

APPENDIX F: PUBLIC AGENCY INTEREST REVIEW
(Copy of Notice of Availability, Copies of comment letters and responses, Copies of compliance correspondence, Regulatory Requirements, Permits and Agency Coordination Correspondence).



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

REPLY TO
ATTENTION OF

June 3, 2010

Planning, Environmental, and Regulatory Division
Environmental Branch

Mark Denton
Director of State and Federal Review
Advisory Council on Historic Preservation
P.O. Box 12276
Austin, TX 78711-2276

Mr. Denton:

This letter is to notify you that the U.S. Army Corps of Engineers (USACE) Fort Worth District, in partnership with the City of Dallas, is preparing an Environmental Assessment (EA) pursuant to Section 102 of the National Environmental Policy Act (NEPA) as implemented by the regulations promulgated by the Council on Environmental Quality (40 Code of Federal Regulations Parts 1500-1508) and USACE Engineering Regulation 200-2-2 for the implementation of proposed 100-year levee remediation measures within the Dallas Floodway in Dallas, Texas.

The Proposed Action consists of the implementation of cut-off walls to address seepage, levee fattening to address stability concerns, and the addition of toe drains to existing levee utility crossings. The EA will describe the alternatives under consideration and affected environment, and will assess the potential environmental effects of these alternatives.

Our office will send you additional correspondence soliciting your input as we progress through the NEPA process. The date for providing the Draft EA for review and comment is anticipated to be September 1, 2010. We look forward to receiving your comments as we move forward. Thank you for your cooperation.

Please send any correspondence and information regarding this project to Dan Murphy with HNTB Corporation at 2001 Bryan Street, Suite 100, Dallas, TX 75201. If you have any questions or comments, you can contact him by phone at 972-628-3049 or by E-mail at dmurphy@HNTB.com.

Sincerely,

A handwritten signature in black ink that reads "William Fickel, Jr." with a stylized flourish at the end.

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

EA Preparation Notification Mailing List

Organization	Name	Position	Address		City	State	Zip
Advisory Council on Historic Preservation	Mark Denton	Director of State and Federal Review	P.O. Box 12276		Austin	TX	78711-2276
Dallas Area Rapid Transit	Gary Thomas	Executive Director	P.O. Box 660163		Dallas	TX	75266-0163
Federal Aviation Administration	Teresa Bruner	Regional Administrator	2601 Meacham Boulevard		Fort Worth	TX	76137-4298
Federal Emergency Management Agency	William Peterson	Regional Director	Federal Regional Center 800 North	Loop 288	Denton	TX	76209-3698
Federal Energy Regulatory Commission	Charles Wagner	Regional Engineer	3700 Crestwood Pkwy. NW	9th Floor	Duluth	GA	30096
Federal Highway Administration	Janice Brown	Division Administrator	300 East 8th Street	Room 826	Austin	TX	78701
Federal Railroad Administration	Bonnie Murphy	Regional Administrator	4100 International Plaza	Suite 450	Fort Worth	TX	76109-4820
Federal Transit Administration	Robert Patrick	Regional Administrator	819 Taylor Street	Room 8A36	Fort Worth	TX	76102
National Marine Fisheries Service	Dr. Roy Crabtree	Regional Administrator	263 13th Avenue South		St. Petersburg	FL	33701
North Central Texas Council of Governments	Mike Cantrell	Commissioner	616 Six Flags Drive	P.O. Box 5888	Arlington	TX	76005-5888
North Texas Tollway Authority	Paul Wageman	Chairman	5900 West Plano Parkway	Suite 100	Plano	TX	75093
Texas Commission on Environmental Quality	Tony Walker	Regional Director	2309 Gravel Drive		Fort Worth	TX	76118-6951
Texas Historical Commission	Bratten Thomason	History Programs Director	P.O. Box 12276		Austin	TX	78711-2276
Texas Parks and Wildlife Department	Mike Berger	Director of Wildlife	4200 Smith School Road		Austin	TX	78744-3291
Trinity River Authority of Texas	Danny Vance	General Manager	P.O. Box 60		Arlington	TX	76004
US Coast Guard	Rear Admiral Whitehead	District Commander	Hale Boggs Federal Building	500 Poydras St.	New Orleans	LA	70130
US Department of Agriculture	Donald Gohmert	State Conservationist	101 South Main		Temple	TX	76501
US Department of Housing and Urban Development	Bob Cook	Field Office Director	A Maceo Smith Federal Office Building	525 Griffin Street, Suite 860	Dallas	TX	75202-5007
US Department of the Census	Gabriel Sanchez	Regional Director	8585 N. Stemmons Freeway	Suite 800 S	Dallas	TX	75247-3836
US Department of the Interior	Roxanne Runkel	Regional Director	12795 West Alameda Pkwy.		Denver	CO	80225
US Department of the Interior	Collins Balcombe	Special Programs Director	5316 Highway 290 West	Suite 510	Austin	TX	78735
US Environmental Protection Agency	Dr. Al Armendariz	Regional Administrator	1445 Ross Avenue	Suite 1200	Dallas	TX	75202
US Fish and Wildlife Service	Dr. Benjamin Tuggle	Regional Director	P.O. Box 1306		Albuquerque	NM	87103-1306
US Forest Service	Ken Arney	Regional Forester	1720 Peachtree Road NW		Atlanta	GA	30309
US Geological Survey	Stan Ponce	Regional Executive	1700 East Pointe Drive	Suite 202	Columbia	MO	65201

Note: Letters were sent on USACE letterhead on June 3, 2010



June 23, 2010

Ms. Kathy Boydston
Habitat Assessment Branch, Resource Protection Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Re: Request for input regarding the presence or absence of threatened or endangered wildlife and rare vegetation series within Dallas County and potential impacts to fish and wildlife resources for inclusion in the Environmental Assessment for 100-Year Flood Event Levee Remediation Measures, Dallas Floodway System, Dallas, Dallas County, Texas

Dear Ms. Boydston:

The City of Dallas and U.S. Army Corps of Engineers (USACE) are seeking your input regarding the presence or absence of threatened or endangered wildlife and rare vegetation series within Dallas County as well as any potential impacts to fish and wildlife resources managed by your agency in the vicinity of proposed 100-year levee remediation measures associated with the Dallas Floodway System in Dallas, Texas, a project for which we are currently preparing an Environmental Assessment (EA). The proposed remediation measures would occur at the East, West, Rochester, and Central Wastewater Treatment Plant (CWWTP) Levees in the City of Dallas, Dallas County, Texas. The Proposed Action consists of the implementation of:

- cut-off walls to address seepage,
- levee fattening to address stability concerns, and
- the addition of toe drains to existing levee utility crossings.

The project limits for the Proposed Action consist of a total of 28.1 miles on both the flood and land sides of the aforementioned levee systems as depicted in the attached **Project Location Map**. The flood side of the levees is the side facing the Trinity River and its floodway, while the land side of the levees is the side protected by the levees opposite the flood side. The proposed areas of levee mitigation, soil disturbance, and staging construction would be limited to an area not to extend beyond 100 feet of the toe of the levees on both the flood and land sides of the levees, except for an area of potential soil borrow at the Westmoreland Road crossing of the West Levee between the West Levee and the Trinity River channel extending approximately 4,000 feet on either side of Westmoreland Road. No additional rights-of-way would be required for the Proposed Action.

The East Levee system extends 11.8 miles along the Trinity River and 3.8 miles along the Elm Fork. The crest width of the East Levee is approximately 16 feet. The levee side slopes for the East Levee are approximately 3:1 on the flood side upstream of Continental Avenue, 4:1 on the flood side downstream of the Continental Avenue, and 3:1 to 4:1 on the land side.

The West Levee system extends 10.9 miles along the Trinity River and 3.6 miles along the West Fork and Mountain Creek. The crest width of the West Levee is approximately 16 feet. The levee side slopes for the West Levee are approximately 3:1 on the flood side upstream of Continental Avenue and 3:1 to 4:1 on the land side.



Ms. Kathy Boydston, Texas Parks and Wildlife Department
June 23, 2010
Page 2 of 2

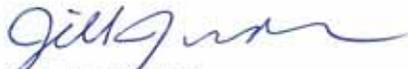
The Rochester Levee system (2.9 miles) is downstream of the East Levee. The crest width of the Rochester Levee is approximately 15 feet. The levee side slopes are generally 4.5:1 on the flood side and 4:1 on the land side.

The CWWTP Levee system (2.5 miles) is downstream of the West Levee. The crest width of the CWWTP Levee is approximately 15 feet. The levee side slopes are generally 4:1 on the flood side and the land side. The CWWTP Levee is a circular levee that begins and ends at the CWWTP plant entrance off Sargent Road.

The purpose of the Proposed Action is to improve the reliability of river flood protection provided by the Dallas Floodway System. The Proposed Action consists of the implementation of mitigation measures designed to correct the specific deficiencies identified in the *Draft Problem Identification Report* prepared for the Dallas Floodway System following the release of the *Periodic Inspection Report, Dallas Floodway, Trinity River, Dallas, Dallas County, Report No. 9*. A periodic inspection performed by the USACE resulted in an "Unacceptable" rating because of noted operation and maintenance issues and the potential for geotechnical issues related to current USACE design criteria. Consequently, the City of Dallas' levee systems are no longer certified by the USACE for the Federal Emergency Management Agency (FEMA) to accredit them as providing protection from a 100-year flood event. By correcting the deficiencies of the Dallas Floodway System, the City of Dallas and the USACE would be able to improve the reliability of river flood protection to people and property. It is anticipated that if the Proposed Action is implemented and the USACE design criteria are met, the City of Dallas would be able to obtain the 100-year FEMA accreditation by August 2011.

Please submit your response regarding the presence or absence of threatened or endangered wildlife and rare vegetation series within Dallas County as well as any potential impacts to fish and wildlife resources to Dan Murphy with HNTB at 2001 Bryan Street, Suite 100, Dallas, TX 75201. If you have any questions or comments, you can contact him by phone at 972-628-3049 or by E-mail at dmurphy@HNTB.com.

Sincerely,



Jill A. Jordan, P.E.
Assistant City Manager

Attachment: Project Location Map

cc: Liz Fernandez, P.E. (City of Dallas)
Kevin Craig, P.E. (USACE)
Jeff Tripe (USACE)



June 23, 2010

Mr. Tim Hogsett, CPRP
Recreation Grants Branch Director
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Re: Request for input regarding potential impacts to resources that received Section 6(f) of the Land and Water Conservation Fund (L&WCF) and the Urban Park and Recreation Recovery Programs funds for inclusion in the Environmental Assessment for 100-Year Flood Event Levee Remediation Measures, Dallas Floodway System, Dallas, Dallas County, Texas

Dear Mr. Hogsett:

The City of Dallas and U.S. Army Corps of Engineers (USACE) are seeking your input regarding potential impacts to resources that received Section 6(f) of the Land and Water Conservation Fund (L&WCF) and the Urban Park and Recreation Recovery Programs funds for inclusion in the Environmental Assessment for 100-Year Flood Event Levee Remediation Measures, Dallas Floodway System, Dallas, Dallas County, Texas. The proposed remediation measures would occur at the East, West, Rochester, and Central Wastewater Treatment Plant (CWWTP) Levees in the City of Dallas, Dallas County, Texas. The Proposed Action consists of the implementation of:

- cut-off walls to address seepage;
- levee fattening to address stability concerns; and
- the addition of toe drains to existing levee utility crossings.

The project limits for the Proposed Action consist of a total of 28.1 miles on both the flood and land sides of the aforementioned levee systems as depicted in the attached **Project Location Map**. The flood side of the levees is the side facing the Trinity River and its floodway, while the land side of the levees is the side protected by the levees opposite the flood side. The proposed areas of levee mitigation, soil disturbance, and staging construction would be limited to an area not to extend beyond 100 feet of the toe of the levees on both the flood and land sides of the levees, except for an area of potential soil borrow at the Westmoreland Road crossing of the West Levee between the West Levee and the Trinity River channel extending approximately 4,000 feet on either side of Westmoreland Road. No additional rights-of-way would be required for the Proposed Action.

The East Levee system extends 11.8 miles along the Trinity River and 3.8 miles along the Elm Fork. The crest width of the East Levee is approximately 16 feet. The levee side slopes for the East Levee are approximately 3:1 on the flood side upstream of Continental Avenue, 4:1 on the flood side downstream of Continental Avenue, and 3:1 to 4:1 on the land side.

The West Levee system extends 10.9 miles along the Trinity River and 3.6 miles along the West Fork and Mountain Creek. The crest width of the West Levee is approximately 16 feet. The levee side slopes for the West Levee are approximately 3:1 on the flood side upstream of Continental Avenue and 3:1 to 4:1 on the land side.



Mr. Tim Hogsett, CPRP, Texas Parks and Wildlife Department
June 23, 2010
Page 2 of 2

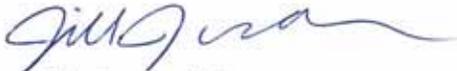
The Rochester Levee system (2.9 miles) is downstream of the East Levee. The crest width of the Rochester Levee is approximately 15 feet. The levee side slopes are generally 4.5:1 on the flood side and 4:1 on the land side.

The CWWTP Levee system (2.5 miles) is downstream of the West Levee. The crest width of the CWWTP Levee is approximately 15 feet. The levee side slopes are generally 4:1 on the flood side and the land side. The CWWTP Levee is a circular levee that begins and ends at the CWWTP plant entrance off Sargent Road.

The purpose of the Proposed Action is to improve the reliability of river flood protection provided by the Dallas Floodway System. The Proposed Action consists of the implementation of mitigation measures designed to correct the specific deficiencies identified in the *Draft Problem Identification Report* prepared for the Dallas Floodway System following the release of the *Periodic Inspection Report, Dallas Floodway, Trinity River, Dallas, Dallas County, Report No. 9*. A periodic inspection performed by the USACE resulted in an "Unacceptable" rating because of noted operation and maintenance issues and the potential for geotechnical issues related to current USACE design criteria. Consequently, the City of Dallas' levee systems are no longer certified by the USACE for the Federal Emergency Management Agency (FEMA) to accredit them as providing protection from a 100-year flood event. By correcting the deficiencies of the Dallas Floodway System, the City of Dallas and the USACE would be able to improve the reliability of river flood protection to people and property. It is anticipated that if the Proposed Action is implemented and the USACE design criteria are met, the City of Dallas would be able to obtain the 100-year FEMA accreditation by August 2011.

Please submit your response to Dan Murphy with HNTB at 2001 Bryan Street, Suite 100, Dallas, TX 75201. If you have any questions or comments, you can contact him by phone at 972-628-3049 or by E-mail at dmurphy@HNTB.com.

Sincerely,



Jill A. Jordan, P.E.
Assistant City Manager

Attachment: Project Location Map

cc: Liz Fernandez, P.E. (City of Dallas)
Kevin Craig, P.E. (USACE)
Jeff Tripe (USACE)



June 23, 2010

Mr. Thomas Cloud, Jr.
Field Supervisor
U.S. Fish and Wildlife Service, Ecological Services Field Office
711 Stadium Drive, Suite 252
Arlington, Texas 76011

Re: Request for input regarding the presence or absence of federally-listed threatened or endangered species within Dallas County and potential impacts to the fish and wildlife resources for inclusion in the Environmental Assessment for 100-Year Flood Event Levee Remediation Measures, Dallas Floodway System, Dallas, Dallas County, Texas

Dear Mr. Cloud:

The City of Dallas and U.S. Army Corps of Engineers (USACE) are seeking your input regarding recommended studies and actions addressing the presence or absence of federally-listed threatened or endangered species within Dallas County as well as any additional concerns and recommendations to minimize potential impacts to the fish and wildlife resources for which your agency is responsible for addressing in the vicinity of proposed 100-year levee remediation measures associated with the Dallas Floodway System in Dallas, Texas, a project for which we are preparing an Environmental Assessment (EA). The proposed remediation measures would occur at the East, West, Rochester, and Central Wastewater Treatment Plant (CWWTP) Levees in the City of Dallas, Dallas County, Texas. The Proposed Action consists of the implementation of:

- cut-off walls to address seepage,
- levee fattening to address stability concerns, and
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The project limits for the Proposed Action consist of a total of 28.1 miles on both the flood and land sides of the aforementioned levee systems as depicted in the attached **Project Location Map**. The flood side of the levees is the side facing the Trinity River and its floodway, while the land side of the levees is the side protected by the levees opposite the flood side. The proposed areas of levee mitigation, soil disturbance, and staging construction would be limited to an area not to extend beyond 100 feet of the toe of the levees on both the flood and land sides of the levees, except for an area of potential soil borrow at the Westmoreland Road crossing of the West Levee between the West Levee and the Trinity River channel extending approximately 4,000 feet on either side of Westmoreland Road. No additional rights-of-way would be required for the Proposed Action.

The East Levee system extends 11.8 miles along the Trinity River and 3.8 miles along the Elm Fork. The crest width of the East Levee is approximately 16 feet. The levee side slopes for the East Levee are approximately 3:1 on the flood side upstream of Continental Avenue, 4:1 on the flood side downstream of Continental Avenue, and 3:1 to 4:1 on the land side.

The West Levee system extends 10.9 miles along the Trinity River and 3.6 miles along the West Fork and Mountain Creek. The crest width of the West Levee is approximately 16 feet. The levee side slopes for



Mr. Thomas Cloud, Jr., U.S. Fish and Wildlife Service, Ecological Services Field Office
June 23, 2010
Page 2 of 2

the West Levee are approximately 3:1 on the flood side upstream of Continental Avenue and 3:1 to 4:1 on the land side.

The Rochester Levee system (2.9 miles) is downstream of the East Levee. The crest width of the Rochester Levee is approximately 15 feet. The levee side slopes are generally 4.5:1 on the flood side and 4:1 on the land side.

The CWWTP Levee system (2.5 miles) is downstream of the West Levee. The crest width of the CWWTP Levee is approximately 15 feet. The levee side slopes are generally 4:1 on the flood side and the land side. The CWWTP Levee is a circular levee that begins and ends at the CWWTP plant entrance off Sargent Road.

The purpose of the Proposed Action is to improve the reliability of river flood protection provided by the Dallas Floodway System. The Proposed Action consists of the implementation of mitigation measures designed to correct the specific deficiencies identified in the *Draft Problem Identification Report* prepared for the Dallas Floodway System following the release of the *Periodic Inspection Report, Dallas Floodway, Trinity River, Dallas, Dallas County, Report No. 9*. A periodic inspection performed by the USACE resulted in an "Unacceptable" rating because of noted operation and maintenance issues and the potential for geotechnical issues related to current USACE design criteria. Consequently, the City of Dallas' levee systems are no longer certified by the USACE for the Federal Emergency Management Agency (FEMA) to accredit them as providing protection from a 100-year flood event. By correcting the deficiencies of the Dallas Floodway System, the City of Dallas and the USACE would be able to improve the reliability of river flood protection to people and property. It is anticipated that if the Proposed Action is implemented and the USACE design criteria are met, the City of Dallas would be able to obtain the 100-year FEMA accreditation by August 2011.

Please submit your response regarding the presence or absence of federally-listed threatened or endangered species within Dallas County and potential impacts to the fish and wildlife resources to Dan Murphy with HNTB at 2001 Bryan Street, Suite 100, Dallas, TX 75201. If you have any questions or comments, you can contact him by phone at 972-628-3049 or by E-mail at dmurphy@HNTB.com.

Sincerely,



Jill A. Jordan, P.E.
Assistant City Manager

Attachment: Project Location Map

cc: Liz Fernandez, P.E. (City of Dallas)
Kevin Craig, P.E. (USACE)
Jeff Tripe (USACE)



June 23, 2010

Dr. Al Armendariz
Regional Administrator
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202

Re: Request for input regarding potential impacts to resources (i.e. air quality, water quality, etc.) for inclusion in the Environmental Assessment for 100-Year Flood Event Levee Remediation Measures, Dallas Floodway System, Dallas, Dallas County, Texas

Dear Dr. Armendariz:

The City of Dallas and U.S. Army Corps of Engineers (USACE) are seeking your input regarding potential impacts to resources (i.e. air quality, water quality, etc.) for inclusion in the Environmental Assessment (EA) we are currently preparing for the implementation of proposed 100-year levee remediation measures associated with the Dallas Floodway System in Dallas, Texas. The proposed remediation measures would occur at the East, West, Rochester, and Central Wastewater Treatment Plant (CWWTP) Levees in the City of Dallas, Dallas County, Texas. The Proposed Action consists of the implementation of:

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- levee fattening to address stability concerns, and
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The project limits for the Proposed Action consist of a total of 28.1 miles on both the flood and land sides of the aforementioned levee systems as depicted in the attached **Project Location Map**. The flood side of the levees is the side facing the Trinity River and its floodway, while the land side of the levees is the side protected by the levees opposite the flood side. The proposed areas of levee mitigation, soil disturbance, and staging construction would be limited to an area not to extend beyond 100 feet of the toe of the levees on both the flood and land sides of the levees, except for an area of potential soil borrow at the Westmoreland Road crossing of the West Levee between the West Levee and the Trinity River channel extending approximately 4,000 feet on either side of Westmoreland Road. No additional rights-of-way would be required for the Proposed Action.

The East Levee system extends 11.8 miles along the Trinity River and 3.8 miles along the Elm Fork. The crest width of the East Levee is approximately 16 feet. The levee side slopes for the East Levee are approximately 3:1 on the flood side upstream of Continental Avenue, 4:1 on the flood side downstream of Continental Avenue, and 3:1 to 4:1 on the land side.

The West Levee system extends 10.9 miles along the Trinity River and 3.6 miles along the West Fork and Mountain Creek. The crest width of the West Levee is approximately 16 feet. The levee side slopes for the West Levee are approximately 3:1 on the flood side upstream of Continental Avenue and 3:1 to 4:1 on the land side.



The Rochester Levee system (2.9 miles) is downstream of the East Levee. The crest width of the Rochester Levee is approximately 15 feet. The levee side slopes are generally 4.5:1 on the flood side and 4:1 on the land side.

The CWWTP Levee system (2.5 miles) is downstream of the West Levee. The crest width of the CWWTP Levee is approximately 15 feet. The levee side slopes are generally 4:1 on the flood side and the land side. The CWWTP Levee is a circular levee that begins and ends at the CWWTP plant entrance off Sargent Road.

The purpose of the Proposed Action is to improve the reliability of river flood protection provided by the Dallas Floodway System. The Proposed Action consists of the implementation of mitigation measures designed to correct the specific deficiencies identified in the *Draft Problem Identification Report* prepared for the Dallas Floodway System following the release of the *Periodic Inspection Report, Dallas Floodway, Trinity River, Dallas, Dallas County, Report No. 9*. A periodic inspection performed by the USACE resulted in an "Unacceptable" rating because of noted operation and maintenance issues and the potential for geotechnical issues related to current USACE design criteria. Consequently, the City of Dallas' levee systems are no longer certified by the USACE for the Federal Emergency Management Agency (FEMA) to accredit them as providing protection from a 100-year flood event. By correcting the deficiencies of the Dallas Floodway System, the City of Dallas and the USACE would be able to improve the reliability of river flood protection to people and property. It is anticipated that if the Proposed Action is implemented and the USACE design criteria are met, the City of Dallas would be able to obtain the 100-year FEMA accreditation by August 2011.

Please submit your response regarding potential impacts to resources for which your agency is responsible to Dan Murphy with HNTB at 2001 Bryan Street, Suite 100, Dallas, TX 75201. If you have any questions or comments, you can contact him by phone at 972-628-3049 or by E-mail at dmurphy@HNTB.com.

Sincerely,



Jill A. Jordan, P.E.
Assistant City Manager

Attachment: Project Location Map

cc: Liz Fernandez, P.E. (City of Dallas)
Kevin Craig, P.E. (USACE)
Jeff Tripe (USACE)



June 23, 2010

Ms. Teresa Bruner
Regional Administrator
Federal Aviation Administration, Southwest Region
2601 Meacham Boulevard
Fort Worth, Texas 76137-4298

Re: Request for input regarding the 2003 Aircraft-Wildlife Strike Memorandum of Agreement (MOA) between the Federal Aviation Administration and other federal agencies and its application to proposed remediation measures involving the Dallas Floodway System

Dear Ms. Bruner:

The City of Dallas and U.S. Army Corps of Engineers (USACE) are seeking your input regarding the applicability of the 2003 Aircraft-Wildlife Strike Memorandum of Agreement (MOA) between the Federal Aviation Administration and other federal agencies, including the U.S. Army, to proposed remediation measures involving the Dallas Floodway System. Because the Dallas Floodway System is a matter of the USACE's jurisdiction as a federal project, and the City of Dallas and the USACE are currently preparing an Environmental Assessment (EA) for the implementation of proposed 100-year levee remediation measures associated with the Dallas Floodway System in Dallas, Texas, we are specifically seeking your input as to whether the 2003 Aircraft-Wildlife Strike MOA applies to the proposed project. If so, we are additionally seeking your input regarding the MOA's requirements. The proposed remediation measures would occur at the East, West, Rochester, and Central Wastewater Treatment Plant (CWWTP) Levees in the City of Dallas, Dallas County, Texas. The Proposed Action consists of the implementation of:

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The East Levee system extends 11.8 miles along the Trinity River and 3.8 miles along the Elm Fork. The crest width of the East Levee is approximately 16 feet. The levee side slopes for the East Levee are approximately 3:1 on the flood side upstream of Continental Avenue, 4:1 on the flood side downstream of Continental Avenue, and 3:1 to 4:1 on the land side.



Ms. Teresa Bruner, Federal Aviation Administration, Southwest Region
June 23, 2010
Page 2 of 2

The West Levee system extends 10.9 miles along the Trinity River and 3.6 miles along the West Fork and Mountain Creek. The crest width of the West Levee is approximately 16 feet. The levee side slopes for the West Levee are approximately 3:1 on the flood side upstream of Continental Avenue and 3:1 to 4:1 on the land side.

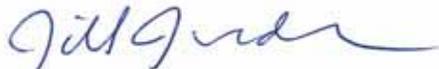
The Rochester Levee system (2.9 miles) is downstream of the East Levee. The crest width of the Rochester Levee is approximately 15 feet. The levee side slopes are generally 4.5:1 on the flood side and 4:1 on the land side.

The CWWTP Levee system (2.5 miles) is downstream of the West Levee. The crest width of the CWWTP Levee is approximately 15 feet. The levee side slopes are generally 4:1 on the flood side and the land side. The CWWTP Levee is a circular levee that begins and ends at the CWWTP plant entrance off Sargent Road.

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Please submit your response regarding the applicability and requirements of the 2003 Aircraft-Wildlife Strike MOA to Dan Murphy with HNTB at 2001 Bryan Street, Suite 100, Dallas, TX 75201. If you have any questions or comments, you can contact him by phone at 972-628-3049 or by E-mail at dmurphy@HNTB.com.

Sincerely,



Jill A. Jordan, P.E.
Assistant City Manager

Attachment: Project Location Map

cc: Liz Fernandez, P.E. (City of Dallas)
Kevin Craig, P.E. (USACE)
Jeff Tripe (USACE)



June 23, 2010

Mr. Tony Walker
Regional Director
Texas Commission on Environmental Quality, Region 4
2309 Gravel Drive
Fort Worth, Texas 76118-6951

Re: Request for input regarding potential impacts to resources (i.e. air quality, water quality, etc.) for inclusion in the Environmental Assessment for 100-Year Flood Event Levee Remediation Measures, Dallas Floodway System, Dallas, Dallas County, Texas

Dear Mr. Walker:

The City of Dallas and U.S. Army Corps of Engineers (USACE) are seeking your input regarding potential impacts to resources (i.e. air quality, water quality, etc.) for inclusion in the Environmental Assessment (EA) we are currently preparing for the implementation of proposed 100-year levee remediation measures associated with the Dallas Floodway System in Dallas, Texas. The proposed remediation measures would occur at the East, West, Rochester, and Central Wastewater Treatment Plant (CWWTP) Levees in the City of Dallas, Dallas County, Texas. The Proposed Action consists of the implementation of:

- cut-off walls to address seepage,
- levee fattening to address stability concerns, and
- the addition of toe drains to existing levee utility crossings.

The project limits for the Proposed Action consist of a total of 28.1 miles on both the flood and land sides of the aforementioned levee systems as depicted in the attached **Project Location Map**. The flood side of the levees is the side facing the Trinity River and its floodway, while the land side of the levees is the side protected by the levees opposite the flood side. The proposed areas of levee mitigation, soil disturbance, and staging construction would be limited to an area not to extend beyond 100 feet of the toe of the levees on both the flood and land sides of the levees, except for an area of potential soil borrow at the Westmoreland Road crossing of the West Levee between the West Levee and the Trinity River channel extending approximately 4,000 feet on either side of Westmoreland Road. No additional rights-of-way would be required for the Proposed Action.

The East Levee system extends 11.8 miles along the Trinity River and 3.8 miles along the Elm Fork. The crest width of the East Levee is approximately 16 feet. The levee side slopes for the East Levee are approximately 3:1 on the flood side upstream of Continental Avenue, 4:1 on the flood side downstream of Continental Avenue, and 3:1 to 4:1 on the land side.

The West Levee system extends 10.9 miles along the Trinity River and 3.6 miles along the West Fork and Mountain Creek. The crest width of the West Levee is approximately 16 feet. The levee side slopes for the West Levee are approximately 3:1 on the flood side upstream of Continental Avenue and 3:1 to 4:1 on the land side.



The Rochester Levee system (2.9 miles) is downstream of the East Levee. The crest width of the Rochester Levee is approximately 15 feet. The levee side slopes are generally 4.5:1 on the flood side and 4:1 on the land side.

The CWWTP Levee system (2.5 miles) is downstream of the West Levee. The crest width of the CWWTP Levee is approximately 15 feet. The levee side slopes are generally 4:1 on the flood side and the land side. The CWWTP Levee is a circular levee that begins and ends at the CWWTP plant entrance off Sargent Road.

The purpose of the Proposed Action is to improve the reliability of river flood protection provided by the Dallas Floodway System. The Proposed Action consists of the implementation of mitigation measures designed to correct the specific deficiencies identified in the *Draft Problem Identification Report* prepared for the Dallas Floodway System following the release of the *Periodic Inspection Report, Dallas Floodway, Trinity River, Dallas, Dallas County, Report No. 9*. A periodic inspection performed by the USACE resulted in an "Unacceptable" rating because of noted operation and maintenance issues and the potential for geotechnical issues related to current USACE design criteria. Consequently, the City of Dallas' levee systems are no longer certified by the USACE for the Federal Emergency Management Agency (FEMA) to accredit them as providing protection from a 100-year flood event. By correcting the deficiencies of the Dallas Floodway System, the City of Dallas and the USACE would be able to improve the reliability of river flood protection to people and property. It is anticipated that if the Proposed Action is implemented and the USACE design criteria are met, the City of Dallas would be able to obtain the 100-year FEMA accreditation by August 2011.

Please submit your response regarding potential impacts to resources for which your agency is responsible to Dan Murphy with HNTB at 2001 Bryan Street, Suite 100, Dallas, TX 75201. If you have any questions or comments, you can contact him by phone at 972-628-3049 or by E-mail at dmurphy@HNTB.com.

Sincerely,

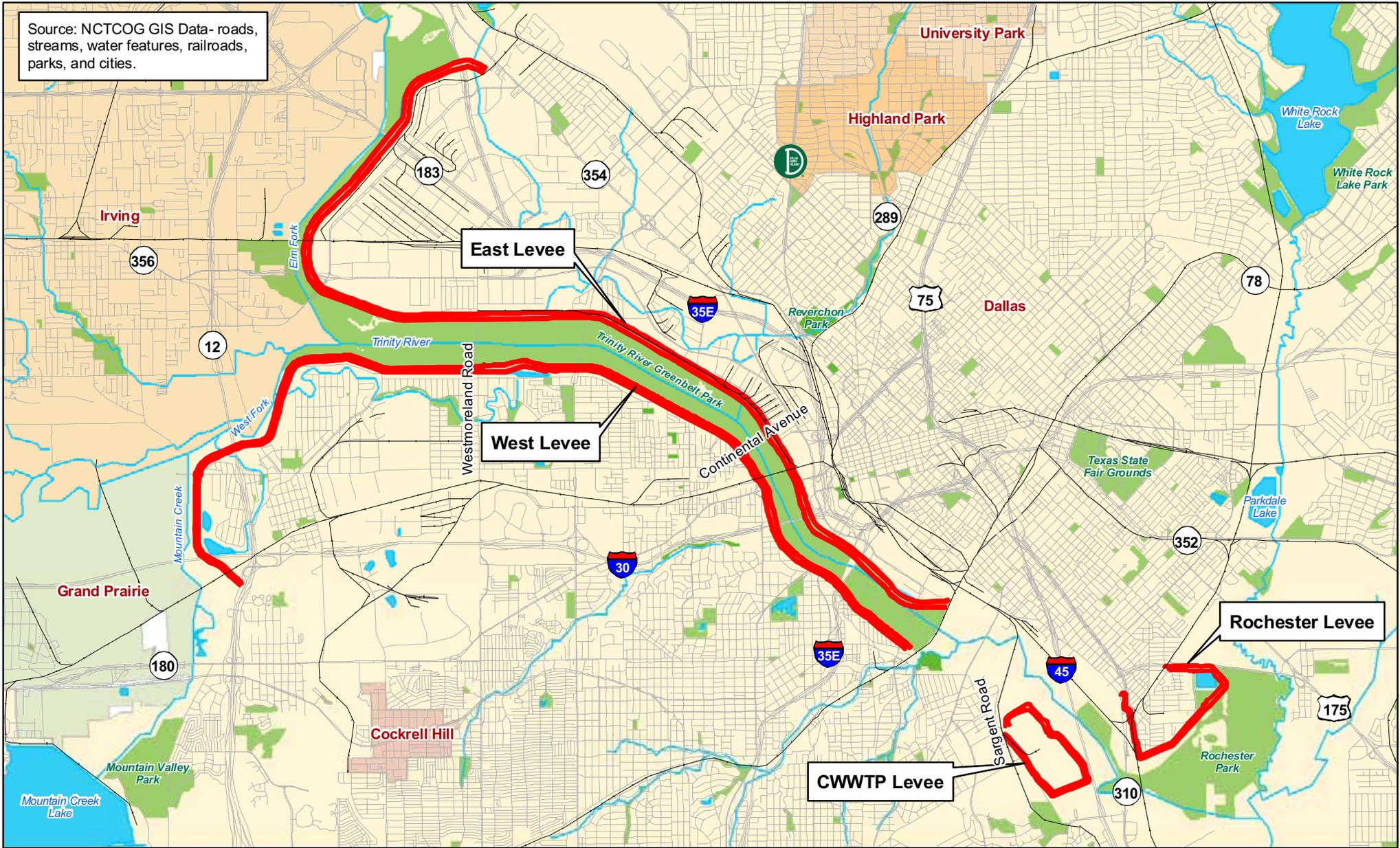


Jill A. Jordan, P.E.
Assistant City Manager

Attachment: Project Location Map

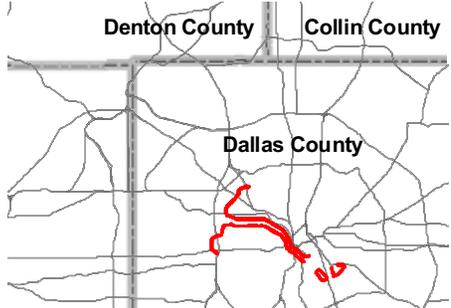
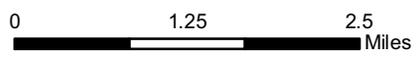
cc: Liz Fernandez, P.E. (City of Dallas)
Kevin Craig, P.E. (USACE)
Jeff Tripe (USACE)

Source: NCTCOG GIS Data- roads, streams, water features, railroads, parks, and cities.



LEGEND

-  Levee
-  Road
-  Railroad
-  Park
-  Water Feature



PROJECT LOCATION MAP

100-Year Flood Event Levee Remediation Measures
 Dallas Floodway System
 City of Dallas, Texas
 Dallas County, Texas
 Environmental Assessment



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
WinSystems Center Building
711 Stadium Drive, Suite 252
Arlington, Texas 76011

Refer to:
21420-2010-I-0296

July 2, 2010

Mr. Dan Murphy
HNTB
2001 Bryan Street, Suite 100
Dallas, Texas 75201

Dear Mr. Murphy:

This responds to Jill Jordan's June 23, 2010, letter requesting information on the presence of federally listed threatened and endangered species within the action area of proposed 100-year flood event levee remediation measures to be implemented within the Dallas Floodway system, Dallas County, Texas.

Due to staffing constraints, we are not able to review individual projects for the potential occurrence of federally listed species within the action area. However, we are providing an official species list for Dallas County to assist you and the U.S. Army Corps of Engineers in assessing and avoiding impacts to federally listed threatened and endangered species. Please note that under section 7(a)(2) of the Endangered Species Act, the federal action agency is responsible for determining the effects of their actions on listed species or critical habitat (50 CFR § 402.14 [a]). If the action agency determines that the direct and indirect effects of a proposed action would have no effect on listed species or critical habitat, then section 7 consultation is not necessary, and the Service need not be contacted. However, the action agency should maintain a complete record of the evaluation, including the steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related materials.

Our records indicate that the following threatened (T), and endangered (E) species have been documented, or are known to occur in Dallas County:

black-capped vireo (*Vireo atricapilla*) - E
golden-cheeked warbler (*Dendroica chrysoparia*) - E
interior least tern (*Sterna antillarum*) - E
whooping crane (*Grus americana*) - E
piping plover (*Charadrius melodus*) - T

Mr. Dan Murphy

Page Two

There is no designated critical habitat for listed species in Dallas County. For information on the general biology of these species, visit our website at <http://www.fws.gov/southwest/es/arlingontexas/>.

We are unaware of any records of these species within the action area. Due to the type(s) of habitat present on the levee banks and borrow areas where ground disturbance would occur, as well as ongoing human disturbance within the vicinity, it is unlikely that any of these species would be present or adversely impacted by the proposed actions.

Thank you for the opportunity to provide information on the proposed project. If you have any questions, please contact Sean Edwards of my staff at (817) 277-1100.

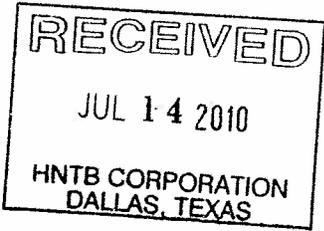
Sincerely,

A handwritten signature in blue ink that reads "Tom Cloud". The signature is written in a cursive, flowing style.

Thomas J. Cloud, Jr.
Field Supervisor



Life's better outside.®



July 12, 2010

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Lee M. Bass
Chairman-Emeritus
Fort Worth

Carter P. Smith
Executive Director

Mr. Dan Murphy
HNTB
2001 Bryan Street, Ste. 100
Dallas TX 75201

Re: City of Dallas request for input

Dear Mr. Murphy:

We received a request for input from the City of Dallas regarding an environmental assessment for a floodway system project. The City requested that we respond to you directly.

There is only one TPWD-funded project that appears to be within the scope of the floodway project, which is the Trinity River Greenbelt, project number 48-00134. This project funded the acquisition of 230.296 acres along the Trinity River.

We encourage you to discuss this with the City of Dallas to determine if and/or how the floodway project will impact the Trinity River Greenbelt acquisition, which was assisted with federal Land and Water Conservation Funds. Any non-recreation facilities developed on this property would constitute a conversion and as such, the property used for the non-recreational purposes would have to be replaced with equivalent property to be dedicated as parkland in perpetuity.

Thank you for asking for our input. If we can be of any further assistance, please do not hesitate to call us at (512) 389-8224.

Sincerely,

Tim Hogsett, CPRP
Director
Recreation Grants Branch