Appendix B

REPLY TO
ATTENTION OF

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

August 8, 2011

Planning, Environmental, and Regulatory Division

Mr. Thomas J. Cloud, Jr.
United States Department of Interior
Fish and Wildlife Service
Ecological Services
Stadium Centre Building
711 Stadium Drive, Suite 252
Arlington, Texas 76011

Dear Mr. Cloud:

The U.S. Army Corps of Engineers (Corps) Fort Worth District in conjunction with the City of Haltom City, Texas, is requesting concurrence for proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment (EA) completed in 2002, which was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that a supplemental EA was needed. The Corps has conducted a Supplemental EA and prepared a draft Finding of No Significant Impacts (FONSI) for construction of the proposed plan.

The originally approved terrestrial mitigation plan involved the acquisition and management of 65 acres of mitigation lands, consisting of existing low quality forested habitat and grassland conversion to bottomland hardwood forest. Stream aquatic habitat was to be mitigated primarily through restoration of pool and riffle complexes, as well as wetland habitat development. The originally proposed mitigation areas, located downstream of the project area, included construction of a nature trail.

During advanced design, the proposed mitigation areas were found to have restrictive conditions that preclude the local sponsor and the Corps from acquiring and developing the area for mitigation purposes. Additionally, development of detail construction plans found that insufficient slopes would limit functional riffle-pool sequences to all but six feasible sequences.

The preferred alternative includes the channel construction, adjacent recreational trail and access, and a riparian forest mitigation plan developed to include acquisition and dedication of approximately 49.7 acres of lands adjacent to Whites Branch, a tributary to Big Fossil Creek. The mitigation plan includes existing riparian forest improvement and shrubland and grassland conversion to riparian forest. Additionally, the Whites Branch mitigation area provides preservation of 5,038 linear feet of stream, which in addition to the six pool and riffle complexes will provide

sufficient aquatic mitigation. Approximately 2.4 additional acres of riparian forest will be integrated into the banks of the Little Fossil Creek construction project. The benefits of the mitigation plan provide mitigation for all impacts except 12.9 acres of riparian forest. The non-federal sponsor, Haltom City, has agreed to acquire mitigation credits for the remaining 12.9 acres of impacts from one of three banks that provide service for impacts to riparian forest/low quality wetlands within Tarrant County, Texas.

As a result of modifying the original mitigation plan to not acquire lands downstream of the channel project, there was no longer an opportunity to develop the nature trail. The current proposed alternative mitigation lands are currently served by sufficient parking access and recreational trails to support compatible use of the proposed mitigation area.

The Corps has assessed previous cultural resource surveys within the proposed mitigation area and concluded that no significant archeological sites or historic properties would be affected by activities at the alternative mitigation site. The modifications to the project reduce impacts to waters of the U.S. by removal of proposed filling activities to waters of the U.S. at the 19.9 acre lake and adds additional reforestation adjacent to Little Fossil Creek, thereby increasing shading of the stream. The revised environmental mitigation plan has been considered in accordance with Section 404 of the Clean Water Act and the U.S Fish and Wildlife Coordination Act. The Corps has coordinated with Beth Bendik and Wendy Kovach of the Texas Parks and Wildlife Department and Sean Edwards and Jacob Lewis of the U.S. Fish and Wildlife Service (USFWS) to develop the alternative mitigation plan. The Corps concludes the recommended plan will be in compliance with the Endangered Species Act and the Executive Order 11988, Floodplain Management. Texas Commission on Environmental Quality (TCEQ) reviewed the approved project proposal and indicated the original plan with incorporated terrestrial and aquatic mitigation was in compliance with Section 401 of the Clean Water Act; the Corps proposes to follow the original Section 401 Certification for the alternative mitigation site. Additionally, the construction activities required to implement the project are in compliance with the Texas State Implementation Plan (SIP).

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

Sincerely,

Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

Enclosures

REPLY TO
ATTENTION OF

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

August 8, 2011

Planning, Environmental, and Regulatory Division

Mr. Tom Heger
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Dear Mr. Heger:

The U.S. Army Corps of Engineers (Corps) Fort Worth District in conjunction with the City of Haltom City, Texas, is requesting concurrence for proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment (EA) completed in 2002, which was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that a supplemental EA was needed. The Corps has conducted a Supplemental EA and prepared a draft Finding of No Significant Impacts (FONSI) for construction of the proposed plan.

The originally approved terrestrial mitigation plan involved the acquisition and management of 65 acres of mitigation lands, consisting of existing low quality forested habitat and grassland conversion to bottomland hardwood forest. Stream aquatic habitat was to be mitigated primarily through restoration of pool and riffle complexes, as well as wetland habitat development. The originally proposed mitigation areas, located downstream of the project area, included construction of a nature trail.

During advanced design, the proposed mitigation areas were found to have restrictive conditions that preclude the local sponsor and the Corps from acquiring and developing the area for mitigation purposes. Additionally, development of detail construction plans found that insufficient slopes would limit functional riffle-pool sequences to all but six feasible sequences.

The preferred alternative includes the channel construction, adjacent recreational trail and access, and a riparian forest mitigation plan developed to include acquisition and dedication of approximately 49.7 acres of lands adjacent to Whites Branch, a tributary to Big Fossil Creek. The mitigation plan includes existing riparian forest improvement and shrubland and grassland conversion to riparian forest. Additionally, the Whites Branch mitigation area provides preservation of 5,038 linear feet of stream, which in addition to the six pool and riffle complexes will provide sufficient aquatic mitigation. Approximately 2.4 additional acres of riparian forest will be integrated into the banks of the Little Fossil Creek construction project. The benefits of the mitigation plan provide mitigation for all impacts except 12.9 acres of riparian forest. The non-federal sponsor,

Haltom City, has agreed to acquire mitigation credits for the remaining 12.9 acres of impacts from one of three banks that provide service for impacts to riparian forest/low quality wetlands within Tarrant County, Texas.

As a result of modifying the original mitigation plan to not acquire lands downstream of the channel project, there was no longer an opportunity to develop the nature trail. The current proposed alternative mitigation lands are currently served by sufficient parking access and recreational trails to support compatible use of the proposed mitigation area.

The Corps has assessed previous cultural resource surveys within the proposed mitigation area and concluded that no significant archeological sites or historic properties would be affected by activities at the alternative mitigation site. The modifications to the project reduce impacts to waters of the U.S. by removal of proposed filling activities to waters of the U.S. at the 19.9 acre lake and adds additional reforestation adjacent to Little Fossil Creek, thereby increasing shading of the stream. The revised environmental mitigation plan has been considered in accordance with Section 404 of the Clean Water Act and the U.S Fish and Wildlife Coordination Act. The Corps has coordinated with Beth Bendik and Wendy Kovach of the Texas Parks and Wildlife Department and Sean Edwards and Jacob Lewis of the U.S. Fish and Wildlife Service (USFWS) to develop the alternative mitigation plan. The Corps concludes the recommended plan will be in compliance with the Endangered Species Act and the Executive Order 11988, Floodplain Management. Texas Commission on Environmental Quality (TCEQ) reviewed the approved project proposal and indicated the original plan with incorporated terrestrial and aquatic mitigation was in compliance with Section 401 of the Clean Water Act; the Corps proposes to follow the original Section 401 Certification for the alternative mitigation site. Additionally, the construction activities required to implement the project are in compliance with the Texas State Implementation Plan (SIP).

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Sincerely,

Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

Enclosures

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

August 8, 2011

Planning, Environmental, and Regulatory Division

Mr. David W. Galindo, Team Leader
Standards Implementation Team - Water Quality Division
Texas Commission on Environmental Quality
12100 Park Circle 35, Building F
Austin, Texas 78711

Dear Mr. Galindo:

The U.S. Army Corps of Engineers (Corps) Fort Worth District in conjunction with the City of Haltom City, Texas, is requesting concurrence for proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment (EA) completed in 2002, which was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that a supplemental EA was needed. The Corps has conducted a Supplemental EA and prepared a draft Finding of No Significant Impacts (FONSI) for construction of the proposed plan

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During advanced design, the proposed mitigation areas were found to have restrictive conditions that preclude the local sponsor and the Corps from acquiring and developing the area for mitigation purposes. Additionally, development of detail construction plans found that insufficient slopes would limit functional riffle-pool sequences to all but six feasible sequences.

The preferred alternative includes the channel construction, adjacent recreational trail and access, and a riparian forest mitigation plan developed to include acquisition and dedication of approximately 49.7 acres of lands adjacent to Whites Branch, a tributary to Big Fossil Creek. The mitigation plan includes existing riparian forest improvement and shrubland and grassland conversion to riparian forest. Additionally, the Whites Branch mitigation area provides preservation of 5,038 linear feet of stream, which in addition to the six pool and riffle complexes will provide sufficient aquatic mitigation. Approximately 2.4 additional acres of riparian forest will be integrated into the banks of the Little Fossil Creek construction project. The benefits of the mitigation plan provide mitigation for all impacts except 12.9 acres of riparian forest. The non-federal sponsor, Haltom City, has agreed to acquire mitigation credits for the remaining 12.9 acres of impacts from one of three banks that provide service for impacts to riparian forest/low quality wetlands within Tarrant County, Texas.

As a result of modifying the original mitigation plan to not acquire lands downstream of the channel project, there was no longer an opportunity to develop the nature trail. The current proposed alternative mitigation lands are currently served by sufficient parking access and recreational trails to support compatible use of the proposed mitigation area.

The Corps has assessed previous cultural resource surveys within the proposed mitigation area and concluded that no significant archeological sites or historic properties would be affected by activities at the alternative mitigation site. The modifications to the project reduce impacts to waters of the U.S. by removal of proposed filling activities to waters of the U.S. at the 19.9 acre lake and adds additional reforestation adjacent to Little Fossil Creek, thereby increasing shading of the stream. The revised environmental mitigation plan has been considered in accordance with Section 404 of the Clean Water Act and the U.S Fish and Wildlife Coordination Act. Through coordination with the U.S. Fish and Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD), the Corps concludes the recommended plan will be in compliance with the Endangered Species Act and the Executive Order 11988, Floodplain Management. Texas Commission on Environmental Quality (TCEQ) reviewed the approved project proposal and indicated the original plan with incorporated terrestrial and aquatic mitigation was in compliance with Section 401 of the Clean Water Act; the Corps proposes to follow the original Section 401 Certification for the alternative mitigation site. Additionally, the construction activities required to implement the project are in compliance with the Texas State Implementation Plan (SIP).

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Sincerely,

Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

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DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
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FORT WORTH, TEXAS 76102-0300

August 8, 2011

Planning, Environmental, and Regulatory Division

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

Dear Ms. Boydston:

The U.S. Army Corps of Engineers (Corps) Fort Worth District in conjunction with the City of Haltom City, Texas, is requesting concurrence for proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment (EA) completed in 2002, which was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that a supplemental EA was needed. The Corps has conducted a Supplemental EA and prepared a draft Finding of No Significant Impacts (FONSI) for construction of the proposed plan.

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During advanced design, the proposed mitigation areas were found to have restrictive conditions that preclude the local sponsor and the Corps from acquiring and developing the area for mitigation purposes. Additionally, development of detail construction plans found that insufficient slopes would limit functional riffle-pool sequences to all but six feasible sequences.

The preferred alternative includes the channel construction, adjacent recreational trail and access, and a riparian forest mitigation plan developed to include acquisition and dedication of approximately 49.7 acres of lands adjacent to Whites Branch, a tributary to Big Fossil Creek. The mitigation plan includes existing riparian forest improvement and shrubland and grassland conversion to riparian forest. Additionally, the Whites Branch mitigation area provides preservation of 5,038 linear feet of stream, which in addition to the six pool and riffle complexes will provide sufficient aquatic mitigation. Approximately 2.4 additional acres of riparian forest will be integrated into the banks of the Little Fossil Creek construction project. The benefits of the mitigation plan provide mitigation for all impacts except 12.9 acres of riparian forest. The non-federal sponsor,

Haltom City, has agreed to acquire mitigation credits for the remaining 12.9 acres of impacts from one of three banks that provide service for impacts to riparian forest/low quality wetlands within Tarrant County, Texas.

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Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

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FORT WORTH DISTRICT, CORPS OF ENGINEERS
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FORT WORTH, TEXAS 76102-0300

August 8, 2011

Planning, Environmental, and Regulatory Division

Mr. Michael Jansky
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Mail Stop 6ENXP
Dallas, Texas 75202

Dear Mr. Jansky:

The U.S. Army Corps of Engineers (Corps) Fort Worth District in conjunction with the City of Haltom City, Texas, is requesting concurrence for proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment (EA) completed in 2002, which was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that a supplemental EA was needed. The Corps has conducted a Supplemental EA and prepared a draft Finding of No Significant Impacts (FONSI) for construction of the proposed plan.

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Sincerely,

Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

Enclosures

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

August 8, 2011

Planning, Environmental, and Regulatory Division

Mr. Mark Wolfe
Executive Director, Texas Historical Commission
Attention: Mr. Bill Martin
1511 Colorado
Austin, Texas 78701

Dear Mr. Wolfe:

The U.S. Army Corps of Engineers, Fort Worth District, in conjunction with the City of Haltom City, Texas, is notifying you of proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment completed in 2002. This project was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that changes to proposed biological mitigation are necessary. A supplemental EA is being prepared to address the changes. At this time, we would like to continue our Section 106 consultation to include this new mitigation area.

The originally approved terrestrial mitigation plan involved the acquisition and management of 65 acres of mitigation lands located downstream of the project area. During advanced design, the proposed mitigation areas were found to have restrictive conditions that preclude the local sponsor and the Corps from acquiring and developing the area for mitigation purposes.

The preferred alternative includes a riparian forest mitigation plan developed to include acquisition and dedication of approximately 49.7 acres of lands adjacent to Whites Branch, a tributary to Big Fossil Creek (Map 1). The mitigation plan includes existing riparian forest enhancement and shrubland and grassland conversion to riparian forest. The Whites Branch mitigation area provides preservation of 5,038 linear feet of stream. Mitigation will consist of hand cutting of invasive plants and hand application of herbicide as required followed by planting seedlings in shallow holes. No grading, or mechanical clearing or grubbing is planned.

The land proposed for the new mitigation was surveyed for cultural resources in early 2010 by the Texas Parks and Wildlife Department. No archaeological sites were found during this survey. Given the survey work recently completed and that our intended mitigation work will be minimally invasive and shallow. the U.S. Army Corps of Engineers. Fort Worth District

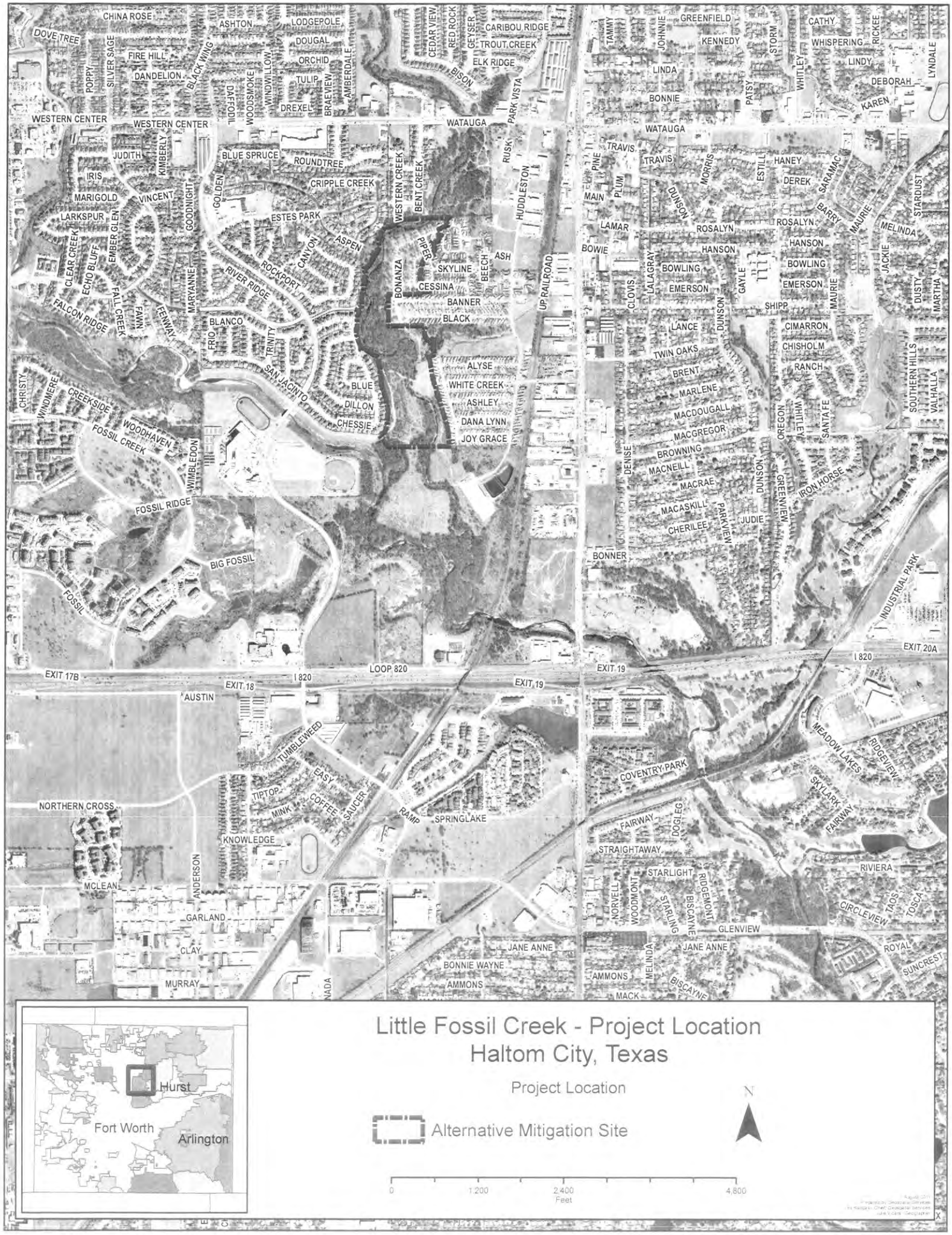
has determined that no Historic Properties will be affected by the proposed mitigation. We ask for your concurrence with our determination.

If you have any questions, please do not hesitate to contact Ms Nancy Parrish, (817) 886-1725 or via email at nancy.a.parrish@usace.army.mil,

Sincerely,

Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

Enclosure


Little Fossil Creek - Project Location
Haltom City, Texas
Project Location
Alternative Mitigation Site
N
0
1,200
2,400
4,800
Feet
Hurst
Fort Worth
Arlington
CHINA ROSE
DOVE TREE
ASHTON
LODGEPOLE
DOUGAL
ORCHID
TULIP
DREXEL
FIRE HILL
DANDELION
SILVER SAGE
POPPY
BLACK WING
DAFFODIL
WOODSMOKE
WINDWILLOW
BRAEVIEW
AMBERDALE
CEDAR VIEW
RED ROCK
GEYSER
CARIBOU RIDGE
TROUT CREEK
ELK RIDGE
BISON
PARK VISTA
WESTERN CENTER
WATAUGA
JUDITH
KIMBERLY
BLUE SPRUCE
ROUNDTREE
IRIS
CRIPPLE CREEK
MARIGOLD
VINCENT
GOODNIGHT
GOLDEN
LARKSPUR
ESTES PARK
EMBER GLEN
CLEAR CREEK
ECHO BLUFF
ASPEN
CANYON
ROCKPORT
RIVER RIDGE
FALL CREEK
FAWN
FENWAY
MARYANNE
FALCON RIDGE
BLANCO
FRIO
TRINITY
SAN JACINTO
WESTERN CREEK
BENT CREEK
PIPER
BONANZA
SKYLINE
CESSINA
BANNER
BLACK
BEECH
ASH
RUSK
HUDDLESTON
UP RAILROAD
ALYSE
WHITE CREEK
ASHLEY
DANA LYNN
JOY GRACE
BLUE
DILLON
CHESSIE
CHRISTY
WINDMERE
CREEKSIDE
WOODHAVEN
FOSSIL CREEK
WIMBLEDON
FOSSIL RIDGE
BIG FOSSIL
FOSSIL
TAMMY
JOHNIE
GREENFIELD
KENNEDY
STORM
CATHY
WHISPERING
RICKEE
LINDY
LYNDALE
LINDA
DEBORAH
BONNIE
PATSY
WHITLEY
KAREN
TRAVIS
PINE
PLUM
MAIN
MORRIS
ESTILL
HANEY
DEREK
SARAMAC
DUNSON
LAMAR
ROSALYN
BARRY
MAURIE
STARDUST
MELINDA
BOWIE
HANSON
BOWLING
EMERSON
LALAGRAY
CLOVIS
GAYLE
JACKIE
SHIPP
LANCE
CIMARRON
TWIN OAKS
CHISHOLM
RANCH
BRENT
MARLENE
MACDOUGALL
MACGREGOR
BROWNING
MACNEILL
MACRAE
MACASKILL
CHERILEE
DENISE
OREGON
WHITLEY
SANTA FE
SOUTHERN HILLS
VALHALLA
DUSTY
MARTHA
IRON HORSE
GREENVIEW
PARKVIEW
JUDIE
BONNER
INDUSTRIAL PARK
EXIT 20A
I 820
EXIT 19
LOOP 820
EXIT 17B
EXIT 18
AUSTIN
TUMBLEWEED
EASY
TIPTOP
MINK
COFFEE
SAUCER
RAMP
SPRINGLAKE
COVENTRY PARK
MEADOW LAKES
RIDGEVIEW
SKYLARK
FAIRWAY
DOGLEG
STRAIGHTAWAY
STARLIGHT
RIVIERA
NORTHERN CROSS
KNOWLEDGE
ANDERSON
MCLEAN
GARLAND
CLAY
MURRAY
NADA
NORVELL
WOODMONT
STARLING
BISCAYNE
RIDGEMONT
CIRCLEVIEW
TAOS
TOSCA
GLENVIEW
JANE ANNE
ROYAL
SUNCREST
BONNIE WAYNE
AMMONS
MELINDA
MACK

REPLY TO
ATTENTION OF

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

August 8, 2011

Planning, Environmental, and Regulatory Division

Mr. Don Tofpi
Chairperson, Kiowa Indian Tribe of Oklahoma
Attention: Ms. Jamie Eskew
Kiowa Way Hwy 9 West
Carnegie, Oklahoma 73015

Dear Chairperson Tofpi:

The U.S. Army Corps of Engineers, Fort Worth District, in conjunction with the City of Haltom City, Texas, is notifying you of proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment completed in 2002. This project was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that changes to proposed biological mitigation are necessary. A supplemental EA is being prepared to address the changes. At this time, we would like to continue our Section 106 consultation to include this new mitigation area.

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The preferred alternative includes a riparian forest mitigation plan developed to include acquisition and dedication of approximately 49.7 acres of lands adjacent to Whites Branch, a tributary to Big Fossil Creek (Map 1). The mitigation plan includes existing riparian forest enhancement and shrubland and grassland conversion to riparian forest. The Whites Branch mitigation area provides preservation of 5,038 linear feet of stream. Mitigation will consist of hand cutting of invasive plants and hand application of herbicide as required followed by planting seedlings in shallow holes. No grading, or mechanical clearing or grubbing is planned.

The land proposed for the new mitigation was surveyed for cultural resources in early 2010 by the Texas Parks and Wildlife Department. No archaeological sites were found during this survey. Given the survey work recently completed and that our intended mitigation work will be minimally invasive and shallow, the U.S. Army Corps of Engineers, Fort Worth District has determined that no Historic Properties will be affected by the proposed mitigation. We are

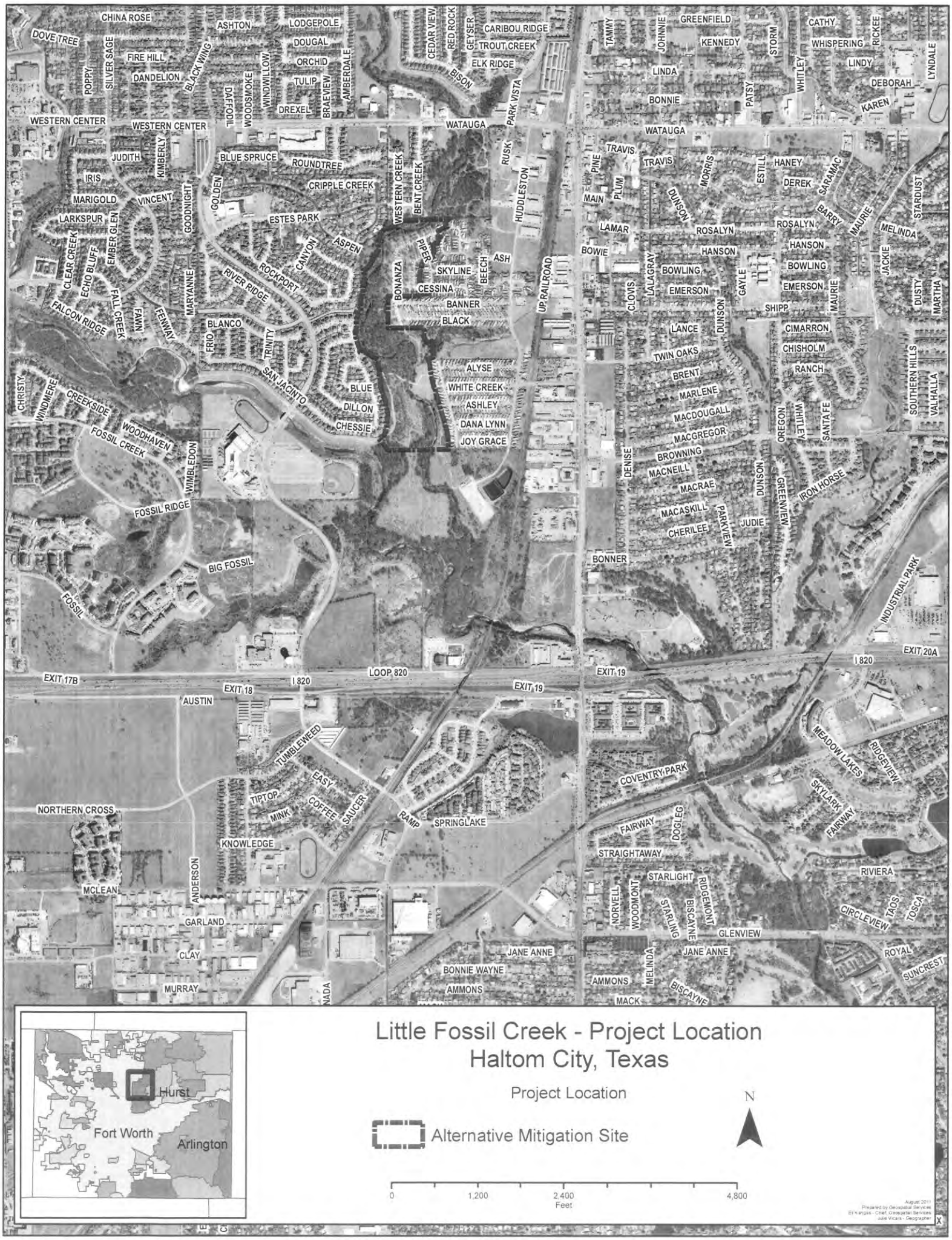
seeking concurrence for this determination with the Texas State Historic Preservation Office.

We welcome your comments on the proposed mitigation location. If you have any questions, comments or concerns, please do not hesitate to contact Ms Nancy Parrish, (817) 886-1725 or via email at nancy.a.parrish@usace.army.mil,

Sincerely,

Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

Enclosure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Haltom City, Texas
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August 2011
Prepared by Geospatial Services
Eli Kangas - Chief, Geospatial Services
Julie Vicars - Geographer
CHINA ROSE
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REPLY TO
ATTENTION OF

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

August 8, 2011

Planning, Environmental, and Regulatory Division

Ronald D. Twohatchet
Chairman, Comanche Indian Tribe of Oklahoma
584 NW Bingo Road
Lawton, Oklahoma 73502

Dear Chairman Twohatchet:

The U.S. Army Corps of Engineers, Fort Worth District, in conjunction with the City of Haltom City, Texas, is notifying you of proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment completed in 2002. This project was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that changes to proposed biological mitigation are necessary. A supplemental EA is being prepared to address the changes. At this time, we would like to continue our Section 106 consultation to include this new mitigation area.

The originally approved terrestrial mitigation plan involved the acquisition and management of 65 acres of mitigation lands located downstream of the project area. During advanced design, the proposed mitigation areas were found to have restrictive conditions that preclude the local sponsor and the Corps from acquiring and developing the area for mitigation purposes.

The preferred alternative includes a riparian forest mitigation plan developed to include acquisition and dedication of approximately 49.7 acres of lands adjacent to Whites Branch, a tributary to Big Fossil Creek (Map 1). The mitigation plan includes existing riparian forest enhancement and shrubland and grassland conversion to riparian forest. The Whites Branch mitigation area provides preservation of 5,038 linear feet of stream. Mitigation will consist of hand cutting of invasive plants and hand application of herbicide as required followed by planting seedlings in shallow holes. No grading, or mechanical clearing or grubbing is planned.

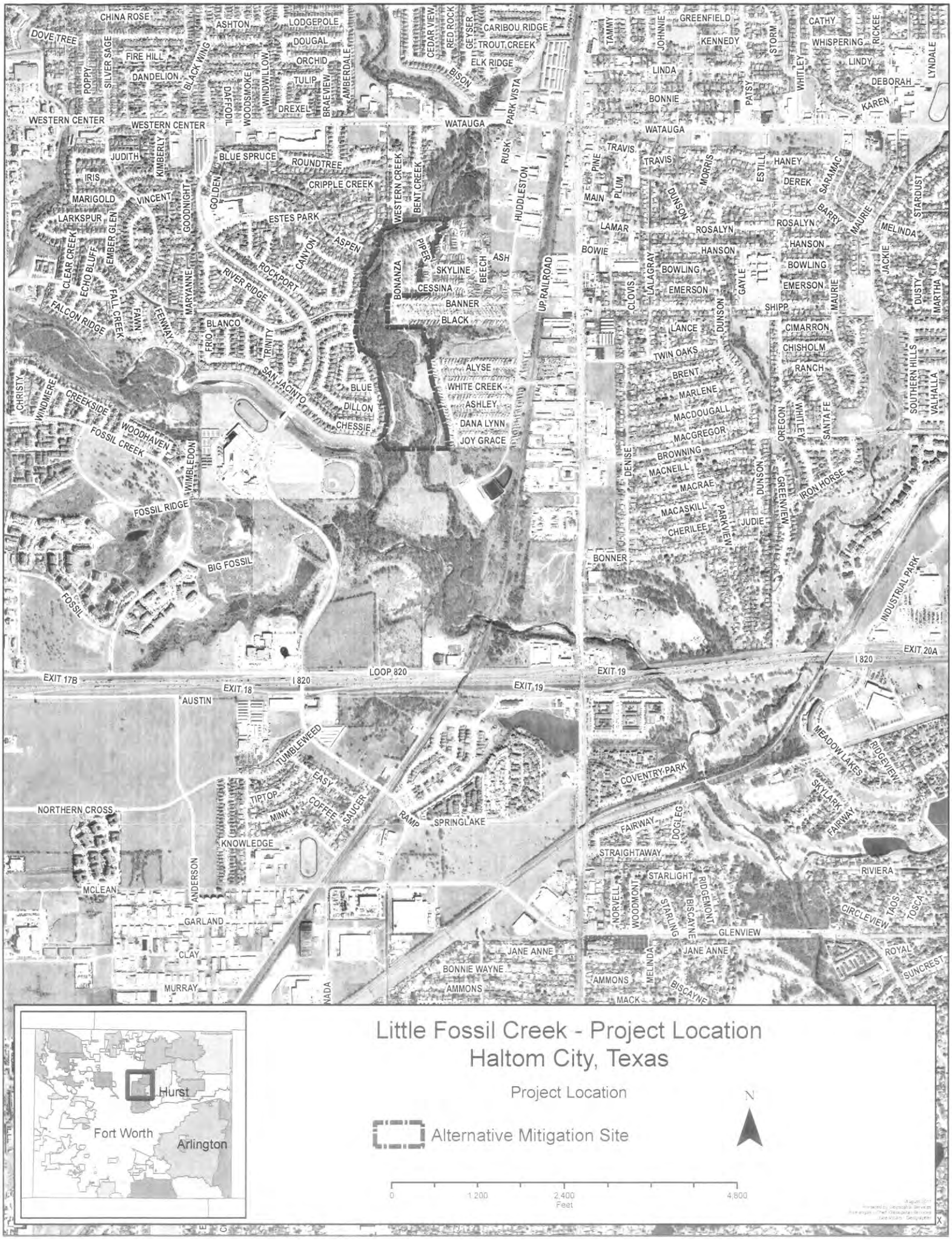
The land proposed for the new mitigation was surveyed for cultural resources in early 2010 by the Texas Parks and Wildlife Department. No archaeological sites were found during this survey. Given the survey work recently completed and that our intended mitigation work will be minimally invasive and shallow, the U.S. Army Corps of Engineers, Fort Worth District has determined that no Historic Properties will be affected by the proposed mitigation. We are seeking concurrence for this determination with the Texas State Historic Preservation Office.

We welcome your comments on the proposed mitigation location. If you have any questions, comments or concerns, please do not hesitate to contact Ms Nancy Parrish, (817) 886-1725 or via email at nancy.a.parrish@usace.army.mil,

Sincerely,

Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

Enclosure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REPLY TO
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FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

August 8, 2011

Planning, Environmental, and Regulatory Division

Ms. Brenda Shemayme Edwards
Chairperson, Caddo Indian Tribe
Attention: Mr. Robert Cast
5 miles East @ Hwy 281 & 152
Binger, Oklahoma 73009

Dear Chairperson Edwards:

The U.S. Army Corps of Engineers, Fort Worth District, in conjunction with the City of Haltom City, Texas, is notifying you of proposed mitigation plan modifications to the approved Little Fossil Creek Detailed Project Report and Environmental Assessment completed in 2002. This project was initiated under the authority of Section 205 of the Flood Control Act of 1948, as amended, to evaluate potential solutions to flooding problems associated with Little Fossil Creek within the city limits of Haltom City. Based upon modifications required during advanced project design, it was determined that changes to proposed biological mitigation are necessary. A supplemental EA is being prepared to address the changes. At this time, we would like to continue our Section 106 consultation to include this new mitigation area.

The originally approved terrestrial mitigation plan involved the acquisition and management of 65 acres of mitigation lands located downstream of the project area. During advanced design, the proposed mitigation areas were found to have restrictive conditions that preclude the local sponsor and the Corps from acquiring and developing the area for mitigation purposes.

The preferred alternative includes a riparian forest mitigation plan developed to include acquisition and dedication of approximately 49.7 acres of lands adjacent to Whites Branch, a tributary to Big Fossil Creek (Map 1). The mitigation plan includes existing riparian forest enhancement and shrubland and grassland conversion to riparian forest. The Whites Branch mitigation area provides preservation of 5,038 linear feet of stream. Mitigation will consist of hand cutting of invasive plants and hand application of herbicide as required followed by planting seedlings in shallow holes. No grading, or mechanical clearing or grubbing is planned.

The land proposed for the new mitigation was surveyed for cultural resources in early 2010 by the Texas Parks and Wildlife Department. No archaeological sites were found during this survey. Given the survey work recently completed and that our intended mitigation work will be minimally invasive and shallow, the U.S. Army Corps of Engineers, Fort Worth District has determined that no Historic Properties will be affected by the proposed mitigation. We are

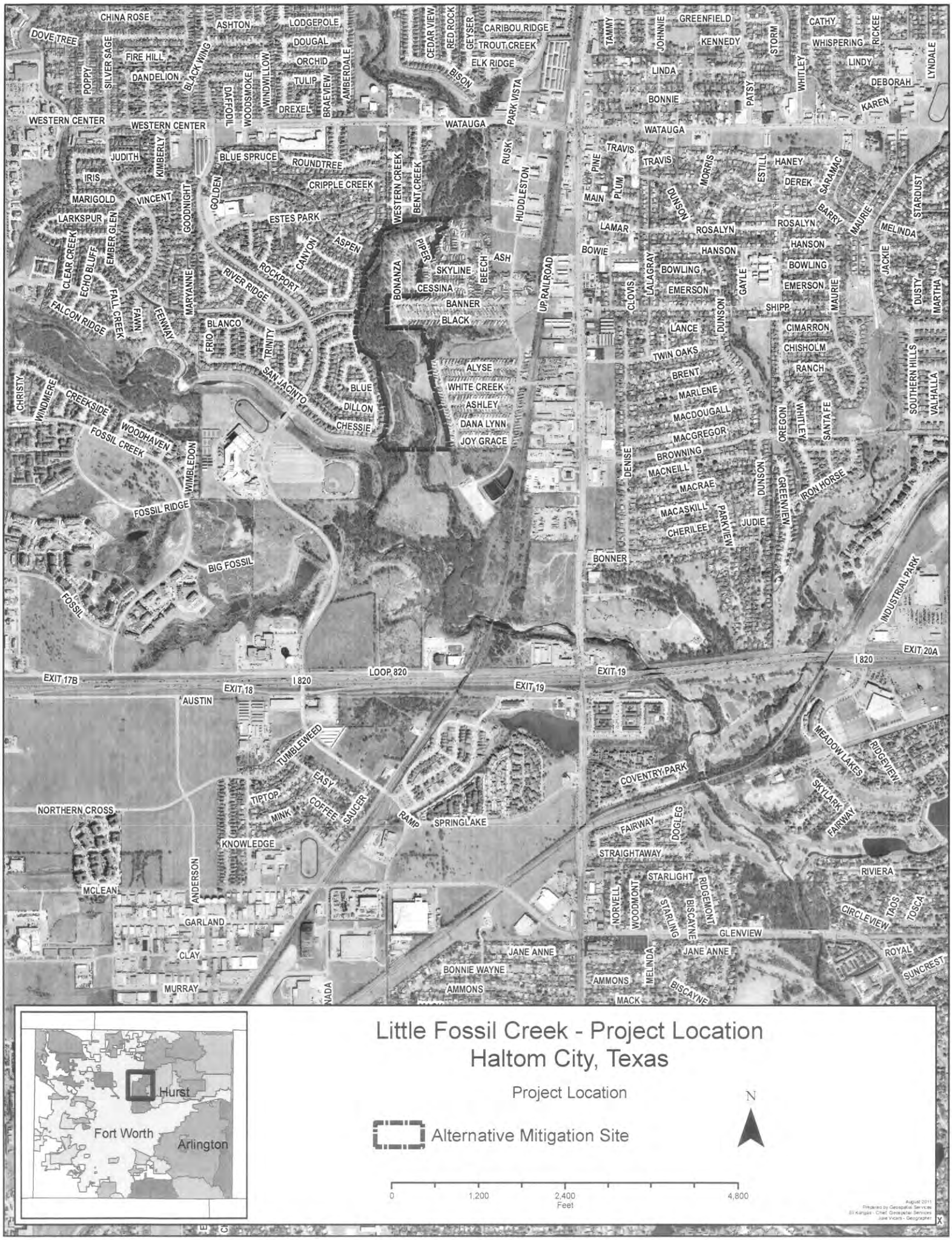
seeking concurrence for this determination with the Texas State Historic Preservation Office.

We welcome your comments on the proposed mitigation location. If you have any questions, comments or concerns, please do not hesitate to contact Ms Nancy Parrish, (817) 886-1725 or via email at nancy.a.parrish@usace.army.mil,

Sincerely,

Rob Newman
Acting Chief, Planning, Environmental, and
Regulatory Division

Enclosure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P. O. BOX 17300
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August 8, 2011

Planning, Environmental, and Regulatory Division

Mr. Stratford Williams
President, Wichita Tribe
Wichita Executive Committee
1 1/2 Mile North on Hwy 281,
Anadarko, Oklahoma 73 005

Dear President Williams:

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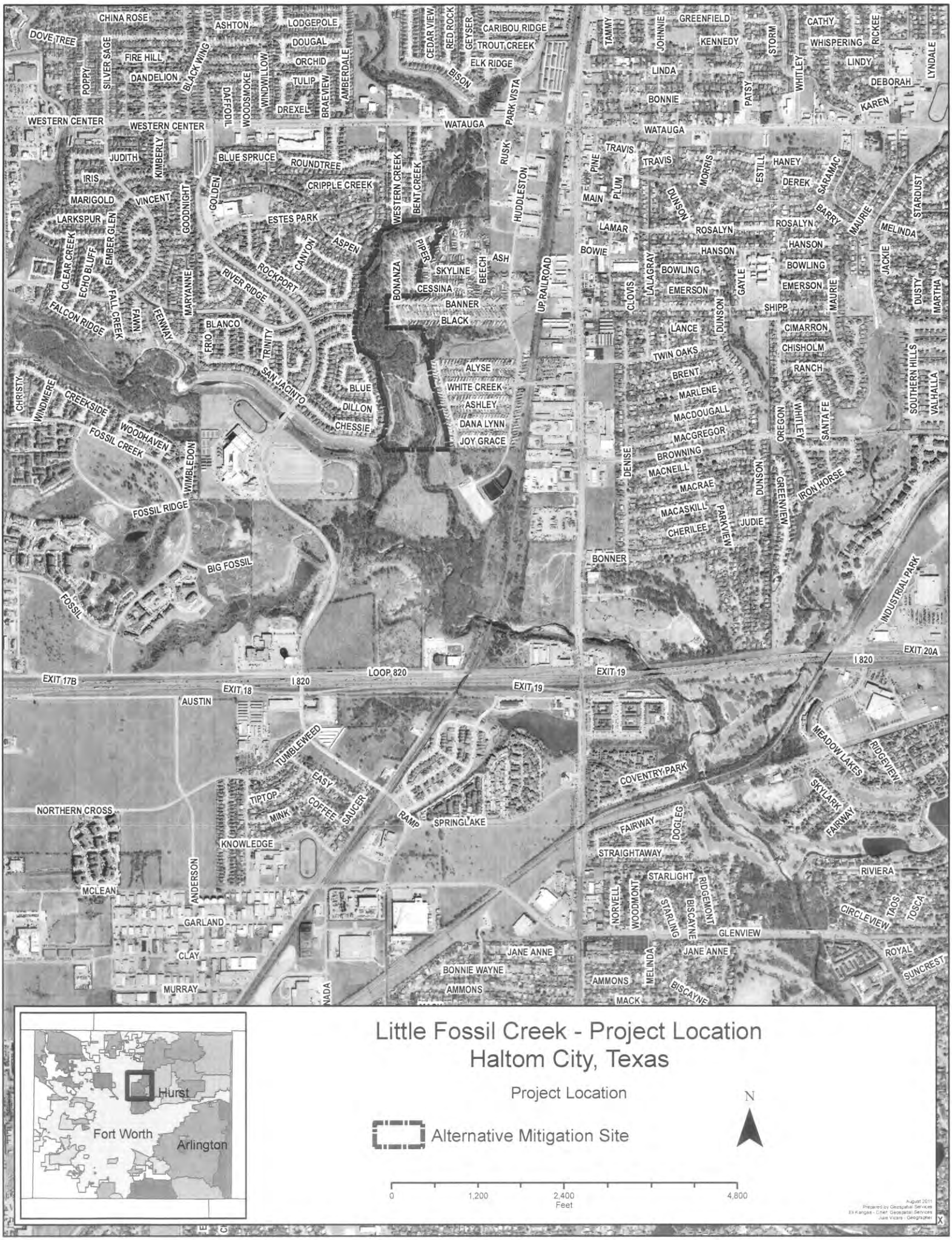
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