.a.parrish@swf02.usace.army.mil.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental
and Regulatory Division

Enclosure

Copy furnished without enclosure:

Mr. F. Lawerence Oaks
State Historic Preservation Officer
Texas Historical Commission
1511 Colorado St.

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

REPLY TO
ATTENTION OF:

July 13, 2006

Planning, Environmental and
Regulatory Division

Subject: Onion Creek Interim Feasibility Study, Cultural Resources Investigations, Austin, Travis County, Texas.

Mr. F. Lawerence Oaks
State Historic Preservation Officer
Texas Historical Commission
1511 Colorado St.
Austin, Texas 78701

Dear Mr. Oaks,

In December 2001, the U.S. Army Corps of Engineers, Fort Worth District, on behalf of the Lower Colorado River Authority, the City of Austin, the City of Sunset Valley and Travis County, hired Prewitt & Associates, Inc. to conduct a cultural resources overview of six damage areas within the Onion Creek Watershed. The resulting document, *Cultural Resources Overview of Six Areas in the Onion Creek Watershed, Travis County, Texas* was finalized and sent to you in February of 2002. In a letter dated January 8, 2002, your office concurred with the findings of that document; specifically that further survey and test excavations will be necessary prior to construction in any of the six damage areas. At that time, specific projects had not yet been identified within the watershed.

After three years of study and analysis, four potential projects to alleviate flooding issues in the region have been identified within the larger overall watershed study area. In accordance with Section 106 of the National Historic Preservation Act, and in observance of the recommendations of the 2002 study, the Fort Worth District conducted a cultural resources survey consisting of pedestrian walk-over and shovel testing in three of the four proposed project areas. One area, along Williamson Creek, will require channel modification in the form of benching to achieve the desired flood damage reduction goals. Deep backhoe trenching is necessary for this area. However, currently the property is residential and the trenching would need to be conducted in the back lawns of private homes. For this reason, we have chosen to delay the backhoe testing in this area until the project has acquired the land. The cultural resources investigations will be carried out in coordination with your office prior to any construction activities along Williamson Creek.

-2-

Enclosed is a write-up of the investigation undertaken at the other three project locations, Yarrabee Bend, Timber Creek and the Bear/Onion Confluence, for your revie and comment. This write-up includes a summary of the planned actions at each location maps of the proposed buy-outs, recreation and ecosystem restoration at each location, an photographs of the existing conditions at each location.

In accordance with 36 CFR Part 800, and given the disturbed nature of these residential areas, the shallow impacts of the planned construction, and deep overburden of alluvium in the Yarrabee Bend and Timber Creek project areas, the Fort Worth Distri asks for your concurrence with our determination that No Historic Properties will be affected by the proposed projects in those two locations. Likewise, given the steep terrain, modern disturbances of housing and road construction on the flatlands, and the shallow nature of the planned impacts at the Bear/Onion Confluence project area, we ask for your concurrence with our determination that No Historic Properties will be affected by the proposed project. Finally, the Fort Worth District asks for your concurrence with our plan to conduct deep backhoe trenching prior to benching construction along Williamson Branch.

We appreciate your prompt attention to this matter. A project feasibility report with an integrated Environmental Assessment should be available soon for your review. We will send it to your office as soon as it becomes available. If you have any questions pertaining to the enclosed report or its findings, please to not hesitate to contact Ms. Nancy Parrish at (817) 886-1725 or via email at nancy.a.parrish@swf02.usace.army.mil.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental
and Regulatory Division

Enclosure

LCRA

August 10, 2006

Colonel Christopher W. Martin
District Commander
U.S. Corps of Engineers, Fort Worth District
819 Taylor Street
Fort Worth, Texas 76102

Dear Colonel Martin:

I am writing to express the Lower Colorado River Authority's (LCRA) support of the U.S. Army Corps of Engineer's (Corps) lower Colorado River basin, Phase 1, Texas draft report and its recommended plans for reducing flood damages in the City of Wharton and along Onion Creek.

LCRA has been the local sponsor of the lower Colorado River basin feasibility studies since its inception in May 2000. We have added additional local partners to the study including the City of Wharton, the City of Austin, Travis County, and the City of Sunset Valley. We have also supported participation in the studies by the Texas Water Development Board.

The recommended plans are consistent with LCRA's legislative mandate to reduce flood damages within the river and tributaries of the lower Colorado River basin. We fully support the recommendations and when authorized, intend to closely coordinate with our partners a smooth transition to the Preconstruction Engineering and Design (PED) phase of the project.

We recognize the importance of communicating to our representatives and senators about these studies and with the help of our partners will continue our efforts to garner congressional support for a FY 2007 PED and Construction Authorization.

We sincerely appreciate the staff at the Fort Worth District and their dedicated efforts to complete these studies. We have developed a productive relationship with the Corps and look forward to continuing this relationship as these projects move forward.

If you have any questions please give me a call at 1-800-776-5272, ext. 3586.

Very truly yours,

Joseph J. Beal, P.E.
General Manager

P.O. BOX 220 • AUSTIN, TEXAS • 78767-0220 • (512) 473-3200 • 1-800-776-5272 • WWW.LCRA.ORG

WA
PEQ-E

COMANCHE TRIBE
NAGPRA

August 14, 2006

William Fickel, Jr., Chief
Department of the Army
Fort Worth District, Corps of Engineers
Planning, Environmental and Regulatory Division
PO Box 17300
Fort Worth, TX 76102-0300

Re: Onion Creek Interim Feasibility Study (OCIFS) Cultural Resources Investigations, Austin, Travis County, Texas

Dear Mr. Fickel:

Thank you for your letter of July 13th regarding the investigation for the above referenced project.

At this time, the Comanche Nation has no immediate concerns or issues regarding the project; however, please keep us informed of the project's progress. We look forward to reviewing any additional cultural resources reports and any other reports regarding the project.

If in the process of the project human remains or archaeological items are discovered, we request that you immediately cease the project work and notify us so that we may discuss appropriate disposition with you and the other Tribal Nations that may be affected by such discoveries.

We look forward to your reports as activities proceed.

Sincerely,

Ruth Toahty

Ruth Toahty, NAGPRA Coordinator

P.O. Box 908 • Lawton, Oklahoma 73502 • (580) 492-3754 • (580) 492-3733 FAX

RECEIVED 22 May 2007

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

REPLY TO
ATTENTION OF:

August 16, 2006

Planning, Environmental and
Regulatory Division

Subject: Lower Colorado River Basin Interim Feasibility Study, Cultural Resources Investigations, Wharton, Wharton County, Texas.

Mr. F. Lawerence Oaks
State Historic Preservation Officer
Texas Historical Commission
1511 Colorado St.
Austin, Texas 78701

Dear Mr. Oaks,

In a letter dated July 13, 2006, the U.S. Army Corps of Engineers, Fort Worth District, on behalf of the Lower Colorado River Authority, corresponded with your office concerning cultural resources investigations for a flood damage reduction and ecosystem restoration project along Onion Creek in Austin, Texas. In that letter we also indicated that a second portion (Williamson Creek) of the Onion Creek project, would be investigated via deep backhoe trenching at a later phase in the planning after gaining access to occupied residential lots. At this time, we wish to advise you of another component of the Lower Colorado River Basin study, which is located in Wharton, Texas. Due to an oversight on the part of the Corps, this portion of the project was omitted from the previous correspondence. We apologize for not sending this information earlier.

The Wharton project addresses the flooding problems within the city of Wharton, Texas, through structural features such as earthen levees and accompanying sumps, floodwalls, channel enlargement, storm drainage structures, and an open cut ditch (Map 1). The main features of this plan are an earthen levee system along the Colorado River (Map 2) and one along Baughman Slough (Map 3), channel modification along Baughman Slough, the excavation of the Santa Fe Ditch and a series of sumps associated with both levee systems to promote drainage. At this time, the levee alignment and sump locations have been tentatively determined, but are subject to change in the Preconstruction, Engineering and Design Phase (PED) when the Recommended Plan will be finalized.

-2-

In accordance with 36 CFR Part 800, the Corps contracted the services of Prewitt and Associates, Inc., to conduct a reconnaissance level historic building survey of the Wharton project area. A copy of the survey report will be sent to your office for review and comment once it has been prepared. Reconnaissance level archaeological investigations have also been carried out throughout the Wharton project area. The entire proposed levee alignment along the Colorado River has been subjected to a pedestrian surface survey by a Corps Archaeologist. Five judiciously placed shovel tests were negative for cultural resources. Further investigation will be carried out once the alignments have been finalized especially in the less disturbed areas with a high probability for intact buried deposits. Likewise, the Baughman Slough levee system was investigated by a Corps Archaeologist and three shovel tests came up negative for cultural materials. Once the alignment has been finalized, portions of the footprint will also require deeper investigation. The sump areas were not surveyed for cultural resources because their locations are very tentative. The sump locations are based upon the levee alignment and will likely change more radically than the levee footprints as the levee alignments are adjusted during PED.

Because the final levee alignment and sump locations cannot be identified until further detailed design work is accomplished in the PED Phase of this project, the Corps recommends that intensive archaeological survey of the Wharton area be delayed until the designs are better defined. To this end, the Corps proposes a Programmatic Agreement (PA) be negotiated between our offices to ensure the appropriate investigations, evaluations and, if necessary, mitigation is carried out prior to construction so that the Corps' obligations under Section 106 are met. We have enclosed a draft PA for your review. The proposed agreement covers both Williamson Creek and Wharton as both areas require further investigation during the PED phase of the study.

We appreciate your prompt attention to this matter and hope for a successful agreement between our offices. An interim feasibility report and integrated Environmental Assessment for the Lower Colorado River Basin Study covering all project areas will be sent for your review in the near future. If you have any questions pertaining to the enclosed draft agreement, please do not hesitate to contact Ms. Nancy Parrish at (817) 886-1725 or via email at nancy.a.parrish@swf02.usace.army.mil.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental
and Regulatory Division

Enclosures

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

REPLY TO
ATTENTION OF:

August 18, 2006

Planning, Environmental, and Regulatory Division

JOINT PUBLIC NOTICE
NOTICE OF AVAILABILITY
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT
Draft Lower Colorado River Basin Phase I, Texas
Volume I – Project Summary
Volume II – Onion Creek Interim Feasibility Report
and Integrated Environmental Assessment
and
Volume III – Wharton Interim Feasibility Report
and Integrated Environmental Assessment

WATER QUALITY CERTIFICATION
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps), Fort Worth District has prepared a draft Lower Colorado River Basin Phase I, Texas Interim Feasibility and Integrated Environmental Assessment Report, which is proposing to implement a project addressing proposed activities to provide flood damage reduction, ecosystem restoration, and recreation in the Onion and Williamson Creek watersheds in and around Austin, Texas (Volume II), and a project addressing proposed activities to address flood damage reduction in the city of Wharton, Texas (Volume III) within the Lower Colorado River Basin, Colorado River, Texas. The Corps is also requesting water quality certification from the Texas Commission on Environmental Quality (TCEQ) under Section 401 of the Clean Water Act (CWA) for both of these projects.

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

Purpose and Background. The Onion Creek and Wharton components of the overall basin project are a result of a Lower Colorado River Basinwide Study which recommended detailed studies in the two study areas in order to address water related resource problems and opportunities including flood damage reduction, ecosystem restoration and recreation in Onion and Williamson Creeks in Austin, Texas and within the city of Wharton, Texas. A *Final Programmatic Environmental Impact Statement, Flood Damage Reduction and Ecosystem Restoration, Lower Colorado River Basin, Colorado River, Texas August 2005* (PEIS) was conducted during the basinwide study effort. Both Volume II and III are interim feasibility reports and integrated environmental assessments (EA) tiered to the PEIS. The study area for the Onion Creek component of the project is the Onion Creek and Williamson Creek watersheds, which were further refined to the Timber Creek, Onion Creek Forest/Yarrabee Bend, Bluff Springs Road/Perkins Valley, Onion Creek Subdivision, and Bear/Onion Confluence areas of interest. These areas of interest incur extensive flooding, have latent demand for recreation and are in need of ecosystem restoration measures to restore degraded natural resources. The study area for the Wharton component of the project is primarily the city limits of Wharton, Texas. However, some project features reduce flooding and are located in Wharton County. The city of Wharton incurs extensive flooding throughout virtually the entire city.

Proposed Actions and Alternatives. In addition to the No Action alternative, structural, non-structural and combined multi-purpose project alternatives are presented in the Timber Creek, Onion Creek Forest/Yarrabee Bend, Bluff Springs Road/Perkins Valley, Onion Creek Subdivision, and Williamson Creek areas of interest and the Wharton study area. The action alternatives were developed in accordance with the Principles and Guidelines (P&G), which followed the principles, standards, and procedures outlined in the Water Resources Council's

"Economic and Environmental Principles and Guidelines for Water Related Land Resources Implementation Studies".

Under the No Action alternative, which is equivalent to the description of the future without-project conditions, no measures would be taken to address the objectives and goals developed for flood protection, ecosystem restoration, or recreation.

The Recommended Plan for the Onion Creek component of the project did not include proposed alternatives to be implemented in the Bluff Springs Road/Perkins Valley, Onion Creek Subdivision and Bear/Onion Confluence areas of interest because of the lack of Federal interest due to inferior benefit-to-cost ratios for flood damage reduction projects. Under the Recommended Plan, the Timber Creek and Onion Creek Forest/Yarrabee Bend study areas would consist of the acquisition and removal of 81 and 410 residential structures, respectively, in the 4% annual chance of exceedance (ACE) floodplain; permanent closure of several streets or parts thereof; restoration of 16 and 190 acres of land to riparian woodlands; and installation of recreation features such as picnic shelters, hiking trails, restrooms, and supporting infrastructure. The Recommended Plan for the Williamson Creek area of interest would consist of channel excavation on one side or the other of the creek to create a benched effect for approximately 8,500 linear feet of creek in four separate reaches; and restoration of 114 acres of land to riparian woodlands.

The Recommended Plan in Timber Creek and Onion Creek Forest/Yarrabee Bend would consist of buyouts and would not affect Waters of the United States or require mitigation. The Recommended Plan in the Williamson Creek area of interest would impact approximately 15 acres and 6.02 AAHU of riparian woodlands, and impact 8,500 feet of Waters of the United States. Approximately 23 acres of mitigation is proposed, which would provide 7.22 AAHU of habitat improve 4,000 feet of Waters of the United States. The Recommended Plan would be fully mitigated by the proposed mitigation plan.

The Recommended Plan for the Wharton area consists of structural features in the form of earthen levees and accompanying sumps, floodwalls, a channel enlargement, storm drain type drainage structures and an open cut ditch. Most of the project features would be implemented into three different drainage areas: Colorado River, Baughman Slough and Caney Creek. The Recommended Plan associated with the Colorado River would include the construction of 20,310 feet of levees, 19,010 feet of floodwalls and seven sump areas. The seven sumps would occupy 141 acres. Recommended features in Baughman Slough would include 6,610 feet of levees, 380 feet of floodwalls, 4,780 feet of channel modification and two sump areas. The two sumps would occupy approximately 44 acres. Recommended features in Caney Creek would include placement of reinforced concrete pipes and approximately 10,700 feet of open cut ditch.

Implementation of the Recommended Plan in Wharton would result in impacts including approximately 65 acres of riparian/hardwood forests (148 average annual habitat units (AAHU) using 4 species), 129 acres of grassland (193 AAHU using 3 species) and 10 acres of wetlands (12 AAHU using 3 species). The recommended mitigation plan calls for all habitat mitigation to be placed on project sump lands. Approximately 145 acres could be used to create replacement forest, shrub and native prairie habitat. Approximately 40 acres could be used to create replacement wetland habitat. The recommended mitigation plan would generate approximately 256 AAHU of forest habitat and 66 AAHU of wetland habitat. This is well over the required mitigation ratio of 1:1 to fully compensate for project impacts. The mitigation may be revised in the detailed design phase and would be coordinated with resource agencies.

Public Meeting. Public Meetings have been scheduled in the city of Wharton and in the Onion Creek area. The purpose of these meetings will be to provide any necessary clarification regarding the draft report. Meetings for the Williamson Creek area of interest are scheduled at Woodlawn Baptist Church, 4600 Manchaca Road, Austin, Texas 78745, for the following dates: August 31st, 2006 – Bayton Loop area of interest; September 5th, 2006 – Broken Bow area of interest; and, September 7th, 2006 – Radam and Heartwood areas of interest. The meeting for the Onion Creek Forest/Yarrabee Bend area of interest is scheduled for September 13th, 2006 at 7:00 p.m. at Mendez Middle School, 5106 Village Square, Austin, Texas 78744. The meeting for the Timber Creek area of interest is scheduled for September 14th, 2006 at 7:00 p.m. at Dell Valley Junior High, 5500 Ross Road, Dell Valley, Texas, 78617. The meeting for the Wharton Project is scheduled for September 14th, 7:00 p.m. at the Wharton Civic Center, Wharton Texas, 77488.

Copies of the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment Volumes I, II, and III are available for review at the U.S. Army Corps of Engineers, P.O.

Box 17300, 819 Taylor Street, Fort Worth, Texas 76102-0300. Copies have also been distributed to the Pleasant Hill Library at 211 East William Cannon Drive Austin, Texas 78745 and the Wharton County Library at 1920 North Fulton Wharton, Texas 77488. The documents are also available for review on the Fort Worth District Internet Home Page at http://www.swf.usace.army.mil/ and the project website at http://www.fdep.org.

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 the processing of this Department of the Army project, the TCEQ is reviewing this project 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 request for water quality certification may be submitted to TCEQ, 401 Coordinator, MSC-150, P.O. Box 13087, Austin, Texas 78711-3087.** The public comment period for the water quality certification request extends 30 days from the 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 complete project information may be reviewed in the USACE's office. The TCEQ may conduct a public hearing to consider all comments concerning water quality if requested in writing. A request for a public hearing 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.

The draft reports will be available for public review for 30 days from the date of this notice. Comments or other inquires should be addressed to: Mr. Elston Eckhardt, Project Manager, at U.S. Army Corps of Engineers, Attention: CESWF-PER-P, P.O. Box 17300, Fort Worth, Texas 76102-0300, telephone (817) 886-1861.

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

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

August 18, 2006

Planning, Environmental, and Regulatory Division

Glen Taffinder
505 Barton Springs Road Floor 12
Austin, TX 78704
512-974-3381

Dear Mr. Taffinder:

The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors has completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes the Onion and Wharton component of the project.

A draft report, Notice of Availability and draft Finding of No Significant Impact (FONSI) are included for your review. Please respond with any comments or concerns your agency may have regarding the proposed project within 30 days of the date of the Notice of Availability. Additional information regarding the proposed action is available upon request. Please address any written correspondence or comments to Mr. Elston Eckhardt, (817-886-1681), CESWF-PER-P, PO Box 17300, 819 Taylor St, Fort Worth, Texas 76102-0300. Thank you for your cooperation in this matter.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

Newman/1762
Paxton, CESWF-PER-EE
Harberg, CESWF-PER-E
Fickel, CESWF-PER

Same Letter Sent to:

Katy Philips
City of Sunset Valley
3205 Jones Road
Sunset Valley, TX 78745

Stacy Scheffel
Travis County
411 West 13th Street 11th floor
Austin, TX 78701

John McLeod
LCRA
3700 Lake Austin Blvd H-300
Austin, TX 78703

Andres Garza
City Manager
City of Wharton
120 E Caney Street
Wharton, TX 77488

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

August 18, 2006

Planning, Environmental, and Regulatory Division

Mr. Rollin MaCrae
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Dear Mr. MaCrae:

Please refer to the letter dated May 19, 2006, from the U.S. Army Corps of Engineers, Fort Worth District regarding initial coordination of the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

A draft report, Notice of Availability and draft Finding of No Significant Impact (FONSI) are included for your review. Please respond with any comments or concerns your agency may have regarding the proposed project within 30 days of the date of the Notice of Availability. Additional information regarding the proposed action is available upon request. Please address any written correspondence or comments to Mr. Elston Eckhardt, (817-886-1681), CESWF-PER-P, PO Box 17300, 819 Taylor St, Fort Worth, Texas 76102-0300. Thank you for your cooperation in this matter.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

Copies with enclosures furnished to:

TPWD, Kathy Boydston
TPWD, Tom Heger

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

August 18, 2006

Planning, Environmental, and Regulatory Division

Mr. Peter Schaefer
Texas Commission on Environmental Quality
12100 Park Circle 35, Building F MC-150
Austin, Texas 78711

Dear Mr. Schaefer:

Please refer to the letter dated May 19, 2006, from the U.S. Army Corps of Engineers, Fort Worth District regarding initial coordination of the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

A draft report, Notice of Availability and draft Finding of No Significant Impact (FONSI) are included for your review. Please respond with any comments or concerns your agency may have regarding the proposed project within 30 days of the date of the Notice of Availability. Additional information regarding the proposed action is available upon request. Please address any written correspondence or comments to Mr. Elston Eckhardt, (817-886-1681), CESWF-PER-P, PO Box 17300, 819 Taylor St, Fort Worth, Texas 76102-0300. Thank you for your cooperation in this matter.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

Copy of Letter Without Enclosures Sent to:

TCEQ, Mark Fisher

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

August 18, 2006

Planning, Environmental, and Regulatory Division

Ms. Ronda Smith
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Mail Stop 6ENXP
Dallas, Texas 75202

Dear Ms. Smith:

Please refer to the letter dated May 19, 2006, from the U.S. Army Corps of Engineers, Fort Worth District regarding initial coordination of the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

A draft report, Notice of Availability and draft Finding of No Significant Impact (FONSI) are included for your review. Please respond with any comments or concerns your agency may have regarding the proposed project within 30 days of the date of the Notice of Availability. Additional information regarding the proposed action is available upon request. Please address any written correspondence or comments to Mr. Elston Eckhardt, (817-886-1681), CESWF-PER-P, PO Box 17300, 819 Taylor St, Fort Worth, Texas 76102-0300. Thank you for your cooperation in this matter.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

Copies with enclosures furnished to:

EPA, Michael Jansky

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

August 18, 2006

Planning, Environmental, and Regulatory Division

Pleasant Hill Branch Library
211 E. William Cannon Drive
Austin, TX 78745

To Whom It May Concern:

The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors has completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes the Onion and Wharton component of the project.

A draft report, Notice of Availability and draft Finding of No Significant Impact (FONSI) are included. The Public has an opportunity to review the document for thirty days from the date on the Notice of Availability. To ensure that the public has a chance to review the document, please keep a copy of this document until October 30, 2006, and make it available to the public at their request.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Elston Eckhardt at (817-886-1681).

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosures

Newman/1762
Paxton, CESWF-PER-EE
Harberg, CESWF-PER-E
Fickel, CESWF-PER

Same Letter Sent to:

Wharton County Library
1920 N. Fulton
Wharton, TX 77488

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

August 21, 2006

Planning, Environmental, and Regulatory Division

Mr. F. Lawerence Oaks
State Historic Preservation Officer
ATTN: Mr. Bill Martin
Texas Historical Commission
1511 Colorado Street
Austin, Texas 78701

Dear Mr. Oaks:

In a letter dated July 13, 2006, and another dated August 16, 2006, the U.S. Army Corps of Engineers, Fort Worth District coordinated with you concerning the cultural resources investigations of the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

A draft copy of the report is enclosed for your review. Please respond with any comments or concerns you may have regarding the proposed project within 30 days of the date of the Notice of Availability. Additional information regarding the proposed action is available upon request. Please address any written correspondence or comments to Mr. Elston Eckhardt, (817-886-1681), CESWF-PER-P, PO Box 17300, 819 Taylor St, Fort Worth, Texas 76102-0300. Thank you for your cooperation in this matter.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

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

August 21, 2006

Planning, Environmental, and Regulatory Division

Honorable Billy Evans Horse, Chairman
Kiowa Tribe of Oklahoma
Hwy 9 West
Carnegie, OK 73015

Dear Chairman Evans Horse:

In a letter dated May 18, 2006, and the U.S. Army Corps of Engineers, Fort Worth District initiated consultation with you concerning the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

A draft copy of the report is enclosed for your review. The file is on DVD because of it's very large size. If you require a hard copy, rather than this digital copy for whatever reason, please let us know as soon as possible and we will be happy to produce a copy for you. Otherwise, please respond with any comments or concerns you may have regarding the proposed project within 30 days of the date of the Notice of Availability. Additional information regarding the proposed action is available upon request. Please address any written correspondence or comments to Mr. Elston Eckhardt, (817-886-1681), CESWF-PER-P, PO Box 17300, 819 Taylor St, Fort Worth, Texas 76102-0300. Thank you for your cooperation in this matter.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

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

August 21, 2006

Planning, Environmental, and Regulatory Division

Honorable Gary McAdams, President
Wichita Executive Committee
1 Mile North of Anadarko on HWY 281
Anadarko, Oklahoma 73005

Dear President McAdams:

In a letter dated May 18, 2006, and the U.S. Army Corps of Engineers, Fort Worth District initiated consultation with you concerning the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

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Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

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

August 21, 2006

Planning, Environmental, and Regulatory Division

Honorable Anthony E. Street, President
Tonkawa Tribe of Oklahoma
1 Rush Buffalo Road
Tonkawa, OK. 74653

Dear President Street:

In a letter dated May 18, 2006, and the U.S. Army Corps of Engineers, Fort Worth District initiated consultation with you concerning the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

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Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

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

August 21, 2006

Planning, Environmental, and Regulatory Division

Honorable Wallace Coffey, Chairman
Comanche Nation
584 NW Bingo Rd
HC 32 Box 1720
Lawton, Oklahoma 73507

Dear Chairman Coffey:

In a letter dated May 18, 2006, and the U.S. Army Corps of Engineers, Fort Worth District initiated consultation with you concerning the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

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Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure
Copy Furnished with enclosure:

Mr. Fred Nahwooksy, THPO
Comanche Nation
584 NW Bingo Rd
HC 32 Box 1720
Lawton, Oklahoma 73507

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

August 21, 2006

Planning, Environmental, and Regulatory Division

Honorable Mark Chino, President
Mescalero Apache Tribe
Attn: Ms. Holly Houghten, Cultural Affairs Office
124 Chiricahua Plaza
Mescalero, New Mexico 88340

Dear President Chino:

In a letter dated May 18, 2006, and the U.S. Army Corps of Engineers, Fort Worth District initiated consultation with you concerning the Onion Interim Feasibility Study. The U.S. Army Corps of Engineers, Fort Worth and Galveston Districts, in cooperation with the Lower Colorado River Authority and other local sponsors have completed the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project.

A draft copy of the report is enclosed for your review. The file is on DVD because of it's very large size. If you require a hard copy, rather than this digital copy for whatever reason, please let us know as soon as possible and we will be happy to produce a copy for you. Otherwise, please respond with any comments or concerns you may have regarding the proposed project within 30 days of the date of the Notice of Availability. Additional information regarding the proposed action is available upon request. Please address any written correspondence or comments to Mr. Elston Eckhardt, (817-886-1681), CESWF-PER-P, PO Box 17300, 819 Taylor St, Fort Worth, Texas 76102-0300. Thank you for your cooperation in this matter.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure

Copy Furnished with enclosure:

Ms. Holly Houghten,
Cultural Affairs Office
Mescalero Apache Tribe
124 Chiricahua Plaza
Mescalero, New Mexico 88340

U. S. Department of Homeland Security
FEMA Region 6
800 North Loop 288
Denton, TX 76209-3698

FEMA

FEDERAL EMERGENCY MANAGEMENT AGENCY
REGION VI
MITIGATION DIVISION

PUBLIC NOTICE REVIEW/ENVIRONMENTAL CONSULTATION

☐ We have no comments to offer. ☒ We offer the following comments:

WE WOULD REQUEST THAT THE LOCAL FLOODPLAIN ADMINISTRATOR BE CONTACTED FOR THE REVIEW AND POSSIBLE PERMIT REQUIREMENTS FOR THIS PROJECT.

REVIEWER: MITIGATION DIVISION DATE: 08/30/2006

SEP 05 2006

TEXAS HISTORICAL COMMISSION
The State Agency for Historic Preservation

RICK PERRY, GOVERNOR
JOHN L. NAU, III, CHAIRMAN
F. LAWERENCE OAKS, EXECUTIVE DIRECTOR

August 18, 2006

William Fickel, Jr.
Chief, Planning, Environmental and Regulatory Division
CESWF-EV-EC
Dept. of the Army
Ft. Worth District, Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

Attention: Nancy Parrish

Re: Review under Section 106 of the National Historic Preservation Act
Draft Programmatic Agreement for the Lower Colorado River Basin (COE-FWD)

Dear Mr. Fickel:

Thank you for allowing us to review the draft programmatic agreement (PA) referenced above. This letter serves as comment on the document from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Bill Martin, has completed its review. We believe that this PA requires substantial reworking. Please review our enclosed specific comments and submit a revised version electronically, so that we may make any additional changes more rapidly.

Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If we may be of further assistance, please contact Bill Martin at 512/463-5867.**

Sincerely,

for
F. Lawerence Oaks, State Historic Preservation Officer

FLO/wam

Enclosure

RECEIVED 28 Aug 2006

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Comments on: *Programmatic Agreement Between the US Army Corps of Engineers and State Historic Preservation Officer Regarding the Lower Colorado River Basin Interim Feasibility Report and Integrated Environmental Assessment.* (August 14, 2006 Draft)

General Comments:

It seems strange to link two separate projects in different cities (Austin and Wharton) in one PA, especially when the project in Austin involves buyouts, recreational facilities, and some channelization, while the one in Wharton involves massive construction of levees, sumps, and ditches. If the Corps and LCRA consider this one project, it can be covered under one PA, but the PA needs to spell out more clearly what is going to be done in each separate area. Also, for the sake of clarity, please add the phrase, "in Austin" when discussing Williamson Creek, Onion Creek, etc. and, "in Wharton" when discussing levees along the Colorado and Baumann Slough.

This document does not involve Indian Tribes or other interested consulting parties in the consultation process for any aspect of this agreement other than the development of a Data Recovery Plan in Stipulation 3b. This is contrary to 36 CFR 800. Indian Tribes and local interested parties should be consulted immediately and all parties contacted should be mentioned in the WHEREAS clauses. They should also be referenced again under each individual stipulation to describe their rights and responsibilities at each stage of the project.

Some WHEREAS clauses are long and confusing and need to be simplified. Others may not be accurate. For example, is the Wharton project covered in Volumes 1 and 2 of the report cited in the second WHEREAS clause? Unless we only received half of the report, it only covered the Onion Creek project.

One WHEREAS clause states that the Corps has determined the APE, but it doesn't state any boundaries. A subsequent clause says that further studies cannot be conducted until locations are determined by engineers. So, has the APE really been determined? We believe that the determination of the APE should be made in consultation with the SHPO as per 36 CFR 800.4 (a) (1).

Stipulations: The hierarchical organization of the stipulations is not logical. Stipulation A is "Archeology," so B should be "Historic Structures," but it is listed as "Document Review and Comment." Then throughout the Archeology discussion, a Historic Structures Survey is referred to. Historic Structures and any work already performed should be dealt with under a Historic Structures stipulation.

The last three sentences of Stipulation 1b are identical to Stipulation 1c.

William Fickel, Jr.
Page -3-

Stipulations 4 and 5: Human Remains. This document refers to following "NAGPRA, if applicable." Since none of the APE is on federal property, we already know NAGPRA does not apply. Please revise these statements.

Stipulation 5: Monitoring. Why does this stipulation state that monitors "*may* be present" during construction. If monitoring is going to be a stipulation, it needs to be mandatory. It should say, "*will* be present."

TEXAS HISTORICAL COMMISSION
The State Agency for Historic Preservation

RICK PERRY, GOVERNOR
JOHN L. NAU, III, CHAIRMAN
F. LAWERENCE OAKS, EXECUTIVE DIRECTOR

September 18, 2006

William Fickel, Jr.
Chief, Planning, Environmental and Regulatory Division
CESWF-EV-EC
Dept. of the Army
Ft. Worth District, Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

Attention: Nancy Parrish

Re: Review under Section 106 of the National Historic Preservation Act
Draft Interim Feasibility Report and Integrated Environmental Assessment for the Lower Colorado River Basin Phase 1 (COE-FWD)

Dear Mr. Fickel:

Thank you for allowing us to review the draft document referenced above. This letter serves as comment on the document from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Bill Martin, has completed its review. This document contains the Programmatic Agreement (PA) we had commented on earlier to address advwerse effect on historic properties. We believe that this PA requires substantial reworking. Until a satisfactory PA is drafted and signed, we cannot concur that this project will not have an adverse effect on historic properties.

Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If we may be of further assistance, please contact Bill Martin at 512/463-5867.**

Sincerely,

William A. Martin

for
F. Lawerence Oaks, State Historic Preservation Officer

FLO/wam

RECEIVED 22 Sep 2006

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Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 18, 2006

Mr. Wayne Lea, Branch Chief
U.S. Army Corps of Engineers
Regulatory Branch CESWF-EV-R
P.O. Box 17300
Fort Worth, Texas 76102-0300

Attention: Mr. Elston Eckhardt

Re: USACE Draft Lower Colorado River Basin Phase I, Texas

Dear Mr. Lea:

As stated in the Joint Public Notice, dated August 18, 2006, the United States Army Corps of Engineers (Corps), has prepared a draft Lower Colorado River Basin Phase I, Texas Interim Feasibility and Integrated Environmental Assessment Report, which is proposing to implement a project addressing proposed activities to provide flood damage reduction, ecosystem restoration, and recreation in the Onion and Williamson Creek watersheds in and around Austin, Texas (Volume II), and a project addressing proposed activities to address flood damage reduction in the city of Wharton, Texas (Volume III) within the Lower Colorado River Basin, Colorado River, Texas. The Corps is requesting water quality certification from the Texas Commission on Environmental Quality (TCEQ) under Section 401 of the Clean Water Act for both of these projects.

In addition to the No Action alternative, structural, non-structural and combined multi-purpose project alternatives are presented in the Timber Creek, Onion Creek Forest/Yarrabee Bend, Bluff Springs Road/Perkins Valley, Onion Creek Subdivision, and Williamson Creek areas of interest and the Wharton study area.

The recommended plan for the Onion Creek component of the project did not include proposed alternatives to be implemented in the Bluff Springs Road/Perkins Valley, Onion Creek Subdivision and Bear/Onion Confluence areas of interest because of the lack of Federal interest due to inferior benefit-to-cost ratios for flood damage reduction projects. Under the Recommended Plan, the Timber Creek and Onion Creek Forest/Yarrabee Bend study areas would consist of the acquisition and removal of 81 and 410 residential structures, respectively, in the 4 percent annual chance of exceedance (ACE) floodplain; permanent closure of several streets or parts thereof; restoration of 16

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and 190 acres of land to riparian woodlands; and, installation of recreation features such as picnic shelters, hiking trails, restrooms, and supporting infrastructure. The Recommended Plan for the Williamson Creek area of interest would consist of channel excavation on one side or the other of the creek to create a benched effect for approximately 8,500 linear feet of creek in four separate reaches and the restoration of 114 acres of land to riparian woodlands.

The Recommended Plan in Timber Creek and Onion Creek Forest/Yarrabee Bend would consist of buyouts and would not affect water of the United States or require mitigation. The recommended plan in the Williamson Creek area of interest would impact approximately 15 acres and 6.02 average annual habitat units (AAHU) of riparian woodlands, and impact 8,500 linear feet of waters of the United States. Approximately 23 acres of mitigation is proposed, which would provide 7.22 AAHU of habitat improvement along 4,000 linear feet of waters of the United States.

The recommended plan for the Wharton area consists of structural features in the form of earthen levees and accompanying sumps, floodwalls, a channel enlargement, storm drain type drainage structures, and an open cut ditch. Most of the project features would be implemented into three different drainage areas: Colorado River, Baughman Slough, and Caney Creek. The recommended plan associated with the Colorado River would include the construction of 20,310 feet of levees, 19,010 feet of floodwalls, and seven sump areas. The seven sumps would occupy 141 acres. Recommended features in Baughman Slough would include 6,610 feet of levees, 380 feet of floodwalls, 4,780 feet of channel modification, and two sump areas. The two sumps would occupy approximately 44 floodwalls, 4,780 feet of channel modification, and two sump areas. The two sumps would occupy approximately 44 acres. Recommended features in Caney Creek would include placement of reinforced concrete pipes and approximately 10,700feet of open cut ditch.

Implementation of the recommended plan in Wharton would result in impacts including approximately 65 acres of riparian/hardwood forests (148 AAHU using 4 species), 129 acres of grassland (193 AAHU using 3 species), and 10 acres of wetlands (12 AAHU using 3 species). The recommended mitigation plan calls for all habitat mitigation to be placed on project sump lands. Approximately 145 acres could be used to create replacement forest, shrub, and native prairie habitat. Approximately 40 acres could be used to create replacement wetland habitat. The recommended mitigation plan would generate approximately 256 AAHU of forest habitat and 66 AAHU of wetland habitat.

In addition to the information contained in the public notice, the following information is needed for review and certification of the proposed project. Responses to this letter may raise other questions that will need to be addressed before a water quality certification determination can be made.

Mr. Wayne Lea, Branch Chief
U.S. Army Corps of Engineers
USACE Permit Application Number 200500317
Page 3
September 18, 2006

1. Project details are lacking regarding impacts to streams resulting from the benching of creek banks to reduce flooding in the Williamson Creek area. Please provide detailed plans of the proposed bench areas including cross-sections showing existing channel and proposed bench locations.

2. The proposed benching of Williamson Creek will likely decrease shading and increase water temperatures resulting in degraded water quality. Opportunities to retain some of the large trees currently existing in the proposed benched areas would appear to be an option by retaining root mounds and benching around these trees. This would allow for shading of pooled areas, decreasing impacts from the removal of existing riparian areas currently shading these waters. Please explain if retention and/or replacement of the riparian trees is proposed in the benched areas.

3. The mitigation section of the Volume I/II Main Report noted opportunities to improve water quality by constructing ponds in the mitigation area which would improve water quality from run-off of nearby parking lots. Please explain if ponds are part of the recommended plan and, if so, please include detailed pond construction plans.

4. Please provide details regarding success criteria and monitoring schedules for all mitigation areas. Also, please provide a detailed plan explaining what will be done to enhance the existing quality of the proposed mitigation area. Opportunities exist to increase diversity by selective removal of invasive exotic species, such as Chinese Tallow, Japanese Privet, and invasive native species, such as ashe juniper.

5. The draft report states that Baughman Slough in Wharton only flows during rain events. Has an assessment been performed on Baughman Slough to determine if there are any perennial pools that may sustain aquatic life? Texas Surface Water Quality Standards presume perennial pools to support aquatic life. If such pools are present, appropriate mitigation should be provided.

6. Wetland impacts from the footprint of the Wharton levees and flood walls have been calculated and the draft report states that placement of the levees for the Wharton project will not isolate wetlands in the sump areas due to hydrology from the sump areas to the Colorado River. Please explain if any secondary impacts are likely due to the removal of the hydrologic connection from the Colorado River into the floodplain during flood events.

Mr. Wayne Lea, Branch Chief
U.S. Army Corps of Engineers
USACE Permit Application No.
Page 4
September 18, 2006

The Texas Commission on Environmental Quality (TCEQ) looks forward to receiving and evaluating other agency or public comments. Please provide any agency comments, public comments, as well as the applicant's comments, to Mr. Peter Schaefer of the Water Quality Division MC-150, P.O. Box 13087, Austin, Texas 78711-3087. Mr. Schaefer may also be contacted by e-mail at *pschaefe@tceq.state.tx.us*, or by telephone at (512) 239-4372.

Sincerely,

L'Oreal W. Stepney, P.E., Director
Water Quality Division
Texas Commission on Environmental Quality

LWS/PS/jp

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

REPLY TO
ATTENTION OF:

Sept. 19, 2006

Planning, Environmental, and Regulatory Division

Mr. Bill Seawell
U.S. Fish and Wildlife Service
Ecological Services
10711 Burnet Road, Suite 200
Austin, TX 78758

Dear Mr. Seawell:

This letter is in response to your draft Fish and Wildlife Coordination Act Report (CAR) dated August 23, 2006 on the Lower Colorado River Basin Phase I, Texas Project, Onion Creek Component. The U.S. Army Corps of Engineers (Corps) has only minor comments on the draft. These comments are as follows:

1) The draft CAR states on page five that there is a total of 2061 HU of grassland in all areas of interest. The total for grasslands is actually 2207 HU in all areas of interest (Page 3-13 draft project report).
2) The final CAR should state the views of the Texas Parks and Wildlife Department.

The final Project Report is due to be transmitted to the Corps Headquarters and the Office of the Assistant Secretary of the Army (Civil Works) on October 12, 2006, and we are therefore requesting a final CAR by October 6, 2006, if possible. Thanks for your consideration in this matter and if you have any questions or comments please contact Mr. Rob Newman at 817-886-1762 or by email at rob.newman@swf02.usace.army.mil.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

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

September 27, 2006

Planning, Environmental, and Regulatory Division

Mr. Mark Fisher
Texas Commission on Environmental Quality
12100 Park Circle 35, Building F MC-150
Austin, Texas 78711

Dear Mr. Fisher:

This letter is in response to your letter dated September 18, 2006, regarding the draft Lower Colorado River Basin Phase I, Texas Interim Feasibility Report and Integrated Environmental Assessment, which includes both the Onion and Wharton component of the project. Thank you for your timely comment.

As requested in your letter, the comments received during the public comment period were forwarded to you on September 21, 2006. When additional agency comments are received, the Corps will forward those comments for your review also.

The following are responses to your specific requests:

1. You requested detailed plans of the proposed bench areas including cross sections showing existing channel and proposed bench locations. ***Response:*** *This is a feasibility level study and detailed designs have not been developed. However, project plates are located in Appendix G right after the MCACES Cost estimate. An 11"x17" overview plate showing project locations are shown on Sheet G-001, Additional sheets show the entire proposed benching with stationing. Cross sections were also sent via the Corps ftp site.*

2. Your comment was, "the proposed benching of Williamson Creek will likely decrease shading and increase water temperatures resulting in degraded water quality. Opportunities to retain some of the large currently exist in the proposed benched areas would appear to be an option by retaining root mounds and benching around these trees. This would allow for shading of pooled areas, decreasing impacts from the removal of existing riparian areas currently shading these waters. Please explain if retention and/or replacement of the riparian trees is proposed in the benched areas." ***Response:*** *The Corps recognizes the importance of the shading that riparian woodlands provide to the aquatic system. The proposed impacts were reduced by only benching one side of the creek or the other and hence leaving trees and riparian vegetation on one side to provide shading and organics for the aquatic community. However, the impact to large trees has been a point of contention with the land owners,*

so a tree survey was performed and a few large trees were avoided during the design of the recommended plan. In addition, during detailed design the Corps will further refine the plan to try and avoid additional trees on the fringe of the proposed benching by leaving root mounds on the side slopes. However, trees within the middle of the bench cannot be saved by root mounds as the mounds would need to be over 50' in diameter to protect the tree from eventually dying. This would negate the flood control benefit of reducing the water stage. Seedling/sapling tees will be replanted within the benched area on 40-foot centers to provide shading and organics to the aquatics overtime.

3. Your comment was, "the mitigation section of Volume I/II noted opportunities to improve water quality by constructing ponds in the mitigation area which would improve water quality from run-off of nearby parking lots. Please explain if ponds are part of the recommended plan and if so, please include detailed pond construction plans." ***Response:*** *The currently proposed Recommended Plan does not include water quality ponds. This was mentioned as an opportunity, but the Corps cannot participate in strictly water quality projects, and although a water quality pond would improve water quality, which would also improve aquatic habitat, the proposed pond was removed from consideration because a direct link was not established that would show that there would be an increase in habitat units as a result of implementation of a water quality pond in this instance.*

4. Your comment was, "please provide details regarding success criteria and monitoring schedules for all mitigation areas. Also, please provide a detailed plan explaining what will be done to enhance the existing quality of the proposed mitigation area. Opportunities exist to increase diversity by selective removal of invasive exotic species, such as Chinese Tallow, Japanese privet, and invasive native species, such as Ashe juniper." ***Response:*** *Detailed success criteria have not been developed since this is feasibility level design. Detailed design will be completed during the preconstruction, engineering and design phase of the study. The Corps will include the TCEQ during the review of the detailed design at the 35%, 65% and 95% review times so that you can provide comments and recommendations. With that being said, the Corps will include success criteria such as 75% survival of the total amount of trees planted during construction with replacement each year for five years after construction. Monitoring would therefore be conducted during the construction period every year to ensure survivability of the plantings. The restoration plan included planting of riparian vegetation with quantities shown on page 5-27 of Volume II of the report and species included on page B-74 through B-76 of Volume II. In addition, the mitigation includes removal of the invasive species mentioned above to help increase diversity. The local sponsor would be required to perform continual operations and maintenance to ensure that the invasive species are controlled.*

5. Your comment was, "the draft report states that Baughman Slough in Wharton only flows during rain events. Has an assessment been performed on Baughman Slough to determine if there are perennial pools that may sustain aquatic life? Texas

Surface Water Quality Standards presume perennial pools to support aquatic life. If such pools are present, appropriate mitigation should be provided." ***Response:*** *During site visits in the summer of 2006, the creek was completely dry with no perennial pools. Additional conversations with Mr. Phil Bush, the Public Works Director in Wharton, confirmed that Baughman Slough indeed goes completely dry during the dry summer months of almost every year. Therefore, we do not believe Baughman Slough requires mitigation for aquatic perennial pools.*

6. Comment was, Wetland impacts from the footprint of the Wharton levees and flood walls have been calculated and the draft report states that placement of the levees for the Wharton project will not isolate wetlands in the sump areas due to hydrology from the sump areas to the Colorado River. Please explain if any secondary impacts are likely due to the removal of the hydrologic connection from the Colorado River into the floodplain during flood events. ***Response:*** *There would be no secondary effects to interior wetlands from removing the hydrologic connection from the Colorado River. Most of the levees are located at or above the 4% Annual Chance of Exceedance floodplain. The relatively flat topography of the area and interior drainage results in the establishment of wetlands draining to the Colorado River and down Caney Creek. These wetlands would continue to function with or without the hydrologic connection of the Colorado River. In fact, the levees would more than likely result in the establishment of additional wetlands along the levee system rather than have an adverse effect of less hydrology from the Colorado River.*

If you have any additional questions or comments, please feel free to contact Mr. Rob Newman at (817) 886-1762) or by mail at CESWF-PER-EE, PO Box 17300, 819 Taylor St, Fort Worth, Texas 76102-0300. Thank you for your cooperation in this matter.

Sincerely,

William Fickel, Jr.
Chief, Planning, Environmental, and
Regulatory Division

Copy provided to: Peter Schaefer, TCEQ

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To Elston Eckhardt | From Robin MacRae

TEXAS PARKS & WILDLIFE

October 3, 2006

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Mr. Elston Eckhardt, Project Manager
CESWF-PER-P
U.S. Army Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

Mr. Pat Connor
U.S. Fish and Wildlife Service
10711 Burnet Road, Suite 200
Austin, Texas 78758-4455

Re: Draft Lower Colorado River Basin Phase I, Texas—Onion Creek and Wharton Interim Feasibility Reports and Integrated Environmental Assessments

Dear Mssrs. Eckhardt and Connor:

Staff of Texas Parks and Wildlife Department have participated in the studies leading up to the referenced reports and have reviewed the Draft Reports. The department supports the goals of flood damage reduction and ecological restoration that are the underpinnings of these efforts. The Department concurs in the good-faith efforts to provide flood damage reduction to threatened communities while attempting to provide protection for the high value ecological systems that are integral to riverine and riparian areas of the State. The low-lying habitats in and adjacent to streams have the highest ecological values and the greatest diversity. They additionally support more upland and distal components of the ecosystem that depend on such areas for part of their life cycle and/or water supply.

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Department staff concur with the recommendations for the preferred alternatives for the Wharton and Onion Creek segments of the project. The combination of buyouts, channel improvements and mitigation are appropriate to achieve the desired flood reduction and compensate for ecological resources affected.

The Williamson Creek portion of the study does not meet those objectives for a number of reasons. While a great deal of valuable data has been collected and analyzed, it is clear that the study undervalues the fish and wildlife resources in the corridor of Williamson Creek, and that the proposed flood damage reduction measures would be ineffective and excessively damaging in some reaches. This is especially true in the two upper segments of the study, Bayton Loop and Broken Bow.

The study suffers from a major flaw in its assumptions and prescribed parameters: that each reach of the creek must stand alone in its flood damage

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Draft Colorado Basin Study, page 2

measures and its fiscal justification. This is simply unjustifiable. Each reach of the creek affects the next as it flows into it. If flood damage is reduced in any given reach it does so by either storing more water or evacuating water more rapidly. Otherwise there is no flood reduction in the given reach. If it evacuates water more rapidly, it increases the water volume, and perhaps velocity, in the next reach. Since the study claims that it is not possible for most flood events to increase the evacuation rate because of unalterable blockages such as bridges, flood damage reduction must come by greater storage, at least in the two upper segments. Yet the study shows that storage will be increased by amounts that will be filled within less than two minutes of flow. At the same time, major ecological impacts will occur that cannot be restored or compensated for by the proposed project plans or any other measures yet discussed.

These issues are minimal for the two lower reaches of Williamson Creek, and Department staff could support the planned project there. Department staff cannot support the proposed project in the two upper segments of Williamson Creek, Bayton Loop and Broken Bow because of excessive ecological impacts with minimal or unsubstantiated flood damage reduction benefits.

Questions can be directed toRollin MacRae (512-389-4639) or Tom Heger (512-389-4583) in Austin.

Sincerely,

Rollin MacRae
Wetlands Conservation Program

JRM:sh

CC: Rob Newman, US Army Corps of Engineers