

TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

July 20, 2004

Mr. Wayne Lea
SWFOD-O
Department of the Army
Fort Worth District, Corps of Engineers
P.O. Box 17300
Fort Worth, TX 756102

Re: Project review under Section 106 of the National Historic Preservation Act of 1966
Two Draft reports:
Report on an Archaeological Survey of The Eagle Mountain Connection Pipeline, Tarrant County, Texas.
Report on an Archaeological Survey of The Eagle Mountain Connection Pipeline, Lake Benbrook Segment, Tarrant County, Texas.
(COE-FWD, Tarrant County Regional Water District)

Dear Mr. Lea:

We are in receipt of the above referenced draft reports. This letter serves as comment on the proposed undertaking 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 these reports should be combined into a single report, especially since this work was conducted under a single Antiquities permit number. In general, we concur with the authors' determinations of National Register eligibility and most recommendations for further work. Please see our specific comments (enclosure). Please have the authors address these comments and submit the revised draft for review.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "F. Lawrence Oaks".

for
F. Lawrence Oaks, State Historic Preservation Officer

FLO/wam

cc: Mr. Daniel McGregor, COE-FWD
Dr. C. Reid Ferring, Geoarch Consultants
Mr. Woody Frossard, Tarrant County Regional Water District

Comments on:

Report on an Archaeological Survey of The Eagle Mountain Connection Pipeline, Tarrant County, Texas.

and

Report on an Archaeological Survey of The Eagle Mountain Connection Pipeline, Lake Benbrook Segment, Tarrant County, Texas.

General Comments

Please note that reports prepared under Antiquities permits must include an Abstract that contains a statement noting which facility will curate the artifacts recovered during the project. The report also needs a brief section on the culture history of the project area.

When reworking these reports into a single report, please incorporate the figures and tables into the body of the report, rather than attaching them as an appendix. This would create a report with site maps and associated tables of artifact data included in the site descriptions.

Specific Comments

Previous Work

(Hanson and Kvernes, 1977) should read "1997."

Methodology

"a crew of two to *thee* persons" should read, "a crew of two to *three* person."

Survey Results

Please state the total number of shovel tests dug during the survey, noting the numbers of positive and negative tests. Also, please map the locations of all shovel tests dug along the route, and include a table of shovel test information noting depth and soils observed for all tests.

Under the site description for the Hardnose site, "The site include as small" should read, "The site includes a small."

Please state whether the Chambers site is located on private, state or federal land.

Regulatory Comments

This office concurs that no further work is warranted at The Old Highway 80 site, the Live Oak Creek site, The Silver Creek site, and the Hardnose site. The authors present well-reasoned arguments to support their conclusions based on data and site integrity. However, we are required to comment on eligibility and effect under state and federal regulations. Please specify in the site descriptions and in the concluding remarks of the report that these sites are all ineligible for inclusion in the National Register of Historic Places or for designation as State Archeological Landmarks.

Similarly, please state your opinion that the Chambers site (41TR114) is eligible for inclusion in the National Register of Historic Places and for designation as a State Archeological Landmark. It is clear from the data recovered by the Tarrant County Archeological Society that this is an important site, but mitigation recommendations should be considered only when an eligible site will suffer adverse effect, so clarify that pipeline construction will have an adverse effect on the intact archeological deposits, noting the width and depth of the trench to be excavated through the site for pipeline installation.

Also, please offer your opinion about National Register and SAL eligibility for the Pecan Valley site at Lake Benbrook and note the effect of the pipeline on intact deposits.

Please move the mitigation recommendations from the site description proper into a separate Recommendations section. This section should identify the key research questions for this region that the deposits would be likely to address. For both sites recommended for mitigation, please justify how the suggested amount of excavation is likely to yield a sufficient sample to address the significant research issues. Specify the approximate number of samples that need to be collected and analyzed. Overall, all of these recommendations should be enhanced and tied back into the research questions.



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

REPLY TO
ATTENTION OF:

February 11, 2005

Planning, Environmental, and Regulatory Division

Mr. Woody Frossard
Tarrant Regional Water District
800 East Northside Drive
Fort Worth, Texas 76102

Dear Mr. Frossard:

The U.S. Army Corps of Engineers, Fort Worth District, has prepared an Environmental Assessment (EA) and a draft Finding of No Significant Impact (FONSI) regarding the Benbrook Lake Eagle Mountain Connection Easement. Enclosed is a copy of a Notice of Availability, Environmental Assessment, and Draft Finding of No Significant Impact for the project per your request.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Rob Newman at (817) 886-1762.

Sincerely,

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

Enclosures

Mr. Newman/6-1762 *rw*
PAXTON, CESWF-PER-EE *P*
HARBERG, CESWF-PER-E *HH*
FICKEL, CESWF-PER *WF*

February 11, 2005

Planning, Environmental, and Regulatory Division

Mr. Thomas Cloud, Jr.
U.S. Fish and Wildlife Service
Ecological Services
711 Stadium Drive, Suite #252
Arlington, TX 76011

Dear Mr. Cloud:

The U.S. Army Corps of Engineers (USACE) is assessing the potential impacts to the environment, which may result from the proposed Benbrook Lake Eagle Mountain Connection Easement at Benbrook Lake, Texas. The alternative USACE is proposing would allow for USACE to issue an easement to Tarrant Regional Water District to construct a 96-inch raw water pipeline, a booster pump station and storage tanks on Government-owned property. In addition, a second 96-inch pipeline would be installed in the future. USACE is disclosing all associated impacts for public review in an Environmental Assessment (EA).

A Public Notice has been prepared to notify the public of this action and to solicit comments. The Public Notice, draft FONSI and EA are enclosed with this communication for your review and to solicit any additional comments or concerns your agency may have regarding this action. We will consider any comments that we receive from you by the close of the comment period as indicated on the Public Notice. Please address any comments you may have to the contact indicated in the Public Notice. Thank you for your cooperation in this matter.

Sincerely,

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

Enclosures

Mr. Newman/6-1762 
PAXTON, CESWF-PER-EE
HARBERG, CESWF-PER-E 
FICKEL, CESWF-PER

SAME LETTER SENT TO:

Mr. Thomas Cloud, Jr.
U.S. Fish and Wildlife Service
Ecological Services
711 Stadium Drive, Suite #252
Arlington, TX 76011

Mr. F. Lawrence Oaks
State Historic Preservation Office
P.O. Box 12276
Capital Station
Austin, Texas 78711

Mr. Robert Lawrence
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue
Dallas, Texas 75202

Mr. Robert Spain
Resource Protection Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Mr. Danny Allen
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Mr. John Davis
Texas Parks and Wildlife Department
PO BOX 941
Cedar Hill, TX 75106

February 11, 2005

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 U.S. Army Corps of Engineers (USACE) is assessing the potential impacts to the environment, which may result from the proposed Benbrook Lake Eagle Mountain Connection Easement at Benbrook Lake, Texas. The alternative USACE is proposing would allow for USACE to issue an easement to Tarrant Regional Water District to construct a 96-inch raw water pipeline, a booster pump station and storage tanks on Government-owned property. In addition, a second 96-inch pipeline would be installed in the future. USACE is disclosing all associated impacts for public review in an Environmental Assessment (EA).

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Sincerely,

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

Enclosures

Mr. Newman/6-1762 *Ru*
PAXTON, CESWF-PER-EE *JP*
HARBERG, CESWF-PER-E *MA*
FICKEL, CESWF-PER

February 11, 2005

Planning, Environmental, and Regulatory Division

Ms. Kathy Boydston
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Dear Ms. Boydston:

The U.S. Army Corps of Engineers (USACE) is assessing the potential impacts to the environment, which may result from the proposed Benbrook Lake Eagle Mountain Connection Easement at Benbrook Lake, Texas. The alternative USACE is proposing would allow for USACE to issue an easement to Tarrant Regional Water District to construct a 96-inch raw water pipeline, a booster pump station and storage tanks on Government-owned property. In addition, a second 96-inch pipeline would be installed in the future. USACE is disclosing all associated impacts for public review in an Environmental Assessment (EA).

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Sincerely,

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

Enclosures

Mr. Newman/6-1762 
PAXTON, CESWF-PER-EE
HARBERG, CESWF-PER-E 
FICKEL, CESWF-PER

February 11, 2005

Planning, Environmental, and Regulatory Division

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

Dear Mr. MaCrae:

The U.S. Army Corps of Engineers (USACE) is assessing the potential impacts to the environment, which may result from the proposed Benbrook Lake Eagle Mountain Connection Easement at Benbrook Lake, Texas. The alternative USACE is proposing would allow for USACE to issue an easement to Tarrant Regional Water District to construct a 96-inch raw water pipeline, a booster pump station and storage tanks on Government-owned property. In addition, a second 96-inch pipeline would be installed in the future. USACE is disclosing all associated impacts for public review in an Environmental Assessment (EA).

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Sincerely,

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

Enclosures

Mr. Newman/6-1762
PAXTON, CESWF-PER-EE
HARBERG, CESWF-PER-E
FICKEL, CESWF-PER

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 28, 2005

Mr. Rob Newman
CESWF-PER-EE
Post Office Box 17300
Fort Worth, Texas 76102-0300

Re: Environmental Assessment
Benbrook Lake Eagle Mountain Connection Easement
Benbrook Lake, Texas

Dear Mr. Newman:

This is in response to your February 11, 2005, Public Notice concerning the referenced project.

Section 16.236 (h)(4) of the Texas Water Code requires communities which have qualified for participation in the National Flood Insurance Program to approve plans for the construction or maintenance of a levee or other improvement prior to starting a project.

Our records indicate that Tarrant County is a participant in the National Flood Insurance Program. As such, the County has approval authority over this project.

Should you have any questions, please contact me at the address below or telephone (512) 239-5481.

Thank you for bringing this matter to our attention.

Sincerely,

A handwritten signature in cursive script, appearing to read "Heidi M. Carlin".

Heidi M. Carlin
Floodplain Specialist



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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

March 7, 2005

Colonel John R. Minahan
District Engineer
U.S. Army Corps of Engineers
(Attn: CESWF-EV-EE)
P.O. Box 17300
Fort Worth, Texas 76102-0300

Re: Environmental Assessment, Benbrook Lake Eagle Mountain Connection Easement,
Benbrook Lake, Texas.

Dear Colonel Minahan:

The U.S. Fish and Wildlife Service (Service) has reviewed the U.S. Army Corps of Engineers February 2005, Environmental Assessment (EA), and Finding of No Significant Impact (FONSI) for the Benbrook Lake Eagle Mountain Connection Easement, Benbrook, Texas. This letter contains our review comments pertaining to the subject document under the National Environmental Policy Act (NEPA) of 1969, as amended.

The Benbrook Lake EA was initiated by the U.S. Army Corps of Engineers (Corps) under the authority of NEPA and the Council on Environmental Quality (CEQ) Code of Federal Regulations (40 CFR parts 1500-1508). The purpose of the EA is to identify and evaluate the environmental aspects of implementing the proposed action and other feasible alternatives. The Corps proposes to grant a 90-foot wide easement including 54 acres, plus a 30-ft wide temporary construction easement that includes 12 acres, to the Tarrant Regional Water District (TRWD) for construction of a 96-inch raw water pipeline and booster pump station facility with water tanks on Federal property. The easement is wide enough for the addition of another 96-inch pipeline in the future.

The pipeline would be routed from the existing TRWD pipeline to the west side of the lake by paralleling Lakeside Drive (downstream from the Benbrook Dam) to the booster pump location and then continuing to US highway 377 at Chapin School Road. The easement would include a portion of the Eagle Mountain Connection Project that would allow TRWD the flexibility to pump water from their East Texas reservoirs to Eagle Mountain Lake and directly to the proposed water treatment plant in western Tarrant County, to meet regional water use needs.

GENERAL COMMENTS

We commend the Corps and the TRWD for establishing a utility easement which confines future utility construction to a specific corridor minimizing future impacts to the local natural resources. We concur with the proposed action in the EA analysis and FONSI conclusions and support the proposed plan with the following specific recommendations.

SPECIFIC COMMENTS

Threatened and Endangered Species

The Federal threatened and endangered species list for Tarrant County on page 8 and other statements in Section 3.5.3, refer to the black-tailed prairie dog (*Cynomys ludovicianus*). This animal was recently removed from the candidate species list and currently has no federal status. We recommend that the EA threatened and endangered species list be updated to include the most current Tarrant County Federal list:

- whooping crane (*Grus americana*) - Endangered
- interior least tern (*Sterna antillarum*) - Endangered
- bald eagle (*Haliaeetus leucocephalus*) - Threatened

We invite you to visit our website containing the most current fish and wildlife resources information, including Federal threatened and endangered species county by county lists, for this and future North Texas projects at <http://arlingtontexas.fws.gov>. Based on the information provided in the EA and a review of our files, we concur that the proposed project is not likely to adversely affect these federally listed species.

Mitigation

The Corps Proposed Action would impact 8.2 acres of woodlands and 42.5 acres of grasslands yet there is no Mitigation Plan in the EA and only a note that the Corps and TRWD would jointly develop one in the future. Appendix C reveals the loss of 323 trees of up to 30 inches in diameter yet the EA contains no plan for replacement or compensation. A mitigation plan should be developed early in the project planning process, and subsequently reviewed by the resource agencies, which demonstrates how impacts to fish and wildlife resources would be avoided, how impacts would be minimized, and plans developed to rectify/compensate for unavoidable project related impacts. We recommend that a mitigation plan be provided for resource agency review before the final EA is published. We offer our assistance in development of this mitigation plan.

We appreciate the opportunity to evaluate and provide assistance on this project and any future changes that may occur. We hope this information is useful in your planning efforts. Please contact Sid Puder of this office at the above address or telephone number (817) 277-1100, if you have any questions or require additional assistance.

Sincerely,

A handwritten signature in cursive script that reads "Tom Cloud".

Thomas J. Cloud, Jr.
Field Supervisor

Enclosure

cc: Danny Allen, TPWD, Austin, Texas
Executive Director, TPWD, Austin, Texas



April 27, 2005

Mr. Rob Newman
CESWF-PER-EE
P.O. Box 17300
Fort Worth, TX 76102-0300

RE: Environmental Review, Benbrooke Lake Eagle Mountain Connection
Easement (Tarrant County)

Dear Mr. Newman:

Thank you for providing the Environmental Assessment (EA) regarding the proposed 90-ft easement to allow the Tarrant Regional Water District (TRWD) to construct a 96-inch raw water pipeline, a booster pump station, and storage tanks on Government-owned property at Benbrooke Lake operated by the U.S. Army Corps of Engineers (USACE). The proposed project is located at the northern end of Benbrooke Lake through Longhorn, Pecan Valley and Dutch Branch Parks in the Cross Timbers and Prairies Ecoregion of Tarrant County. The parks are used primarily for public recreation and include the Pecan Valley Golf Course, various ball fields, a YMCA facility, riparian forest, upland woods, and open, maintained grasslands with scattered trees.

No wetlands are involved with the proposed project. The grassland vegetation consists primarily of bermudagrass and Johnsongrass. Upland woodlands include cedar elm, sugarberry, honey locust, coral-berry, goldenrod, and ironweed. Wooded riparian areas consist of cedar elm, American elm, black willow, cottonwood, green ash, sycamore, pecan, bois d'arc, flowering dogwood, dewberry, coral-berry, dallisgrass, switchgrass, bermudagrass, eastern gamagrass, Virginia wildrye, Johnsongrass, and giant ragweed. The project will remove approximately 23 trees \geq 20 inches dbh (green ash, bois d'arc, elm species, oak species, pecan, and sugarberry). Clearing of trees would be avoided or minimized where possible, though approximately 8.2 acres of upland and riparian woodlands will be impacted by the proposed project. The EA describes that TRWD and USACE will develop a mitigation plan to compensate for impacts associated with right-of-way (ROW) clearing through woodlands. A table is provided that lists an herbaceous and native grass mix, small trees and shrubs, and canopy trees that will be used in the mitigation planting. Texas Parks and Wildlife Department (TPWD) recommends that non-regulatory compensation for loss of mature trees from riparian and woodland habitats occur at a 1:1 ratio with a 75% replacement rate for 2 to 5 years following planting.

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Take a kid
hunting or fishing



Visit a state park
or historic site

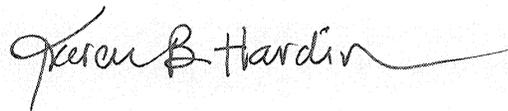
Rob Newman
Page 2
April 27, 2005

The proposed project will primarily follow already established ROWs which will minimize land fragmentation and vegetative disturbance. The project will convert approximately 17 acres of designated parkland to a permanent utility easement, though the area to be converted is located behind a security fence that limits public use of the area and there are no plans to build recreational facilities there. The USACE will be compensated for loss of the parkland.

The USACE should coordinate with the Grants-In-Aid Branch of the TPWD (512) 912-7124 to determine whether or not any portion of this park was funded with Local Park Grant funds or other state or federal funding. This is necessary to prevent conversion of grant assisted lands to other than public outdoor recreation use - as prohibited by Section 6(f) of the Land and Water Conservation Act.

The project, as proposed, should have minimal impact on fish and wildlife resources. Thank you for coordinating with this Agency for review and comment. I apologize for the lateness of this reply. If you have any questions, please contact me at (903) 675-4447.

Sincerely,

A handwritten signature in cursive script that reads "Karen B. Hardin". The signature is written in black ink and has a long, sweeping horizontal line extending to the right.

Karen B. Hardin
Wildlife Habitat Assessment Program
Wildlife Division

khh/10938