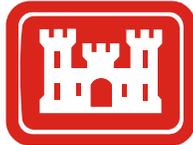


**ENVIRONMENTAL ASSESSMENT
HIDDEN COVE PARK/MARINA
LEWISVILLE LAKE, DENTON COUNTY, TEXAS**



**U.S. Army Corps of Engineers
Fort Worth District**

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1.0 INTRODUCTION

The purpose of this Environmental Assessment (EA) is to identify environmental affects of changes to the Lewisville Lake Programmatic Environmental Assessment (PEA) since 1999, which could affect the assessment determination, and to update outdated sections of the original PEA dated August 1999 related to this project (USACE 1999a). As such, most of the background information is incorporated by reference only. The original PEA and signed Finding of No Significant Impact (FONSI) can be found at the Fort Worth District office of the U.S. Army Corps of Engineers (USACE) (USACE 1999a) and on the Fort Worth District website at www.swf.usace.army.mil. The proposed changes if adopted will be addressed in a supplement to the Lewisville Lake Master Plan.

This EA discloses the environmental impacts associated with the proposed action to modify the development of recreational facilities in Hidden Cove Park from the development plans described in the PEA. The proposed vessel allocations in Hidden Cove Park would be achieved through construction of 350 wet slips. The physical location of the proposed marina would be moved from the southwestern shore of Hidden Cove Park to the southeastern shore of Hidden Cove Park. Other major modifications proposed include increasing the size and scope of the lodge/hotel conference center from 75 rooms to 250 rooms and increasing the dry storage area for boats and recreational vehicles from 60 open spaces to 248 covered spaces and 300 open spaces. The City of The Colony leases Hidden Cove Park from the USACE and believes the proposed changes are needed to place the proposed marina in a more protected (less wind exposure and fewer stumps) and economically viable location (*see Appendix A, Exhibits 1-3 for location maps*). The Colony also believes that current market trends indicate that the hotel/lodge/convention facility must be increased to 250 rooms in order to attract larger conventions.

We have included all aspects of the proposed project, including those approved in the PEA, to provide the reader with an overall perspective of the potential effects on the environment. Lewisville Lake is located in the southern portion of Denton County in north central Texas and is within the Trinity River Basin along the Elm Fork of the Trinity River (USACE 1999a).

1.1 Purpose and Need for the Project

The purpose of the Hidden Cove project is to provide additional recreational facilities and more efficient access to Lewisville Lake. Hidden Cove Park, originally named Hackberry Park, was operated directly by the USACE for approximately 25 years until the park was renovated in a cost sharing effort between the USACE and Texas Parks & Wildlife Department (TPWD) in the early 1980's. After renovation, the park was leased to TPWD and was known as Lewisville Lake State Park. TPWD operated the park until 1995, when, through a series of management efficiency decisions within TPWD, the park was returned to USACE who subsequently leased the park to The Colony beginning in 1995. Since that time, The Colony has endeavored to operate the park as a traditional lakeside park offering camping, boating and day use activities. In order to expand recreational opportunities The Colony subleased the majority of Hidden Cove Park to a commercial operator with the intention of expanding the scope and variety of lakeside recreation opportunities available to the public. The Greater Dallas Chamber estimates that the Dallas-Fort Worth (DFW) population will grow by 2.7 million people by the 2030 census (Greater Dallas Chamber, 2006). This

population growth in the DFW metropolitan area has increased the need for additional recreational facilities at the lake. The proposed project will satisfy the need for these additional facilities. Furthermore, the proposed project will increase employment opportunities and bring revenues to the local municipalities that would not occur without a development of this kind.

This EA addresses additional environmental impacts not covered in the original PEA and addresses the relocation of the marina site within Hidden Cove Park to a more preferable location on the southeast shore of the park. This southeastern location is preferable because it would locate the marina in a more protected inlet and would subject marina structures, boats, and boat operators to less wave activity. The proposed location would also result in fewer disturbances to previously undistributed land, given that the new proposed location already contains park facilities and is in the vicinity of an existing boat ramp for more efficient access to Lewisville Lake from the park. The southwestern shore of the park experiences higher wave activity associated with higher fetch across the southwest portion of Lewisville Lake. This EA also addresses additional features that have been added to the Hidden Code project since the original PEA in 1999, which need to be covered in this EA.

1.2 Project Authorization

In 1994, the Town of Little Elm and the City of The Colony were interested in constructing two new marinas on Lewisville Lake. The USACE District Engineer granted a 5-year moratorium to allow existing marinas to expand to meet demand. Near the end of the moratorium, the USACE partnered with the North Central Texas Council of Governments (NCTCOG) and initiated an effort to facilitate a comprehensive Lake Use Study. The Lake Use Study consisted of two phases, a Water-Related Recreation Use Study (WRRUS) and a lake-wide PEA (USACE 1998). The WRRUS was completed in December 1998. The PEA was conducted in accordance with the National Environmental Policy Act (NEPA) of 1969 and pertinent implementing regulations. An Environmental Assessment for the Water-Related Recreation Development for Lake Lewisville was completed in December 2000. This Environmental Assessment supplemented the analysis in the original PEA in regards to the water-related development at Lake Lewisville (USACE 2000). The FONSI for the Environmental Assessment for the Water-Related Recreation Development for Lake Lewisville was signed in December 2000 and can be found at the Fort Worth District office of the USACE (USACE 2000) and on the Fort Worth District website at www.swf.usace.army.mil.

1.3 Actions since the Last Environmental Assessment

The FONSI for the development actions around Lewisville Lake was signed in September 1999 (USACE 1999a). Since then no impact actions have occurred related to the proposed Hidden Cove Marina. One other marina (Cottonwood Marina) has been constructed since the FONSI was signed in 1999. Small expansions to other marinas around the lake have also occurred since the FONSI was signed, but these expansions were in accordance with the PEA and no EA was needed.

2.0 PROPOSED ACTION AND ALTERNATIVES

There are essentially three alternatives. The No Modification Alternative would leave the marina in the location and configuration proposed in the 1999 PEA (USACE 1999a). The Proposed Action would relocate the marina, expand its capacity, and add additional features. The No Action Alternative would result in no marina being constructed.

2.1 No Modification Alternative

This alternative would maintain the originally proposed location of the marina and original activities list of recreational facilities on the southwest shore of Hidden Cove Park.

The following activities were described in the 1999 PEA and Resources Document for the 1999 PEA (USACE 1999b). In terms of the proposed project, the only activities implemented to date have been the construction of 28 uncovered RV and Boat Dry Storage units.

- 1) Marina
 - a) 350 wet slips
- 2) Boat Repair Facility
- 3) Boat Ramp
 - a) 3 lanes
- 4) Parking Lot
 - a) 75 units
- 5) Courtesy Dock
 - a) 2 docks
- 6) RV and Boat Dry Storage
 - a) 60 units
- 7) Swim Beach
 - a) 2 beaches
- 8) Bicycle Trail
- 9) Fishing Pier
 - a) 3 piers
- 10) Basketball Court
 - a) 2 courts
- 11) Sand Volleyball Courts
 - a) 3 courts
- 12) Gazebo
- 13) Group Camp Facilities
- 14) Lift Station
 - a) 2 lift stations
- 15) Lodge
 - a) 75 rooms
 - b) 2 conference center / banquet rooms

- 16) Cabins
 - a) 25 units
- 17) Paddleboat / Canoe Rental Area
- 18) Kiddie Wading Pool
- 19) Concession Expansion
- 20) Tent Camping Sites
 - a) 25 units
- 21) Wastewater expansion
- 22) Water well
- 23) Environmental Bathroom
- 24) Rustic Lodge
- 25) RV Camp Sites
 - a) 20 units

2.2 Proposed Action

The proposed action would move the location of a proposed marina from the southwest shore of Hidden Cove Park to the southeast shore of the park (*see Appendix A, Exhibits 2 and 3*). In addition to the original activities listed above, several other features have been added to the proposed action. The following activities were not described in the 1999 PEA or the Resources Document for the 1999 PEA, and are *additions* to the 1999 activities list:

- 1) Marina
 - a) Ship store with fuel sales
 - b) 13 courtesy slips
 - c) Dockside restaurant
- 2) Dry Boat Storage
 - a) 248 dry (covered) storage spaces (empty boat trailers, RVs, and motor homes to serve campsites and day-use fishermen)
 - b) 300 dry (uncovered) storage spaces (empty boat trailers for tenants with wet slips or dry stack)
- 3) Lodge / Hotel
 - a) 175 rooms
 - b) Pool facility
 - c) Restaurant facility
- 4) RV Camp Sites
 - a) 30 units
- 5) Group Bunkhouse (Rustic Lodge)
 - a) 6 units
- 6) Parking Lot (will serve marina proper – no expansion of boat ramp parking)
 - a) 300 units
- 7) Mechanical Dredging of Substrate Below Marina

Removal of Approximately 50,000 cubic yards of accumulated sediment to attain the suggested boat basin depth per the USACE guidelines.

Additionally, the recreational facilities listed in the previous section have been added to enhance the activities available in this portion of Lewisville Lake (*Appendix A, Exhibit 4*). This is the preferred alternative because:

- It will locate the marina in the same vicinity of an existing park for more efficient access to Lewisville Lake from the park.
- It will result in a less disturbance to previously undistributed land, given that the proposed location already contains park facilities and is regulatory mowed.
- It will locate the marina in a more sheltered location to prevent damage to marina structures, boats and boat operators from wave activity that is more prevalent on the southwest shore of the park.

The proposed action would involve a phased construction sequence. **Table 1** shows the key project elements and denotes which phase each element would occur in. Essentially, the first phase (Phase 1A) would involve the marina proper, including floating marina structure with restaurant, gas dock, ship store. Future phases would include enhancements to the storage facilities, lodging, and associated on-site amenities as indicated in **Table 1**. Phase 1A would begin immediately upon approval of the project by the USACE. Subsequent phases are estimated to be completed within three years. However, the ultimate schedule (subsequent to Phase 1A) is dependent on economic conditions.

Table 1. Proposed Action Elements and Project Phasing

Project Element	Quantity	Phase
Marina (Boat Slips)	350 Wet Slips	1A
Boat Repair Facility	1 Facility	2
Boat Ramp	3 Lanes	Existing
Parking Lot	375 Units	1A
RV and Boat Dry Storage	248 Covered/300 Uncovered	1B
Swim Beach	2 Beaches	2
Bicycle Trail	1 Trail	2
Fishing Pier	1 Pier	2
Basketball Court	2 Courts	2
Sand Volleyball Courts	2 Courts	2
Gazebo	1 Gazebo	2
Lift Station	1 Lift Station	2
Lodge/Hotel	250 Rooms	2
Cabins	25 Cabins	1B
Paddleboat / Canoe Rental Area	1 Area	2
Kiddie Wading Pool	1 Pool	2
Concession Expansion	1 Expansion	2
Tent Camping Sites	25 Sites	Existing
Wastewater expansion	1 Expansion	1B
Water well	1 Water Well	Existing
Environmental Bathroom	1 Bathroom	Existing
Bunkhouse (Rustic Lodge)	6 Bunkhouses	1C
RV Camp Sites	50 Sites	1B

2.3 No Action Alternative

The “No Action” alternative would involve no additional development within Hidden Cove Park. This is not the preferred action because:

- It will discourage socioeconomic development in the area, which would likely occur if the marina and additional recreational facilities were constructed.
- It will not allow for additional amenities associated with the construction of the marina and additional recreational facilities for local residents use.
- It will not allow for increased recreational opportunities associated with the construction of the marina and additional recreational facilities for local residents.

3.0 EXISTING ENVIRONMENT

Hidden Cove Park is located on the eastern shore of Lewisville Lake in the City of The Colony, Texas (**Appendix A, Exhibit 1**). Lewisville Lake is located in the southern portion of Denton County in north central Texas and is within the Trinity River Basin along the Elm Fork of the Trinity River (USACE 1999a). Hidden Cove Park is approximately 720 acres.

Approximately 30,000 acres of land surrounding Lewisville Lake are under the jurisdiction of the USACE (USACE 2006). A description of land use types and the overall land use allocation/classification system is provided in the 1999 PEA. The land within Hidden Cove Park was designated for intensive recreation uses and has not changed since 1999. The proposed marina fits within the intensive recreation designation.

The existing Hidden Cove Park consists of the following elements:

- 1) **Boat Launch Ramp**
 - a) 3-lane boat ramp
 - b) Parking lot (146 units)
 - c) Courtesy dock (1)
- 2) **Parks –Amenities in Existing Recreational Areas**
 - a) Swim beach
 - b) Bicycle trail (3.0 miles)
 - c) Sand volleyball courts (3)
 - d) Baseball field (1)
 - e) Playground (3)
- 3) **RV and Tent Camping**
 - a) RV camping sites (50)
 - b) Designated tent camping sites (10)
 - i) Non-designated tent camping sites (50)
- 4) **Habitable Structures**
 - a) 9' x 15, Shelters (38)
 - b) 27' x 15' Pavilions (3)
 - c) 2,000 ft² Conference center (1)
- 5) **Dry Boat and RV Storage**

- a) Open dry storage (28 units)
- 6) **Miscellaneous**
 - a) Park Entrance/Headquarters building (1)
 - b) Concession/boat rental building (1)
 - c) Water tower (1)
 - d) Waste water treatment facility (1)
 - e) On-site residences (2)
 - f) Maintenance yard (1)

3.1 Physical Resources

A description of the topography and soils is provided in the 1999 PEA. The topography and soils have not changed significantly since 1999 (**Appendix A, Exhibit 5**).

3.2 Water Quality

A description of the surface water quality and the impacts of the original activities list were discussed in the 1999 PEA.

A description of groundwater resources was discussed in the 1999 PEA.

3.3 Aquatic Resources

A description of the aquatic resources in Lewisville Lake was discussed in the 1999 PEA. The water class condition at the proposed site is listed as medium/open according to the PEA. The littoral zone in the project area is limited due to activities associated with the swimming area at the site. Limited aquatic vegetation and nursery habitat was observed at the site that would be conducive to spawning and rearing of aquatic organisms as well as provide food for waterfowl and utilization from near-shore birds.

Lewisville Lake was the only jurisdictional water observed on-site. The normal pool elevation for the lake is 522 msl and is approximated by the ordinary high water mark (OHWM) (USACE 1999a).

A bathymetric survey for the proposed location of the marina was conducted in fall 2005. The underwater elevations are illustrated in **Appendix A, Exhibit 6**.

3.4 Wetlands

A jurisdictional wetland determination for the project site was not conducted for the 1999 PEA (USACE 1999a). Site visits were conducted on August 30 and September 23, 2005 to evaluate the limits of jurisdictional wetlands on-site (**Appendix B**). No jurisdictional wetlands, according to the USACE 1987 manual, were observed in the project area (USACE 1987). Jurisdictional waters on-site would include Lewisville Lake.

3.5 Floodplains

Floodplain management around Lewisville Lake is discussed in the 1999 PEA. The USACE requires that there be no net loss of flood storage at Lewisville Lake. Therefore, any fill placed within the 100-year floodplain as a result of project construction must be mitigated with excavation in another area of the floodplain with disposal above flood pool elevation of 537 msl in an area approved by the USACE (*Appendix A, Exhibit 7*).

3.6 Air quality

Air quality is regulated nationally by the EPA. The EPA delegates authority to the Texas Commission on Environmental Quality (TCEQ) for monitoring and enforcing air quality regulations in Texas. The air quality status of Denton County is discussed in the 1999 PEA.

3.7 Noise

Noise sources and existing exterior ambient noise measurements were provided in the 1999 PEA.

3.8 Vegetation

A description of the vegetation communities around Lewisville Lake is provided in the 1999 PEA. The current area is a moderately to highly developed park with areas of native grass and stands of medium to large native trees. Much of the park is manicured with limited mid-story and under-story communities.

3.9 Wildlife

A description of wildlife in the Lewisville Lake area is provided in the 1999 PEA. Much of the wildlife in the vicinity of the project area are those species commonly associated with 'park-like' habitats or those habitats regularly utilized and impacted by human activities associated with recreation such as camping, picnicking, ect.

3.10 Threatened and Endangered Species

A discussion of threatened and endangered species in the Lewisville Lake area is included in the 1999 PEA.

3.11 Cultural Resources

A cultural resources survey of the property is currently being conducted, the results of which will be provided to the USACE under separate cover when available.

3.12 Socioeconomic Conditions

Lewisville Lake is located in southeastern Denton County and serves as a water supply, flood control and recreational resource for the DFW metropolitan area. The socio-economic resources of Lewisville Lake are described in more detail in the 1999 PEA.

3.13 Recreation

Recreational opportunities around Lewisville Lake include numerous water-related activities, nature-focused activities, and team sports. Additional details are provided in the 1999 PEA.

3.14 Potential Hazardous, Toxic and Radioactive Waste Concerns

A description of the hazardous, toxic and radioactive waste assessment is provided in the 1999 PEA.

3.15 Aesthetics

While there are no Federal policies regarding aesthetics, it is USACE policy to establish architectural themes for facilities on project lands so that they blend with the existing views to the extent practicable. Any facilities or structures proposed to be located within the Lewisville Lake project area are required to blend in like manner with existing structures or in compliance with Lake/Park architectural themes. The existing views in the lake vicinity are described in the 1999 PEA.

4.0 IMPACTS

4.1 Physical Resources

No Modification Alternative: According to the 1999 PEA, minor impacts to topography and soils are expected from the No Modification Alternative (USACE 1999a). Likewise, the 1999 PEA predicted no impacts to farmlands as a result of the No Modification Alternative.

Proposed Action: The proposed marina and attendant features would be situated on the 408-acre portion of Hidden Cove Park subleased from The Colony by a marina operator. The total development area encompassed by the proposed project includes 71 acres, most of which has been impacted by past park developments (i.e., Texas Parks and Wildlife and USACE). The site topography will be changed insofar as level pad sites are needed for construction of buildings and related facilities. Similarly, soils will only be altered to the extent necessary for grading and construction. Deep soil disturbance is not expected as a result of the proposed project. Proposed dredging at the marina location would involve removal of accumulated sediments and minor excavation resulting in changes to the topography below the normal pool elevation. Changes in topography would not result in any net decrease in flood storage (i.e., below the 537' elevation).

No Action Alternative: The No Action Alternative would result in no impacts to physical resources (i.e., over the baseline).

4.2 Water Quality

No Modification Alternative: According to the 1999 PEA, the No Modification Alternative would result in short-term adverse impacts to water quality during the construction phase due to sediment. Soil erosion and runoff of pollutants from parking areas were identified as the primary impacts from operation of the proposed marina (USACE 1999a).

Proposed Action: The PEA concluded that there was a potential for temporary adverse impacts on surface water quality associated with construction, and caused by erosion, sedimentation, and siltation. These impacts were considered short-term in nature.

The recommended plan includes construction of a larger marina structure than originally proposed, as well as dredging activities to remove approximately 50,000 cubic yards of accumulated sediment to attain the suggested depth per USACE guidelines. The floating marina structure would impact approximately 9.98 acres and the total area to be dredged includes approximately 6.90 acres (**Appendix B**). The mechanical dredging will consist of one-step removal by the use of temporary mats that will be placed on the ground below the OHWM. Track-hoes will then walk out on the mats and remove material directly to dump trucks. The proposed dredging will be completed during summer months when lake levels are the lowest. The dredge material will then be trucked directly to uplands in contained areas, resulting in no regulated discharge of dredge or fill material. Sediment will be disposed of in upland areas to be used for construction purposes or be transported to an upland site off of the project site and will not result in fill of any waters of the U.S. If lake levels at the project site increase to a point during the proposed dredge where the use of temporary mats below the OHWM is not feasible, modification of the one-step removal process will be necessary. In this event, the track-hoes would be placed on floating barges and material would be excavated from the lake onto the barge, the material would be transported to the shore on the barge and then loaded into dump trucks via track-hoe (**Appendix B**).

Since a one-step removal process is being proposed for the dredging activities and no regulated discharge of dredge or fill material into waters of U.S. is foreseen, no Section 404 (Clean Water Act) permit appears to be necessary for the proposed project. Incidental fallback would occur as a result of the proposed dredging and this would have a localized effect on water quality (i.e., turbidity due to suspended sediments). Return water from dredged materials will be controlled using best management practices (BMPs), such as earthen berms, in the staging area. The material will then be used on-site in uplands for construction purposes or trucked off-site to uplands. It will not be used as fill in waters of the U.S.

BMPs will be utilized during construction of the walkways to the proposed marina in order to prevent discharge of dredge or fill material into waters of the U.S. (i.e., Lake Lewisville). These BMPs would likely include a combination of the following: sediment socks, sediment fences, hay bales, vegetative buffer strips, temporary seeding, or sodding. These BMPs would prevent discharges of dredge or fill material into waters of the U.S. and would reduce the impact of sediments being transported into the lake from disturbed areas during rainfall events (**Appendix A, Exhibit 8**).

The proposed fuel dock could result in impacts to water quality through spills of fuel. It is likely that some fuel will drip into the water at the fuel dock. This would result in reduced water quality in the vicinity of the dock. However, the fuel dock would have specific safeguards in place to prevent large spills. These safeguards would include small spill kits and a phone for emergencies. In the event of a spill of fuel (i.e., more significant than typical dripping), a spill response plan would be implemented to contain and clean-up the spill using small, absorbent booms. In the event of an actual emergency relating to a fuel spill, the phone would be available to call local fire/emergency responders (i.e., 911).

Landscape maintenance at the marina could also result in localized effects to water quality, in the form of pesticide/herbicide use and runoff into the lake. Impacts to groundwater are considered unlikely due to the fact that no deep disturbance is anticipated as part of the proposed project.

No change in impacts to groundwater as discussed in the 1999 PEA is expected as a result of the proposed plan.

Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code require construction projects involving ground disturbing activities greater than one acre to develop and implement a Storm Water Pollution Prevention Plan (SWP3). The SWP3 shall include both narrative and drawings. The SWP3 narrative shall describe at least the following: description of project and construction activities, potential pollutants and sources, pollution control measures (both structural and non-structural), best management practices, schedule or sequence of major construction activities, temporary and permanent stabilization methods at disturbed areas, requirements for notifications (i.e. NOI, NOT, MS4). The SWP3 drawings shall include project location vicinity map, site including drainage patterns, approximate slopes anticipated at the finished site, limits of clearing and grubbing, areas of soil disturbance, contractor staging, borrow and spoil material areas, excavated material storage area, and areas not to be disturbed, site drainage features (existing or new wetlands and drainage swales), surface water flow direction, locations and types of structural and non-structural storm water control devices, areas to receive stabilization practices, legend and site direction indicating north arrow, and construction detail drawing of each structural control device.

No Action Alternative: The No Action Alternative would result in no additional impacts to water quality (i.e., over the baseline condition).

4.3 Aquatic Resources

No Modification Alternative: The No Modification Alternative would result in temporary adverse impacts during the construction phase, including displacement of aquatic organisms and disturbance of habitat (USACE 1999a).

Proposed Action: The PEA concluded that the construction of water surface and subsurface projects (e.g., wet slips, boat ramps, courtesy docks, floating structures, etc.) would result in temporary adverse impacts during the construction phase of the projects, but was anticipated that these impacts would be short-term in nature (USACE 1999a). The recommended plan includes construction of a larger marina structure than originally approved and would result in temporary adverse impacts during the construction phase of the project. These temporary impacts would include increased turbidity in the vicinity of the dredge and displacement of aquatic organisms during the dredging and construction process. Dredging will provide deeper water near-shore that will increase ecological diversity (e.g. fish habitat in the immediate marina area). Floating boat slips will provide structure and shade for bait and game fish. Impacts from dredging would impact on already limited littoral zone. Observed aquatic near shore habitat is limited to due to the site being used as a swimming area. It is anticipated that any displaced aquatic resources would return and reestablish after

project construction was complete. It is not anticipated that operation of these facilities would result in significant long-term impacts. The area of temporary impacts associated with mechanical dredge and construction of the marina structure would encompass 9.98 acres of medium/open water (water class condition according to the PEA).

No Action Alternative: The No Action Alternative would result in no impacts to aquatic resources (i.e., over the baseline condition).

4.4 Wetlands

No Modification Alternative: According to the PEA, the No Modification Alternative would potentially result in impacts to wetlands in the lake and on the shore of lake Lewisville (USACE 1999a). It should be noted that the PEA also stated that site-specific surveys (i.e., delineation-jurisdictional determination) would be needed to determine if wetlands were present at the location/time that impacts would occur.

Proposed Action Alternative: No jurisdictional wetlands, according to the USACE 1987 Manual, were observed in the project area (USACE 1987) (**Appendix B**). The only water of the U.S. in the project area is Lake Lewisville. No impacts to any waters of the U.S. are expected, other than the impacts described above to the lake. These impacts would consist of turbidity, etc., associated with one-step removal dredging, which would not be subject to Section 404 regulations.

No Action Alternative: the No Action Alternative would not result in any impacts to wetlands as no development or construction would take place.

4.5 Floodplains

No Modification Alternative: According to the PEA, the No Modification Alternative would not result in any significant adverse impacts to floodplains (i.e., storage or conveyance) since this is strictly regulated by FEMA and the USACE to ensure that any fills in the floodplain are mitigated through excavation (USACE 1999a).

Proposed Action Alternative: No fill below the 522' msl will occur with the proposed action. Any fill between the 537' msl and the 522 msl will be balanced on-site with cut and fill activities. No net loss of flood storage at Lewisville Lake would occur under the proposed action.

No Action Alternative: No impacts to floodplains would result from the No Action Alternative.

4.6 Air Quality

No Modification Alternative: The No Modification Alternative would not result in significant or substantial air emissions sources increases on a regional basis, since lake users were assumed to visit the lake via other facilities whether the proposed marina was constructed or not. Localized effects at the marina location from concentrated automobiles and boats would be expected (USACE 1999a).

Proposed Action Alternative: Impacts to air quality would be primarily related to boat motor and automobile emissions associated with the marina facility. Implementation of proposed action would not likely involve additional air pollution emission sources from

those analyzed in the PEA, since the proposed project would only allocate slips from another marina in the same zone as the proposed project (USACE 1999a). Although increased vehicle and boat traffic in the immediate area would likely occur, the proposed project will not increase the number of boat-slips on the lake above the numbers already analyzed in the PEA. Since the overall traffic to and on the lake is not expected to increase (i.e., rather a redistribution is expected), no significant cumulative impact to air quality is expected as a result of the proposed project.

No Action Alternative: No impacts to air quality (over the baseline condition) would be expected as a result of the no action alternative.

4.7 Noise

No Modification Alternative: Increased levels of noise in the vicinity of the marina would be expected under the No Modification Alternative, although no significant impacts were expected (USACE 1999a).

Proposed Action Alternative: Noise impacts from the proposed project would be primarily related to automobile and boat motor noise at the marina. The PEA did not anticipate that the proposed project would result in significant noise impacts. Attendance numbers for Hidden Cove Park are located in **Appendix E**.

No Action Alternative: Under the No Action Alternative, no additional noise impacts (i.e., over the baseline trend or condition) would be expected.

4.8 Vegetation

No Modification Alternative: Under the No Modification Alternative, impacts to vegetation would include temporary and permanent disturbance from construction (USACE 1999a). The No Modification Location would be expected to have greater impacts on vegetation than the Proposed Action since the location is completely undisturbed.

Proposed Action Alternative: Due to the nature of the recommend plan, some of the actions involve impacts to previously undisturbed vegetation. The recommended plan involves fewer impacts that the plan approved in the PEA to previously undisturbed vegetation by locating a larger number of project activities in currently maintained park areas on the southeast shore of the park. Due to periodic maintenance (such as regular mowing intervals) and previous disturbance of the natural mid-story and understory, impacts to vegetation by the majority of the activities proposed in the 1999 PEA were not considered significant. The increased impact to developed maintained areas is considered minimal and impacts to vegetation as a result of the recommended plan are not considered significant (**Appendix A, Exhibit 9**).

Table 2: indicates the area of impacts and required mitigation associated with construction of the recommended plan.

Vegetation Type	Area of Impacts (Acres)	Mitigation Ratio	Condition	Associated Elevation	Required Mitigation Area ³
Grassland	2.30	1:1	Poor ¹	535.2 to 537	2.30
Grassland	0.25	1:1	Poor ¹	522 to 528	0.25
Grassland	1.68	4:1	Poor ¹	535.2 to 537	6.72
Grassland	0.06	1:1	Poor ¹	522 to 528	0.06

Grassland	0.11	1:1	Poor ¹	522 to 528	0.11
Savannah	2.87	5:1	Good	535.2 to 537	14.35
Savannah	2.74	5:1	Good	535.2 to 537	13.70
Savannah	1.44	3:1	Good	528 to 530.8	4.32
Woodland	3.98	5:1	Good	535.2 to 537	19.90
Woodland	1.82	4:1	Good	530.8 to 535.2	7.28
Wooded Park	0.98	2:1	Poor ²	528 to 530.8	1.96
Totals	18.23	--	--	--	70.95
¹ These grassland areas were maintained (regularly mowed) monocultures of mainly non-native species and were calculated at the lowest ratio available. ² These wooded park areas were calculated as poor woodlands since they are regularly maintained and are mainly invasive species. ³ In accordance with mitigation calculation process outlined in 1999 PEA.					

No Action Alternative: The No Action Alternative would not result in impacts to vegetation communities.

4.9 Wildlife

No Modification Alternative: The No Modification Alternative would be expected to result in somewhat similar impacts to the Proposed Action Alternative described below. However, since the vegetation communities (i.e., habitat) in the No Modification Location are undisturbed, impacts to wildlife could be slightly greater under this alternative.

Proposed Action Alternative: Although increased activity in the park may result in displacement of wildlife, this effect is expected to be minor given that the project area is already in use as a park/boat ramp with regular use by people with automobiles and boats. Temporary displacement of birds and small mammals would be offset by proposed mitigation and existing nearby habitats.

No Action Alternative: The No Action Alternative would not result in impacts to wildlife (i.e., above the baseline condition/trend).

4.10 Threatened and Endangered Species

No Modification Alternative: Since the available habitats at the No Modification location are virtually identical to the Proposed Action location, the No Modification Alternative would not be expected to result in any impacts to listed species (USACE 1999a). See following species-specific discussion for the Proposed Action Alternative.

Proposed Action Alternative: The interior least tern's (*Sterna antillarum*) traditional nesting habitat includes, but is not limited to, bare or sparsely vegetated salt flats, broad sandbars, and barren shores along river and lakes. Non-traditional nesting habitats include sand and gravel pits, dredge islands, dirt roads, and gravel rooftops. The breeding and nesting season for the interior least tern is from April to August. Potential habitat on the site would include dried portions of the lake that could be suitable for nesting and/or loafing during feeding activities. If endangered species were observed prior to or during construction, activities would immediately cease and the USACE and U.S. Fish and Wildlife Service (USFWS) would be notified in accordance with Endangered Species Act. Given these measures, this project is not expected to impact any listed species.

No Action Alternative: The No Action Alternative would not result in impacts to threatened or endangered species.

4.11 Cultural Resources

No Modification Alternative: Although no impacts to cultural resources are expected from the No Modification Alternative, the No Modification location has not had a full archeological survey above the 532' elevation contour. If this alternative were selected, a survey would be conducted and the Corps/ State Historic Preservation Office would be coordinated with appropriately.

Proposed Action Alternative: An archeological survey is being conducted currently. If an archeological site is discovered, appropriate coordination with USACE cultural resource specialists and the State Historic Preservation Office (SHPO) would be conducted.

No Action Alternative: The No Action Alternative would not result in impacts to cultural resources.

4.12 Socioeconomic Conditions

No Modification Alternative: The No Modification Alternative would be expected to have overall similar impacts (i.e., beneficial economic impacts and adverse impacts related to increased traffic and wear on infrastructure) to the local socioeconomic conditions than the Proposed Action Alternative. Since the No Modification Alternative would result in smaller overall facilities, the socioeconomic effects would be expected to be slightly less than the Proposed Action Alternative.

Proposed Action Alternative: In combination with future recreational development around Lewisville Lake, the 1999 PEA concluded that the proposed project should continue to have positive impacts to the area's socioeconomic resources. The increased hotel/lodge (from 75 rooms in the PEA to 250 rooms in this proposed project) would allow for a more diverse and economically feasible project, according to hotel operators in discussions with the marina leaseholder. The infrastructure would be impacted by increased use related to traffic into and out of the marina. Additionally, more automobile traffic into and out of the marina would have an effect on the surrounding residents.

No Action Alternative: The No Action Alternative would not result in socio-economic conditions beyond the baseline.

4.13 Recreation

No Modification Alternative: The No Modification Alternative would have similar types of impacts to the Proposed Action Alternative with regard to recreation on the lake. The overall intensity of the impacts would be expected to be less, given the larger size and additional amenities associated with the Proposed Action Alternative.

Proposed Action Alternative: The PEA concluded that beneficial impacts on recreation were expected with the implementation of the originally proposed project. No noteworthy change in the type of recreation is foreseen in the proposed action.

Enhancement of many on-site recreational amenities will occur with the recommended plan. A list of any on-site amenities that have to be removed due to the recommend plan will submitted with the final construction plans. The marina is not expected to hinder access to the upper end (i.e., east end) of the cove since the marina structure would not extend to the centerline of the cove, which is the deepest portion of the cove. It is possible that access to the east end of the cove may be limited during times of extreme drought. However, the marina will not be the determining factor (i.e., water depth would be the limiting factor).

No Action Alternative: The No Action Alternative would not be expected to have an effect on the recreation opportunities at Lake Lewisville (i.e., above the baseline condition).

4.14 Potential Hazardous, Toxic and Radioactive Waste Concerns

No Modification Alternative: The impacts of the No Modification Alternative with regard to hazardous toxic, and radioactive wastes (HTRW) would be similar to the Proposed Action Alternative (i.e., no impacts are anticipated).

Proposed Action Alternative: Based on the studies and evaluations conducted in the PEA, and past land uses in the project area (e.g., agricultural and parkland), the proposed project is not anticipated to result in any significant impacts to HTRW sites. Since no changes have occurred on the property (i.e., land use changes, etc.) with regard to HTRW, no impacts are expected as a result of the proposed project.

No Action Alternative: The No Action Alternative would not be expected to result in any impacts with regard to HTRW.

4.15 Aesthetic Concerns

No Modification Alternative: The impacts of the No Modification Alternative with regard to aesthetics are not expected to be significant, although it was noted in the PEA that this issue varies as does the general public (USACE 1999a).

Proposed Action Alternative: The proposed project involves new facilities which would be viewable from parts of the lake and shoreline. Implementation of the proposed project is not anticipated to cause significant adverse aesthetic impact. Blue roofing material is planned for use on the floating marina structure in an attempt to reduce aesthetic impacts.

No Action Alternative: No impacts to the aesthetic condition are anticipated under the No Action Alternative.

5.0 CUMULATIVE IMPACTS

Cumulative impacts are analyzed by adding the likely effects of other past, present and reasonably foreseeable actions in the immediate area to the impacts related to the recommend plan.

On-going or future projects in the area would include:

- Lake Lewisville Bridge/FM 720 Corridor project

- FM 423 improvements
- Residential developments (particularly on the east side of the lake)

The above list constitutes actions in the project area or surrounding region that could conceivably have an effect on, or be affected by, the proposed action. It is possible that other actions are proposed for the area that are not known about by the preparers of this report.

In discussing cumulative impacts, it is also important to note that no more marinas are planned for Lake Lewisville (i.e., other than those allowed in the 1999 PEA). Likewise, the number of boat slips for marinas at Lake Lewisville was set in the PEA, in accordance with the findings of the Water-Related Recreation Use Study. Therefore, the overall number of boats in a given zone of the lake is not expected to increase above levels prescribed and discussed in either the 1999 PEA (USACE 1999a) or the Water-Related Recreation Use Study (USACE 1998).

5.1 Physical Resources

Implementation of the proposed action is not expected to have any cumulative impacts to topography, geology, or soils since known past, present and future actions involve shallow, superficial grading.

5.2 Water Quality

Much of the area on the east side of Lewisville Lake is being developed, mostly with residential construction. Although these types of projects are known to have an impact on water quality, primarily through the introduction of sediment, the entities constructing these developments are governed by the Texas Pollution Discharge Elimination System (TPDES). TPDES requires the use of BMPs, under a maintained storm water pollution prevention plan, to reduce the potential effect of sediment and other pollutants. Additionally, the surrounding development is separated from the project area since the immediate shoreline of the lake is controlled by the USACE. In most cases, there is a wide "buffer" of USACE-owned land between any on-going or potential development and the lake (USACE 1999a).

Although implementation of the proposed action would result in minor temporary adverse impacts to water quality during construction phases (i.e., increased turbidity and sedimentation affecting water clarity and dispersing aquatic organisms), these impacts would be short-term in nature and would be minimized with the use of BMPs and the incorporation of erosion and sediment control plans as well as spill prevention, control and countermeasure plans, also under the auspices of TPDES (USACE 1999a).

5.3 Aquatic Resources

Since the lake is controlled by the USACE it is unlikely that multiple projects with intense effects on aquatic resources would be occurring in the lake at the same time. Furthermore, there are adjacent aquatic resources that would not be affected by the proposed action or any foreseeable actions. These habitats are available to aquatic organisms that might be displaced by project activities (e.g., dredging). It is anticipated that any displaced aquatic resources would return and reestablish after project construction was complete (USACE 1999a).

5.4 Wetlands

As noted in the proposed jurisdictional determination (**Appendix B**), the only waters of the U.S. delineated on the project area were Lewisville Lake itself. No wetlands were observed or delineated within the project boundaries. Therefore, no cumulative impacts to wetlands are expected as a result of the proposed project. Likewise, the impacts to Lewisville Lake are expected to be short-term, temporary, and largely self-mitigating.

5.5 Floodplains

Implementation of proposed actions must comply with current floodplain regulations and standards, in that there must be no net loss of flood storage (USACE 1999a). Since the proposed project, as well as surrounding developments, must meet this standard, no significant cumulative impacts (i.e., reduction in flood storage or conveyance) to floodplains are foreseen.

5.6 Air Quality

Implementation of proposed action would not likely involve additional air pollution emission sources from those analyzed in the PEA, since the proposed project would only allocate slips from another marina in the same zone as the proposed project (USACE 1999a). Although increased vehicle and boat traffic in the immediate area would likely occur, the proposed project will not increase the number of boat-slips on the lake above the numbers already analyzed in the PEA. Since the overall traffic to and on the lake is not expected to increase (i.e., rather a redistribution is expected), no significant cumulative impact to air quality is expected as a result of the proposed project. On-going and future transportation projects in the area (Lake Lewisville Bridge and FM 423 improvements) would be expected increase mobility and traffic flow in the project region, which should have overall beneficial effects with regard to air quality (i.e., as opposed to congested roadways). On-going and future residential development in the area will continue to bring in additional people (and vehicular traffic into the areas east of the proposed project (in The Colony, Frisco and Little Elm) which would result in increased emissions in the project vicinity.

5.7 Noise

Implementation of the proposed action has the potential to increase noise levels (automobile and boat engine noise) in the immediate project vicinity. However, the increase in noise would primarily be during daylight hours. However existing boat traffic into and out of the marina already results in some boat engine noise and the potential increase in boat traffic would not raise the noise levels, although it might increase the duration, primarily during daylight hours (i.e., simply due to increased number of boats that would be expected at the marina). Given the development and transportation projects that are on-going (and upcoming), the ambient noise levels in the project area are likely to increase anyway, thereby reducing the cumulative effects (at least on a short-term basis) of the increased boat motor noise.

5.8 Vegetation

The proposed action would result in the marina being moved from an undeveloped shoreline, to an already-impacted park area. So although the surrounding area is also experiencing residential development and construction, which impacts vegetation communities, the cumulative impacts from the proposed project are expected to be

insignificant given the already developed nature of Hidden Cove Park, the amount of adjacent habitats on USACE-owned property, and the mitigation that would occur.

5.9 Wildlife

When considered with other past, present and future actions, the cumulative impacts to wildlife are expected to be minor. The proposed project would disturb approximately 20 acres of undeveloped habitat, much of which is regularly mowed or maintained. Surrounding residential development (both on-going and likely development) on the east side of Lake Lewisville is in the thousands of acres. So cumulatively, this project would result in an additional 20 acres of habitat disturbance to the thousands of acres of on-going and future habitat disturbance. It should be noted that there will be well over 600 acres of undeveloped habitat remaining within Hidden Cove Park after the proposed action and these immediately adjacent habitats would be available to displaced wildlife.

5.10 Threatened and Endangered Species

Implementation of proposed actions must comply with the Endangered Species Act and no impacts to listed species are expected as a result of the proposed project (USACE 1999a). Likewise, impacts to currently listed species are considered unlikely from other projects and activities on-going or proposed for the east side of Lake Lewisville, due to the lack of suitable habitat.

5.11 Cultural Resources

Implementation of the proposed action is not expected to impact any cultural resources. If historic properties are identified which would be adversely impacted by the proposed actions SHPO shall be consulted to determine alternatives for the proposed actions (USACE 1999a). Therefore it is determined that the implementation of proposed actions would have no significant cumulative impact on cultural resources.

5.12 Socioeconomic Conditions

Since no marinas are planned for the lake per the 1999 PEA, and the number of vessel allocations is not changing for the overall lake, or even within this zone, cumulative socioeconomic impacts are not expected to be noteworthy. Given the level of residential and commercial development in the eastern Denton/western Collin county area, the cumulative economic effect of the proposed project is expected to be minor. The proposed project would be phased over a period of three to five years, depending on economic conditions. The USACE "Lewisville Lake Future Water-Related Development Policy", dated February 5, 1999 states that risk and responsibility for timing development to keep from exceeding demand ultimately rests with the operators, developers, and financiers who have the most exact understanding of changing market conditions.

5.13 Recreation

Implementation of the proposed action would increase the recreational opportunities in the immediate area (i.e., a rapidly developing residential area). Vessel allocations are not changing (i.e., from one zone to another) with the proposed project. All vessel/boat slips for the marina would come from those already allocated. Therefore, cumulative impacts related to recreation use of the lake is not expected to be significant.

5.14 Potential Hazardous, Toxic and Radioactive Waste Concerns

The proposed project would involve the introduction of a fueling dock to the project area. Additionally, users of the area would likely have other petroleum, oils, and lubricants in their personal vehicles and boats. However, the marina would have a spill prevention, control and countermeasures plan to reduce the potential impacts from these chemicals. Cumulative impacts would result from increased concentrations of vehicles and runoff from parking areas to the lake, taken in concert with increased runoff from increased traffic on the roads (existing and proposed) in the area.

5.15 Aesthetic Concerns

The proposed action would be in an already-developed park with existing structures. Additionally, the proposed facility would be built with materials specifically designed to reduce aesthetic impacts (i.e., light blue roofs on marina, etc.). Since the USACE controls the land along the shoreline of the lake, and development of these lands is limited, construction of other structures along the lake shore near Hidden Cove Park is unlikely. Therefore, cumulative impacts to aesthetics (i.e., from structures) are expected to be minimal.

6.0 MITIGATION

In addition to the measures discussed previously in this document (i.e., BMPs, etc.), the 1999 PEA specifies a mitigation calculation method for impacts to aquatic and terrestrial habitats on USACE property at Lake Lewisville.

The impacts to terrestrial habitats would be mitigated according to the ratios in the 1999 PEA. The total mitigation area calculated for the proposed project is 70.95 acres (**see Table 2**). The PEA provides for two general mitigation options: on-site mitigation and payment in-lieu-of mitigation. For the proposed project, on-site mitigation would be used.

Impacts to aquatic habitats are largely self-mitigating in the proposed project, given that it would not result in a loss of aquatic habitat. The proposed floating marina structure could provide additional structure for fish and aquatic invertebrates.

The on-site mitigation plan would include two key components: (1) native tree, shrub, and herbaceous plantings in uplands within Hidden Cove Park; and (2) aquatic/wetland vegetation plantings in a cove in Hidden Cove Park. **Appendix D, Exhibit 1** represents a conceptual mitigation plan for the terrestrial habitat impacts associated with the proposed project.

Upland plantings would consist of the following:

- 109 container-grown trees and shrubs per acre.
- Native herbaceous vegetation would be seeded at a rate of 15 pounds/acre.

Aquatic/wetland plantings would consist of:

- Container-grown plantings at a density of 1,000 plants per acre.

The proposed mitigation would be implemented on a phased basis over 3 to 5 years depending on construction schedule (**Table 3**). Each October, the impacts that have

occurred since the previous October would be totaled and the appropriate amount of mitigation (per the 1999 PEA) for that year's impacts would be implemented (i.e., planted) within the next planting season. Since the Phase 1A terrestrial impacts are so minimal and most disturbances in this phase would be comprised of impacts to the aquatic environment (i.e., dredging and installation of the floating marina structure), the aquatic/wetland plantings shown in Appendix D would be implemented the first year.

Table 3: Estimated Mitigation by Phase

Phase	Structure	Habitat Type	Area of Impact (Acres)	Mitigation Ratio	Area of Mitigation (Acres)	
1A	Parking Lot	Grassland	2.30	1:1	2.30	2.47
	Sidewalk	Grassland	0.06	1:1	0.06	
	Sidewalk	Grassland	0.11	1:1	0.11	
1B	Dry Storage	Savannah	2.87	5:1	14.35	45.85
	Dry Storage	Woodland	3.98	5:1	19.90	
	Rustic Cabins	Savannah	1.44	3:1	4.32	
	RV Sites	Woodland	1.82	4:1	7.28	
1C	Bunkhouse	Savannah	2.74	5:1	13.70	13.70
2	Hotel	Grassland	0.25	1:1	0.25	8.93
	Hotel	Wooded Park	0.98	2:1	1.96	
	Parking Lot	Grassland	1.68	4:1	6.72	
Totals			18.23	--	70.95	

In addition to the features described above, the mitigation plan would include (at a minimum):

- Irrigation System for Upland Plantings – An irrigation system would be installed as the upland plantings are implemented to bolster success of the plantings.
- Success Criteria – Terrestrial plantings would meet an 80% survival criterion after three years. Aquatic/wetland plantings would achieve a percent-cover of at least a 50% after three years.
- Monitoring – Annual monitoring reports would be submitted each October. These reports would include:
 - An accounting of the impacts that have occurred over the previous monitoring period.
 - A brief plan detailing the mitigation that will be performed in the coming planting season (i.e., winter for woody material, spring for herbaceous and aquatic/wetland plantings).
 - Estimates of % survival (woody) and % cover (herbaceous and aquatic/wetland) for vegetation planted in the previous year.

7.0 AGENCY COORDINATION

The original PEA was sent to the following resource agencies for review and comment in accordance with coordination requirements as set forth by the NEPA: Texas Parks and Wildlife (TPWD); USFWS; Environmental Protection Agency, Region 6; the Texas Historical Commission; the Texas Natural Resources Conservation Commission, and the USACE Fort Worth District (USACE 1999a).

A letter and a copy of the original EA dated June 9, 2006 was sent to the Texas Parks and Wildlife Department on September 18, 2006. This letter was sent as a courtesy to let the state know that the proposed marina location was moved from that described in the PEA (**Appendix C**).

8.0 PUBLIC INVOLVEMENT

Open meetings were conducted with the Saratoga and Wynnewood homeowner associations (February 7 and 24, 2005). The Saratoga and Wynnewood communities are located adjacent to the Hidden Cove Park. The purpose of these meeting was to present the concept of the site plan and to acquire feedback. The main concerns were of trash, noise and increased traffic, both on land and in the water. The proponent also assured the residents that they would implement measures to control trash and noise levels. Adjacent residents expressed concerns that a large "No Wake" zone would limit their recreation opportunities. The proponent addressed the need for a "No Wake" zone in the water adjacent to their marina and told residents they would keep it to as minimal of an area as possible. The proponent has also met with adjacent land developers and county commissioners to encourage the most beneficial road widths and alignments for everyone concerned as new roads are constructed. Since these meetings were informal discussions, as opposed to public hearings, no minutes were kept.

The proposed project was reviewed by the City of The Colony's City Council on January 3, 2005, the City of The Colony's Development Review Committee on January 4, 2006, the City of The Colony's Planning and Zoning Commission on March 28th 2006, the City of The Colony's City Council on April 17, 2006, and the City of The Colony's City Council on October 2, 2006.

Public hearings for the proposed project were held at both the Planning and Zoning Commission meeting on March 28th 2006 and the City of The Colony's City Council meeting on January 3, 2005 and April 17 and October 2, 2006. The proposed rezoning and concept plan was approved by the City of The Colony's Planning and Zoning Commission and the City of The Colony's City Council. A public information meeting was held at Hidden Cove Park on 4 April 2007 with representatives from Saratoga Estates, The City of the Colony, Marine Quest and USACE in attendance.

The proposed project has also been discussed in several local newspaper articles. Articles appeared in the *Dallas Morning News*, which gave a brief overview of the project (**Appendix C**). The article dates and titles are as follows:

February 8, 2004	"Hidden Cove Park's potential exposed – City seeks developers' help in turning area into an attraction"
February 13, 2004	"Officials don't want park's potential to remain a secret - Developers' help sought in turning Hidden Cove into an attraction."
December 17, 2004	"Lakeside park: from 'money pit' to top attraction? - City has high hopes for developer's plans with Hidden Cove Park"

December 17, 2004	“From ‘money pit’ to top attraction? City has high hopes for developer’s plan to transform Hidden Cove Park”
December 19, 2004	“Lakeside park: from ‘money pit’ to top attraction? - City has high hopes for developer’s plans with Hidden Cove Park”

An earlier version of the EA and draft FONSI for the proposed action were prepared in accordance with the requirements of NEPA and were made available for public comment on April 11, 2007. Public comments received on that EA, as well as changes in the proposed action desired by The Colony, has resulted in the need to revise the earlier EA and to make it available for additional public comment.

9.0 REFERENCES

Clean Water Act of 1977, 33 U.S.C. § 1251 et seq.

Endangered Species Act of 1973, 16 U.S.C § 1531 et seq.

National Environmental Policy Act of 1969, 42 U.S.C. § 4321 et seq.

President. Proclamation. "Protection of Wetlands." EO 11990. 42 FR 26961. May 25, 1977.

USACE. 1975. Environmental Impact Statement. Operations and Maintenance of Lewisville Dam and Lake. U.S. Army Corps of Engineers, Fort Worth District.

USACE. 1987. Corps of Engineers Wetland Delineation Manual. Wetland Research Program Technical Report, Y-87-1.

USACE. 1998. Water-Related Recreation Use Study on Lewisville Lake, Texas. U.S. Army Corps of Engineers, Fort Worth District.

USACE. 1999a. Lewisville Lake Programmatic Environmental Assessment. U.S. Army Corps of Engineers, Fort Worth District.

USACE. 1999b. Resource Document for the Lewisville Lake Programmatic Environmental Assessment. U.S. Army Corps of Engineers, Fort Worth District.

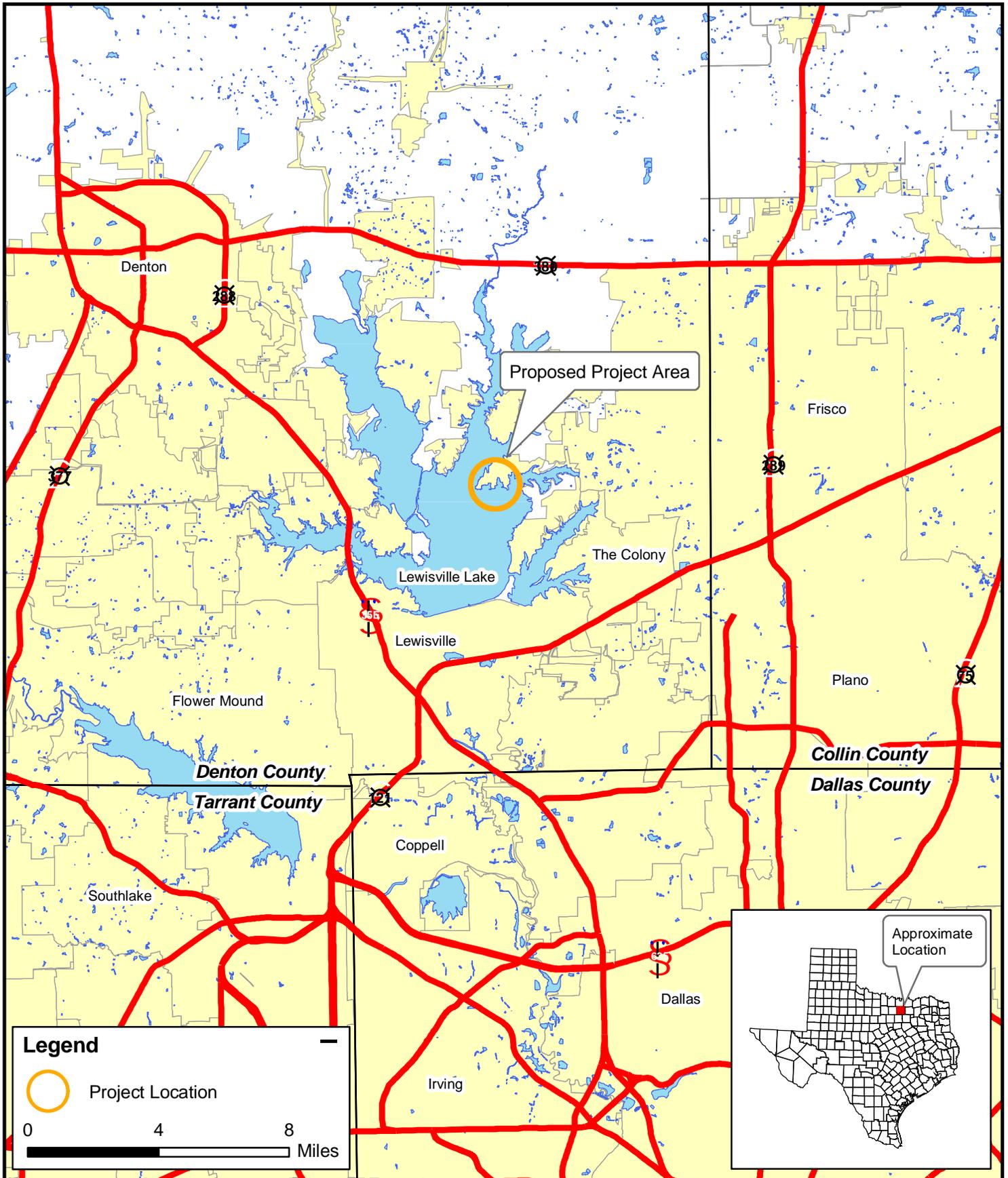
USACE. 2000. Environmental Assessment for the Water-Related Recreation Development for Lewisville Lake. U.S. Army Corps of Engineers, Fort Worth District.

USACE. 2001. Environmental Assessment. Master Plan Supplement, Lewisville Lake. U.S. Army Corps of Engineers, Fort Worth District.

USACE. 2006. (Personal communication between Chris Hamilton (C&B) and George Hanson, USACE). June 9, 2006).

APPENDIX A

Site Location Maps



Legend

 Project Location

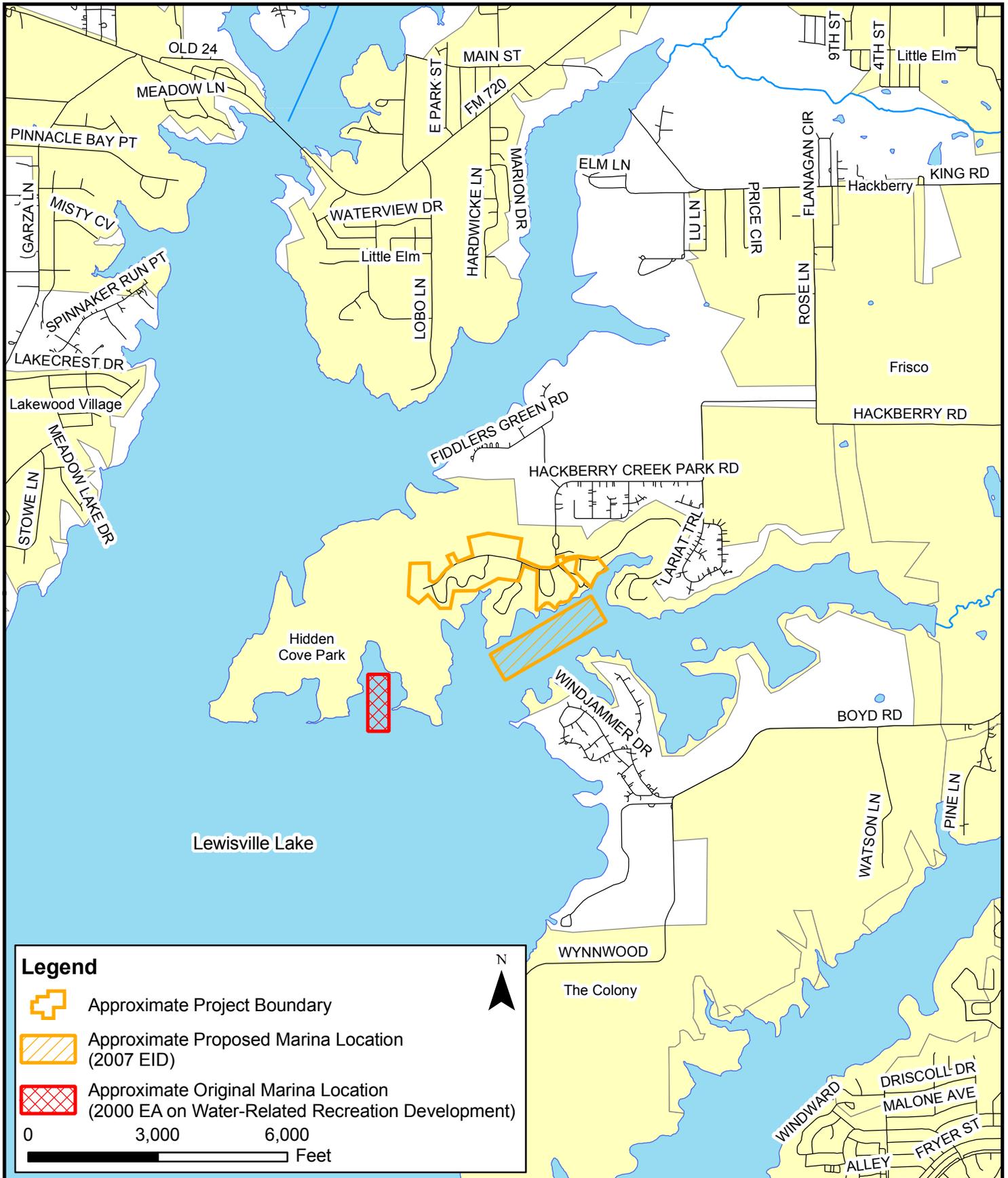
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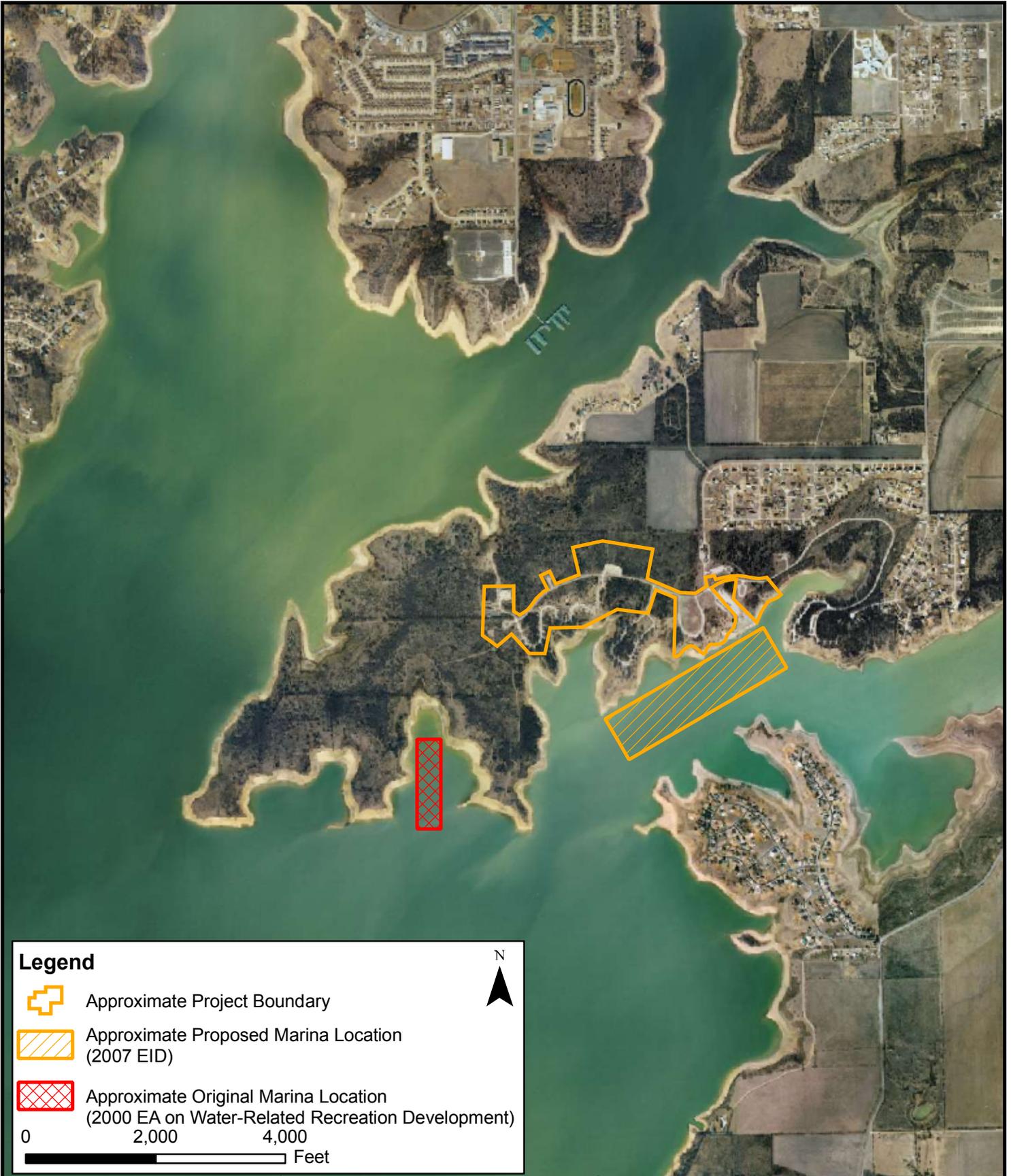
Carter=Burgess

Vicinity Map
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010

Source: Texas State Data Center (2000)

Exhibit
1





Legend

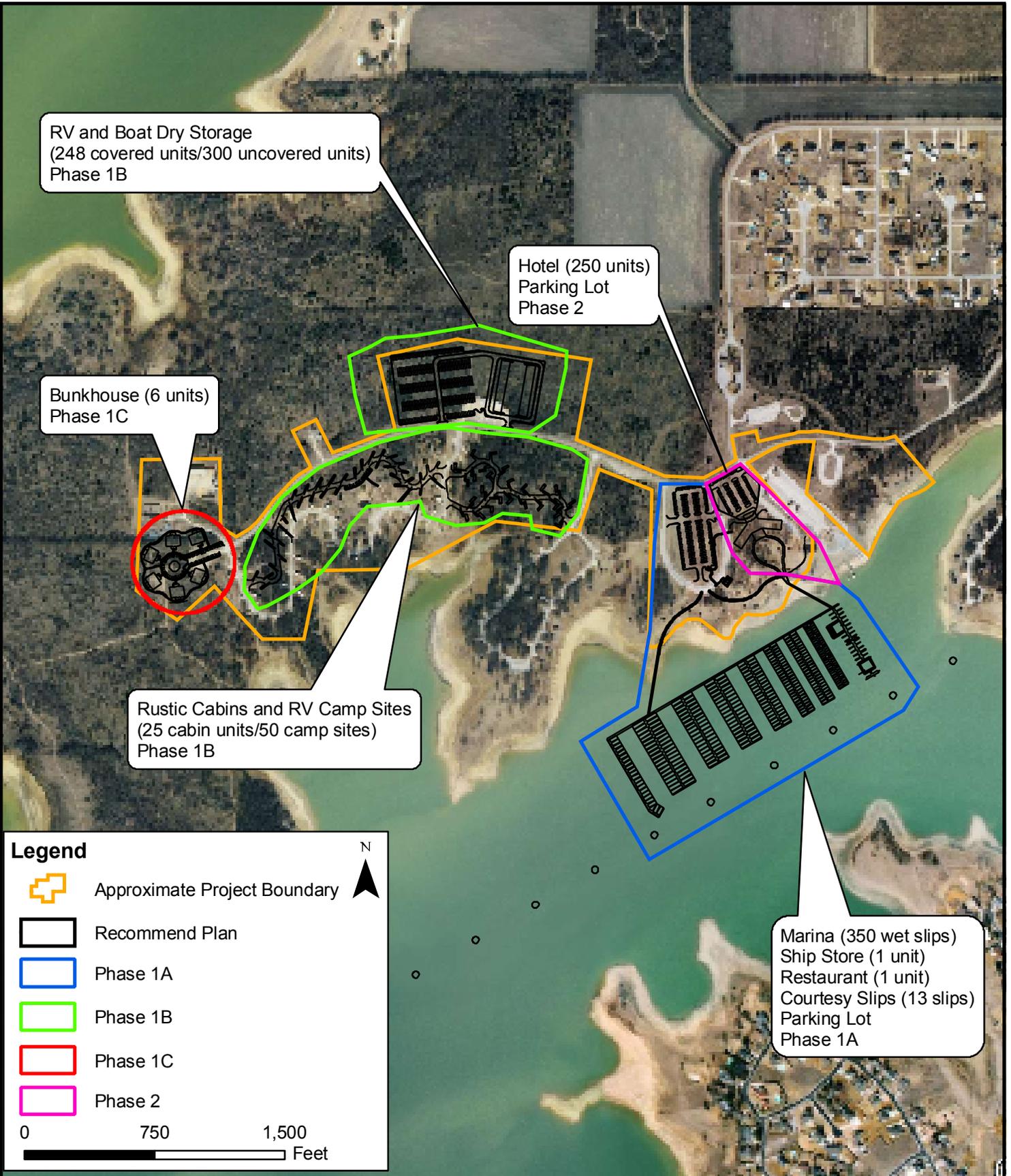
-  Approximate Project Boundary
 -  Approximate Proposed Marina Location (2007 EID)
 -  Approximate Original Marina Location (2000 EA on Water-Related Recreation Development)
- 0 2,000 4,000
Feet

Carter=Burgess

2006 Aerial Photograph
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010

Source: AirPhoto USA (2006)

Exhibit
3



Legend

-  Approximate Project Boundary
-  Recommend Plan
-  Phase 1A
-  Phase 1B
-  Phase 1C
-  Phase 2

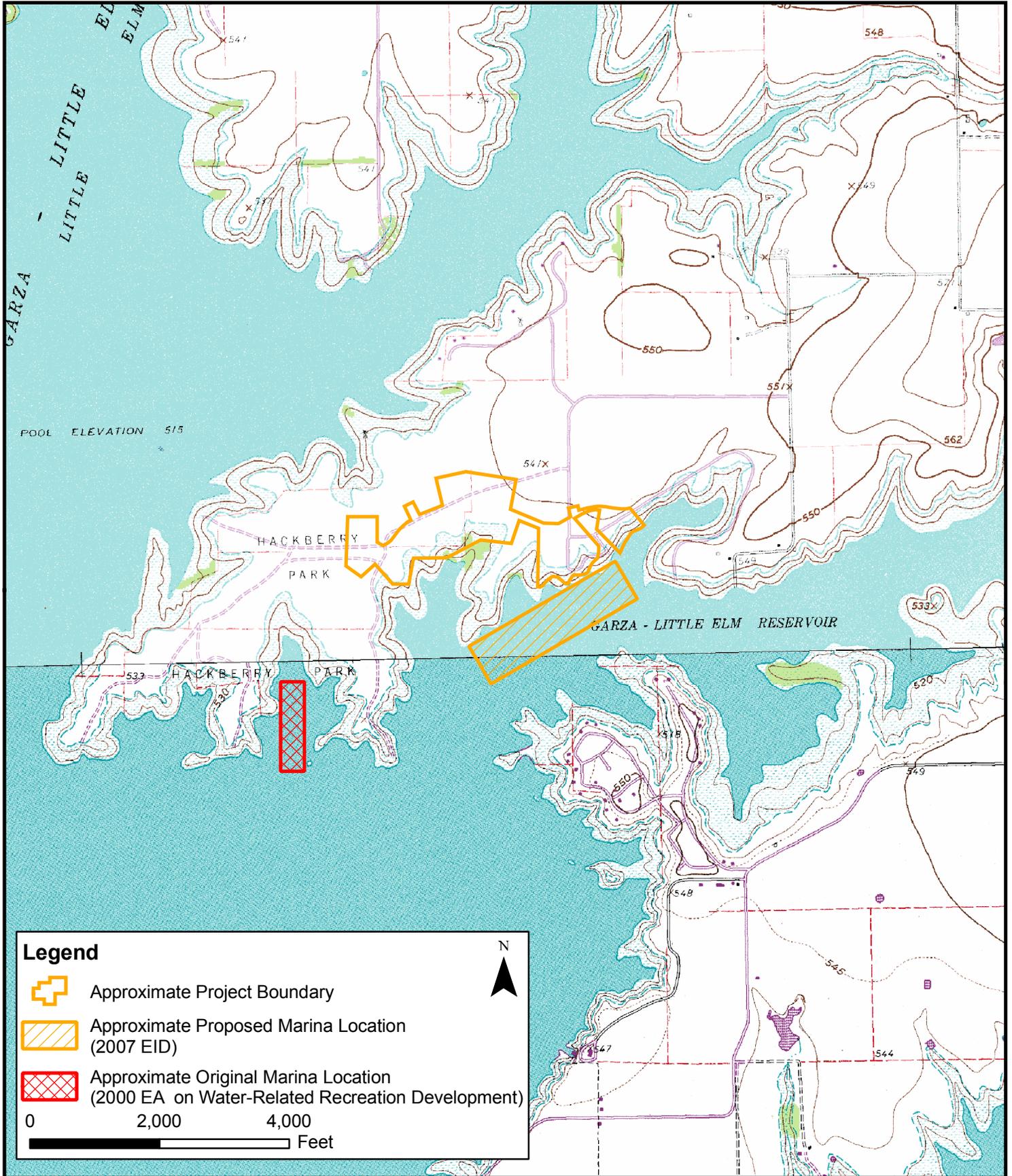
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 Feet

Carter=Burgess

Recommend Plan Phases
 Hidden Cove Marina
 The Colony, Denton County, Texas
 C&B Project No. 014295.010

Source: AirPhoto USA (2006)

Exhibit
4



Legend

-  Approximate Project Boundary
-  Approximate Proposed Marina Location (2007 EID)
-  Approximate Original Marina Location (2000 EA on Water-Related Recreation Development)

0 2,000 4,000
 Feet

N

Carter=Burgess

U.S.G.S. Topographic Map
 Hidden Cove Marina
 The Colony, Denton County, Texas
 C&B Project No. 014295.010
 7.5 Minute Series - Little Elm (1968)
 and Lewisville East (1978)

Source: Texas Natural
 Resources Information System

Exhibit

5

Legend



Proposed Facilities



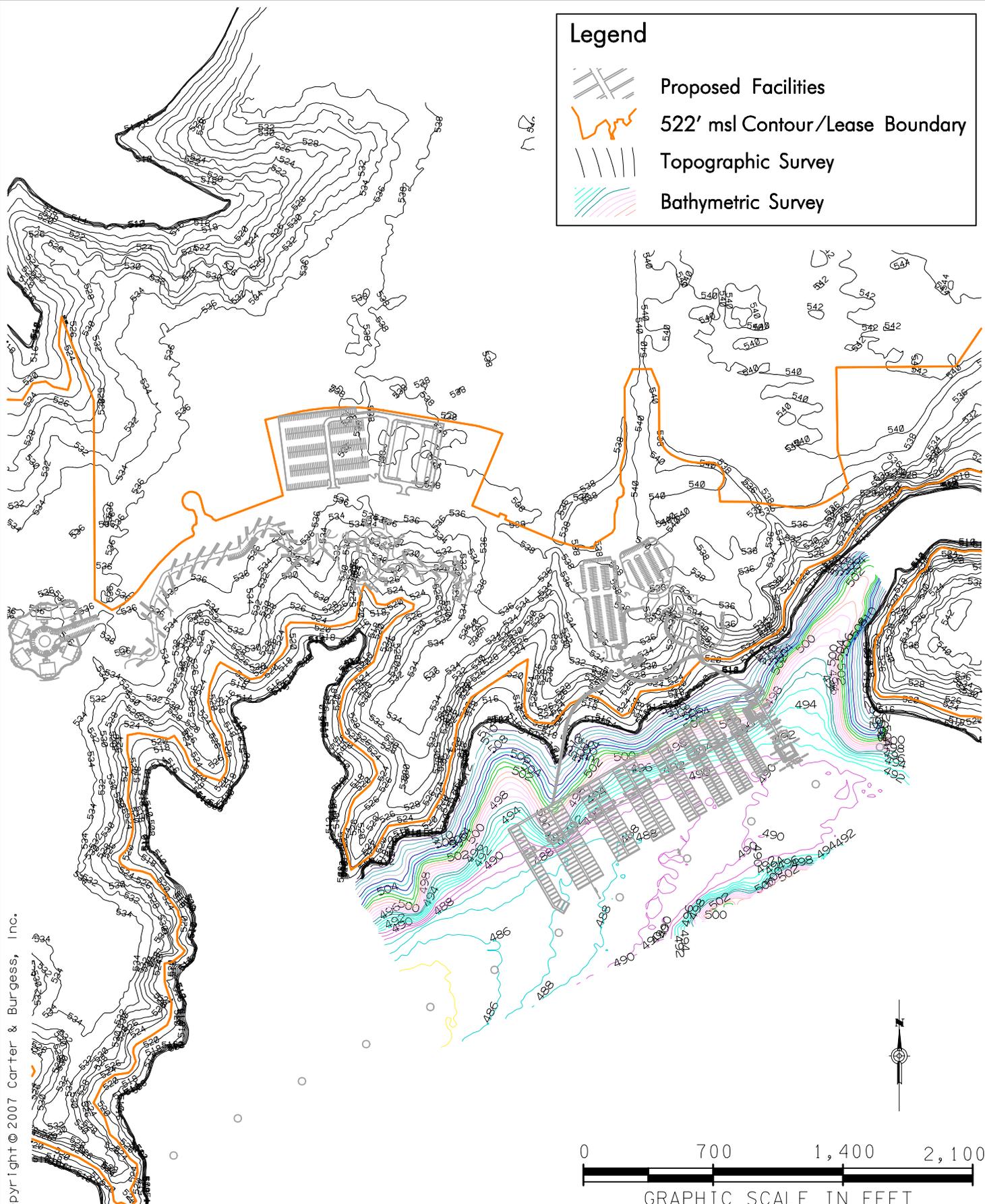
522' msl Contour/Lease Boundary



Topographic Survey



Bathymetric Survey



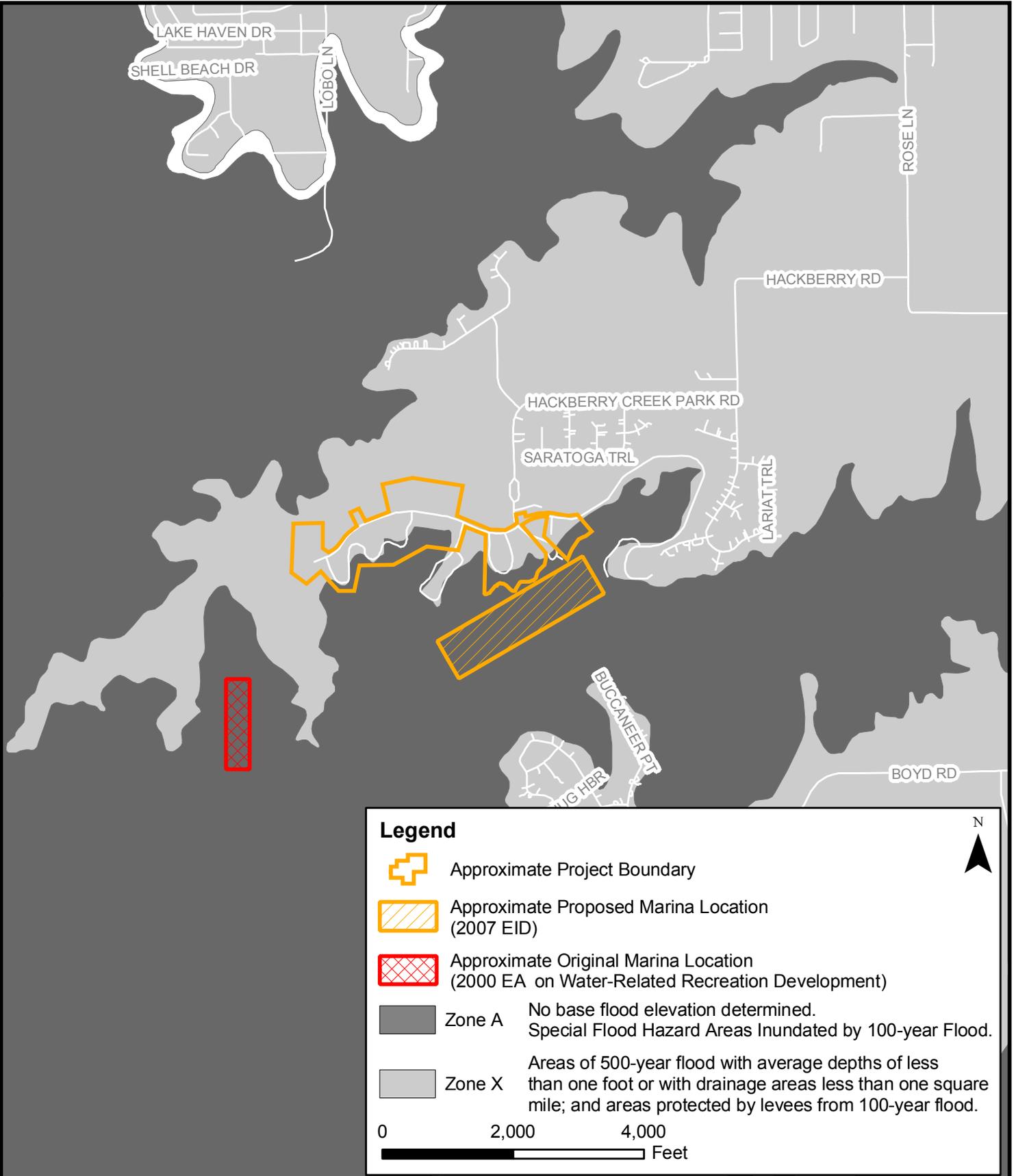
Copyright © 2007 Carter & Burgess, Inc.

Carter=Burgess

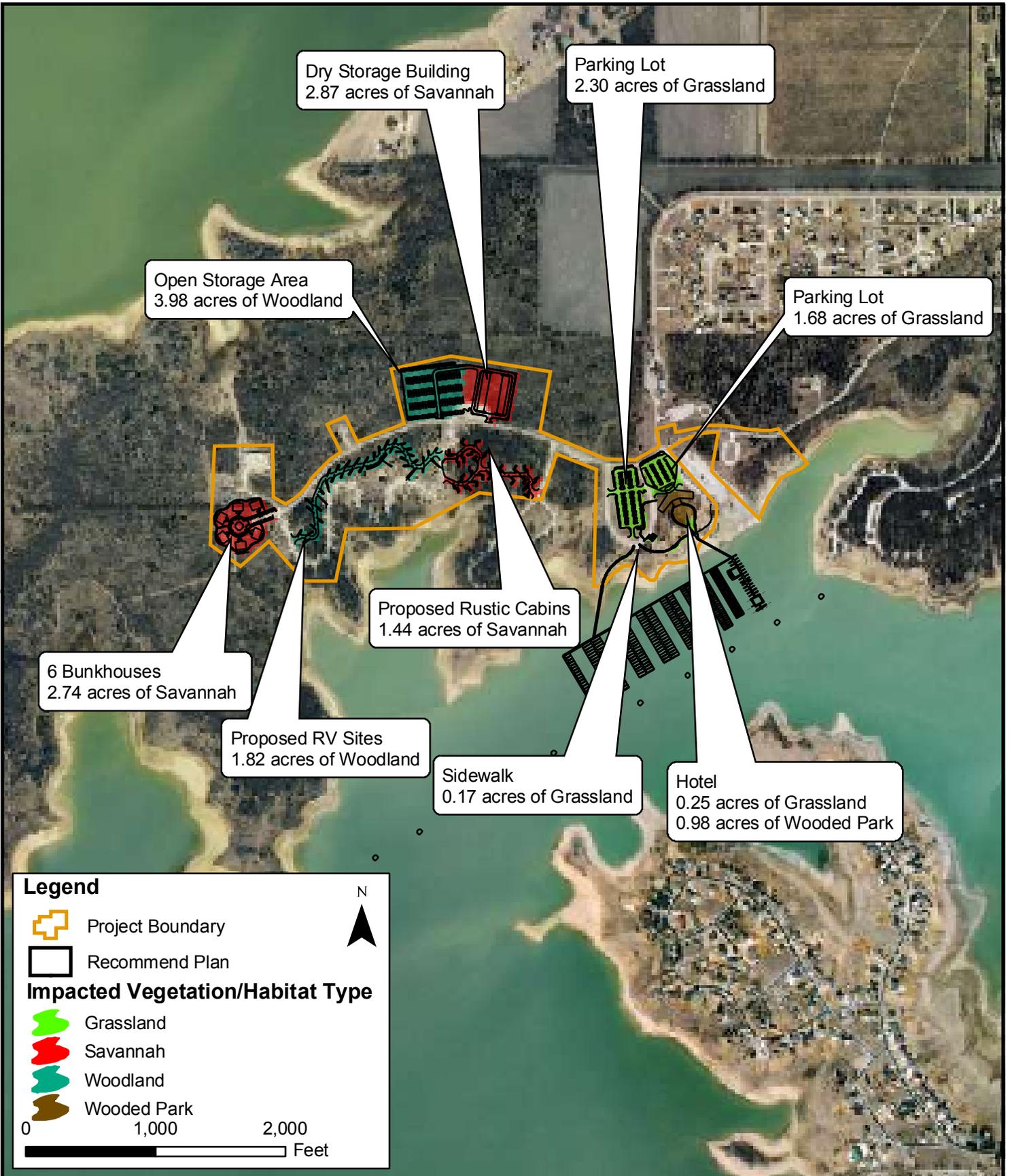
Bathymetric Survey
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010



Exhibit
6







APPENDIX B

Proposed Jurisdictional Determination and Dredging Exhibits

February 21, 2006

Mr. Dwight Bosworth
Marine Quest
616 South Kimball
Southlake, Texas 76092

Reference: Proposed Jurisdictional Determination and Impacts Assessment for Proposed Dredging Activities within Waters of the U.S. at Hidden Cove Park

Dear Mr. Bosworth:

On August 30 and September 23, 2005, environmental scientists from Carter & Burgess, Inc. (Carter & Burgess) conducted site visits at the proposed Marine Quest development site at Hidden Cove Park in The Colony, Denton County, Texas. Hidden Cove Park is leased to the City of The Colony by the U.S. Army Corps of Engineers (USACE). Marine Quest is planning on constructing a marina at Hidden Cove Park and needs to mechanically dredge along the shoreline to gain sufficient water depths for the proposed marina. The proposed dredging would remove between approximately 1 to 8 vertical feet of sediment from the lake's bottom. Marine Quest is proposing to remove the dredge material in a manner so as to avoid discharge of dredge and fill material into waters of the U.S. (i.e., Lewisville Lake) via use of a one-step removal dredge method.

Purpose of Proposed Jurisdictional Determination of Waters of the U.S.

The proposed Marine Quest development site at Hidden Cove Park in The Colony, Texas is an approximate 71-acre portion of the park located around existing park facilities. Marine Quest is proposing to mechanically dredge along the shoreline at Hidden Cove Park on Lewisville Lake in order to gain sufficient water depths for a proposed marina.

The purpose of this proposed jurisdictional determination of waters of the U.S. is to define and document the limits, as well as the functions and values, of waters of the U.S. within the project area for use in Section 404 permitting.

Methods of Proposed Jurisdictional Determination of Waters of the U.S.

Property Manager

Mr. Dwight Bosworth
Marine Quest
616 South Kimball
Southlake, Texas 76092

Delineation Methodology

Environmental scientists from Carter & Burgess conducted site visits on August 30 and September 23, 2005 to determine the status and extent of waters of the U.S. Waters of the U.S. include rivers, streams (including perennial, intermittent and ephemeral), bogs, sloughs, lakes, ponds (including stock tanks connected to other jurisdictional waters), and wetlands.

The jurisdictional area of lakes, ponds, rivers, and streams are identified at the ordinary high water mark (OHWM). The length and average width between the OHWM was recorded to establish a total area for the streams within the project site. The OHWM is defined as:

“...that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed in the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas (33 CFR 328).”

Wetlands are those “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions [as defined by the USACE and U.S. Environmental Protection Agency].” No wetlands were observed within the project boundary that met the criteria presented in the 1987 USACE manual (USACE 1987).

The location and area of waters of the U.S. (i.e., Lewisville Lake) were mapped using a Trimble Pro-XRS Global Positioning System (GPS). This GPS has sub-meter accuracy. Continuous lines were mapped along the OHWM of Lewisville Lake bordering the proposed development. The continuous line data collected in the field was interpreted using ArcMap, a Geographic Information System (GIS) system.

Results of Proposed Jurisdictional Determination of Waters of the U.S.

The proposed 71-acre development is located in Hidden Cove Park which is on the shore of Lewisville Lake west of Farm-to-Market Road (FM) 423 in The Colony, Texas (**Attachment A, Exhibits 1 through 3**). The surrounding area is used for residential and agricultural purposes. The normal pool level for the lake is at an elevation of approximately 522 feet above mean sea level (**Attachment A, Exhibit 4**). Hidden Cove Park is nearly entirely located within the Federal Emergency Management Agency’s (FEMA) 500-year floodplain boundaries (**Attachment A, Exhibit 5**).

The majority of Hidden Cove Park is dominated by bermudagrass (*Cynodon dactylon*). Mesquite (*Prosopis glandulosa*) trees were scattered throughout the park in large thickets. Other species observed around Hidden Cove Park included sugar hackberry (*Celtis laevigata*), eastern red cedar (*Juniperus virginiana*), honey locust (*Gleditsia tricanthos*), little bluestem (*Schizachyrium scoparium*), big bluestem (*Andropogon gerardii*), Indiangrass (*Sorghastrum nutans*), western ragweed (*Ambrosia psilostachya*), japanese brome (*Bromus japonicus*), Johnsongrass (*Sorghum halepense*), Virginia wildrye (*Elymus virginicus*), and Canada wildrye (*Elymus canadensis*) (**Attachment B, Photograph 1**).

Five soil types were mapped by the U.S. Department of Agriculture (Soil Conservation Service) within the proposed development (**Attachment A, Exhibit 6**). Soil descriptions are presented in **Table 1** (USDA 1980).

Table 1. Soils Located Within the Proposed Project Area, Denton County.

Soil	Map Symbol	Soil Description
Altoga silty clay, 5 to 8 percent slopes	3	Deep, clayey, sloping soil on old high terraces of major streams; soil is well drained; medium surface water runoff; moderate permeability; high available water capacity; severe erosion hazard
Branyon clay, 0 to 1 percent slopes	18	Deep, moderately well drained, nearly level soil located on broad, smooth valley fills and ancient terraces. Surface runoff is slow; permeability is very slow and the available water capacity is high.
Branyon Clay, 1 to 3 percent slopes	19	Deep, moderately well drained, gently sloping soil located in valley fill areas and on side slopes around the outer edges of ancient terraces. Surface runoff is medium; permeability is very slow and the available water capacity is high
Lott silty clay, 1 to 3 percent slopes	41	Deep, gently sloping, clayey soil is on low convex ridges; well drained; moderately slow permeability; medium available water capacity; medium runoff; moderate erosion hazard.
Heiden clay, 3 to 5 percent slopes	42	Deep, well drained, gently sloping soils located on convex ridge tops and the sides of ridges. High available water capacity; permeability is very slow; rapid runoff and severe hazard of erosion.
<i>Source: USDA 1980</i>		

Conclusions of Proposed Jurisdictional Determination of Waters of the U.S.

Waters of the U.S. in the subject property consisted solely of Lewisville Lake. Lewisville Lake was created by the completion of the Lewisville Dam in 1955 on the Elm Fork of the Trinity River. Lewisville Lake is approximately 28,980-acres in size and was built with the primary purpose of flood control and water conservation. The conservation pool elevation was increased from 515 msl to its current permanent level of 522 msl in 1988 due to the construction of Ray Roberts Lake upstream from Lewisville Lake (**Attachment A, Exhibit 7**). The OHWM of Lewisville Lake in the project area was defined by a distinct boundary between bermudagrass and bare sand shore with notable shelving (**Attachment B, Photographs 2 through 4**). Based on field observations and a review of available data, waters of the U.S. on the site included only Lewisville Lake.

Description of Proposed Project and Impacts to Waters of the U.S.

The proposed dredging would be accomplished with the use of a mechanical dredge (i.e., track hoe) and the sediment would be transported off-site. Approximately 50,000 cubic yards of accumulated sediment would be removed to attain the suggested depth per USACE guidelines. The total area to be dredged includes approximately 6.90 acres (**Attachment C, Exhibits 1 and 2**). The mechanical dredging would consist of one-step removal by the use of temporary mats upon which the track hoes would walk out to remove the dredge material to dump trucks. The dredge material would then be trucked directly to uplands, resulting in no discharge of dredge or fill material. Sediment would be disposed of in upland areas and would not result in fill of any waters of the U.S. If lake levels at the project site increase to a point during the proposed dredge where the use of temporary mats below the OHWM is not feasible, modification of the one-step removal process would be necessary. In this event, the track-hoes would be placed on floating barges and material would be excavated from the lake onto the barge, the material would be transported to the shore on the barge and then loaded into dump trucks via track-hoe.

Mr. Dwight Bosworth
February 21, 2006
Page 4

Since a one-step removal process is being proposed for the dredging activities and no regulated discharge of dredge or fill material into waters of U.S. is foreseen, no Section 404 (Clean Water Act) permit appears to be necessary for the proposed project. Incidental fallback would occur as a result of the proposed dredging and this would have a localized effect on water quality (i.e., turbidity due to suspended sediments). Sediment curtains would be used around dredging equipment to lesson potential impacts from incidental fallback and suspended sediment. Return water from dredged materials would be controlled using best management practices, such as earthen berms, in the staging area. Once the dredge material has been dried properly it would likely be trucked off-site and placed in uplands. Regardless, it would not impact any waters of the U.S. The staging area would be used as the contractor's base of operations and is located on an upland site, fenced off from the rest of the park (**Attachment C, Exhibit 3**).

Best management practices (BMPs) would be utilized during construction of the walkways to the proposed marina in order to prevent discharge of dredge or fill material into waters of the U.S. (i.e., Lake Lewisville). These BMPs would likely include a combination of the following: sediment socks, sediment fences, hay bales, vegetative buffer strip, temporary seeding, and sodding. These BMPs would prevent discharges of dredge or fill material into waters of the U.S. and would reduce the impact of sediments being transported into the lake from disturbed areas during rainfall events.

The proposed dredging activities would result in no loss of waters of the U.S. Existing open water areas would simply be dredged in order to attain the recommended depth for marinas. As discussed previously, the mechanical dredging would consist of one-step removal by the use of temporary mats that would be placed on the ground below the OHWM. Track-hoes would then walk out on the mats and remove material to dump trucks. The dredge material would then be trucked directly to uplands, resulting in no discharge of dredge or fill material.

Dredging would provide deeper water near-shore that would increase ecological diversity (e.g. fish habitat in the immediate marina area). Floating boat slips would provide structure and shade for bait and game fish as well as aquatic invertebrates. All processes within the staging area would occur on upland sites. The sediment material to be dredged would likely be disposed of off-site. It would not be used as fill in waters of the U.S.

Since there would be no discharge of dredge and fill material (other than incidental fallback) into waters of the U.S. associated with the dredge method described above, we do not feel that a Section 404 permit would be required.

If you have any questions or need additional information, do not hesitate to contact me at 817-735-7029.

Sincerely,



Randy Alexander, C.W.B
Associate, Senior Project manger

Attachments
T:\Job\014295e1\WP\CORR\014295.L14.doc

Mr. Dwight Bosworth
February 21, 2006
Page 5

References

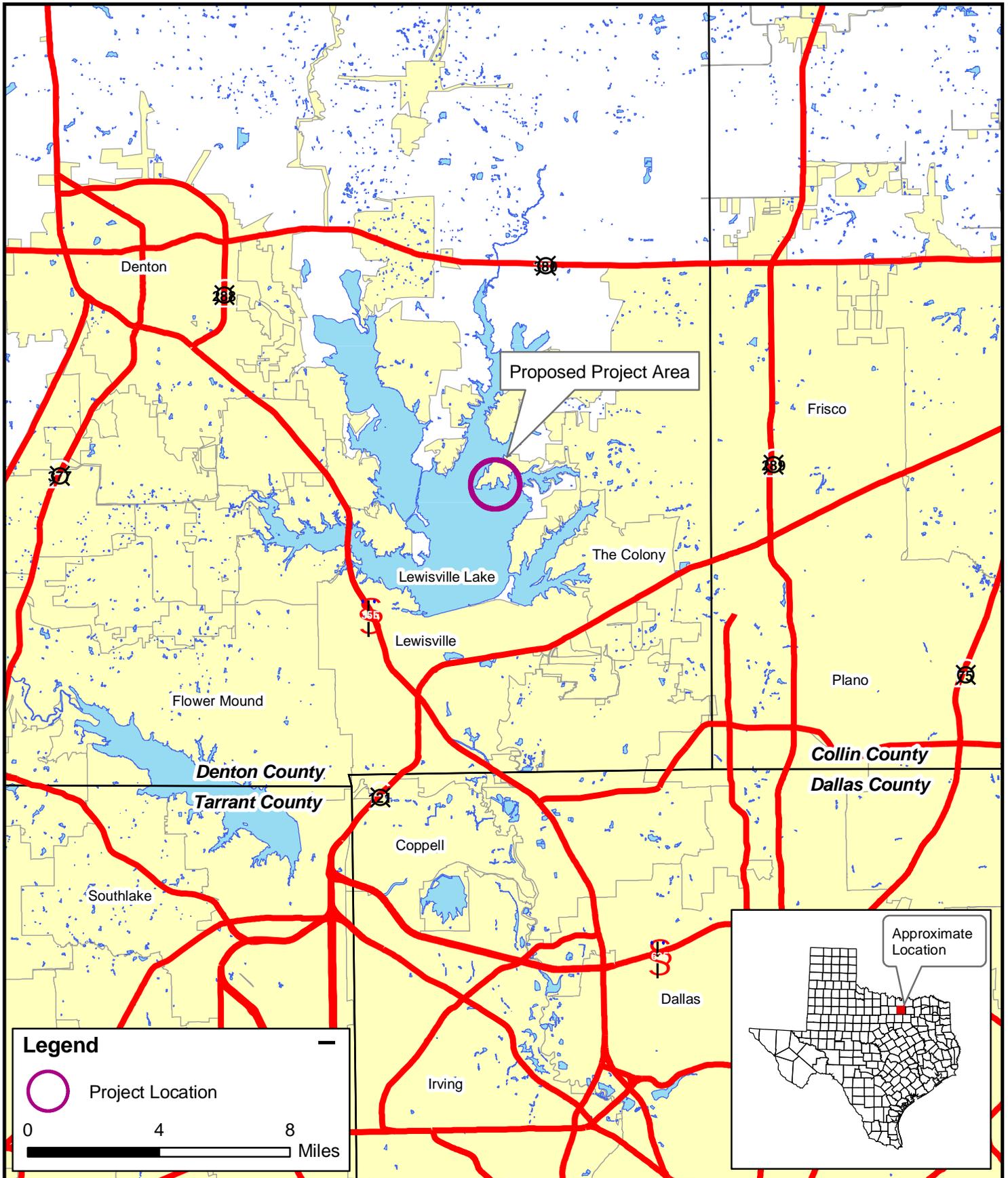
33 CFR 328. "Definition of Waters of the United States," Title 33 Code of Federal Regulations, Part 328. Electronic Code of Federal Regulations.
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl> .December 20, 2006.

U.S. Army Corps of Engineers. 1987. Corps of Engineers Wetland Delineation Manual. Wetland Research Program Technical Report, Y-87-1. U.S. Army Corps of Engineers Environmental Laboratory, Vicksburg, Mississippi.

U.S. Department of Agriculture. 1980. *Soil Survey of Denton County, Texas*. United States Department of Agriculture Soil Conservation Service and Forest Service in Cooperation with Texas Agricultural Experiment Station.

Attachment A

Site Maps

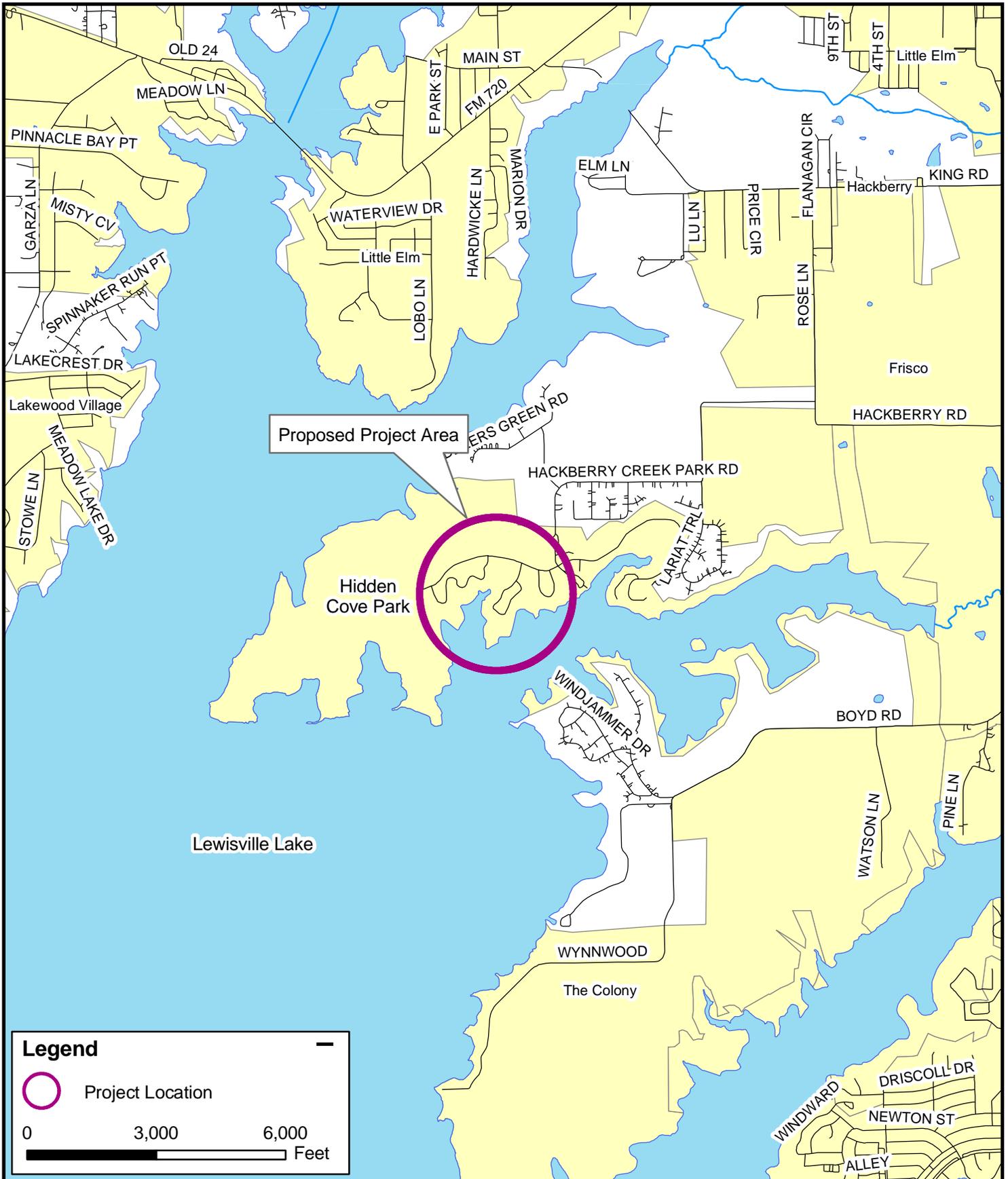


Carter=Burgess

Vicinity Map
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010

Source: Texas State Data Center (2000)

Exhibit
1





Legend

-  Approximate Project Boundary
-  Approximate Dredge Area

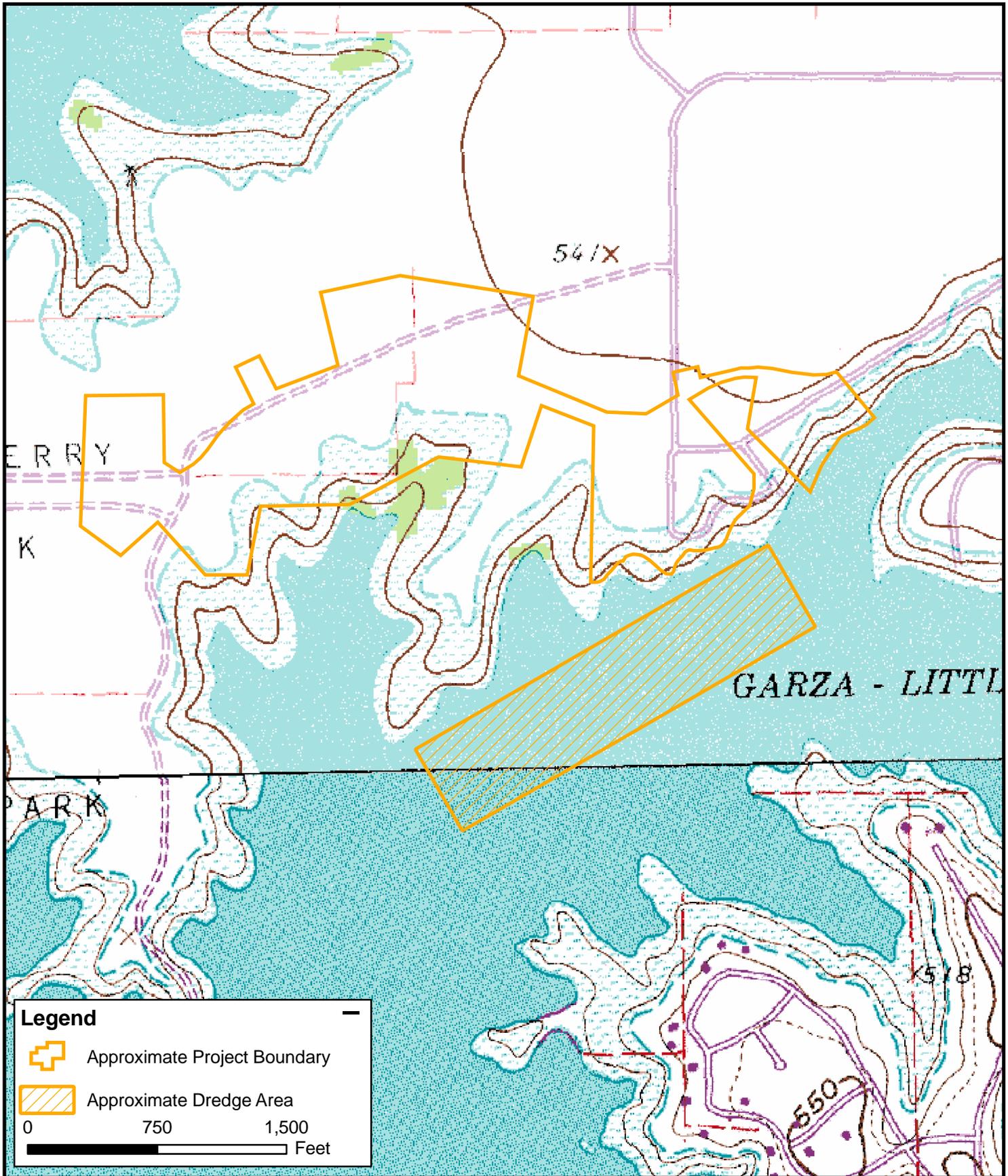
0 750 1,500
Feet

Carter::Burgess

2006 Aerial Photograph
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010

Source: AirPhoto USA

Exhibit
3



Legend

-  Approximate Project Boundary
-  Approximate Dredge Area

0 750 1,500
Feet

Carter=Burgess

U.S.G.S. Topographic Map
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010
7.5 Minute Series - Little Elm (1968)
and Lewisville East (1978)

Source: Texas Natural
Resources Information System

Exhibit
4

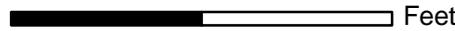


Legend

-  Approximate Project Boundary
-  Approximate Dredge Area

Special Flood Hazard Areas Inundated by 100-year Flood

-  Zone A No base flood elevation determined.
-  Zone X Areas of 500-year flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from 100-year flood.
-  Zone X Area determined to be outside 500-year floodplain.

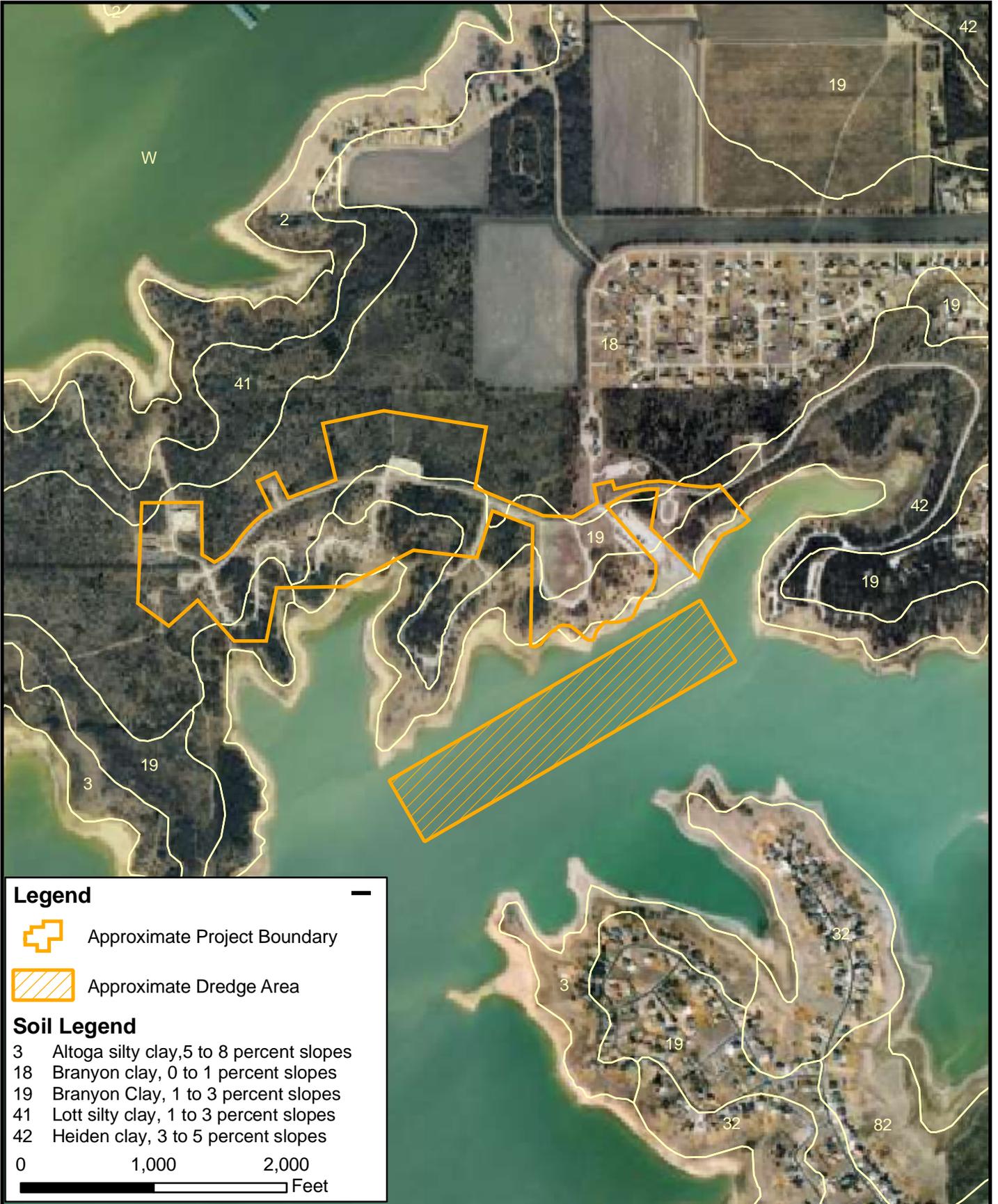
0 1,000 2,000
 Feet

Carter=Burgess

Floodplain Insurance Rate Map
 Hidden Cove Marina
 The Colony, Denton County, Texas
 C&B Project No. 014295.010

Sources:
 Federal Emergency Management Agency (1997)
 and Texas State Data Center (2000)

Exhibit 5



Carter=Burgess

Soil Survey Map
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010

Source:
AirPhoto USA (2006),
Natural Resources Conservation
Service Soil Survey Geographic
(SSURGO) database
for Denton County

Exhibit
6



Legend

-  Approximate Project Boundary
-  Approximate Dredge Area
-  Ordinary High Water Mark

0 750 1,500
Feet

Carter=Burgess

Ordinary High Water Mark
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010

Source: AirPhoto USA (2006)

Exhibit
7

Attachment B
Site Photographs



Photograph #1– View of park area in uplands (August 23, 2005).



Photograph #2– View of shoreline of Lake Lewisville in area of proposed dredging (August 23, 2005).



Photograph #3– View of shoreline of Lake Lewisville in vicinity of proposed dredging (August 23, 2005).



Photograph #4– View of shoreline of Lake Lewisville in vicinity of proposed dredging (August 23, 2005).

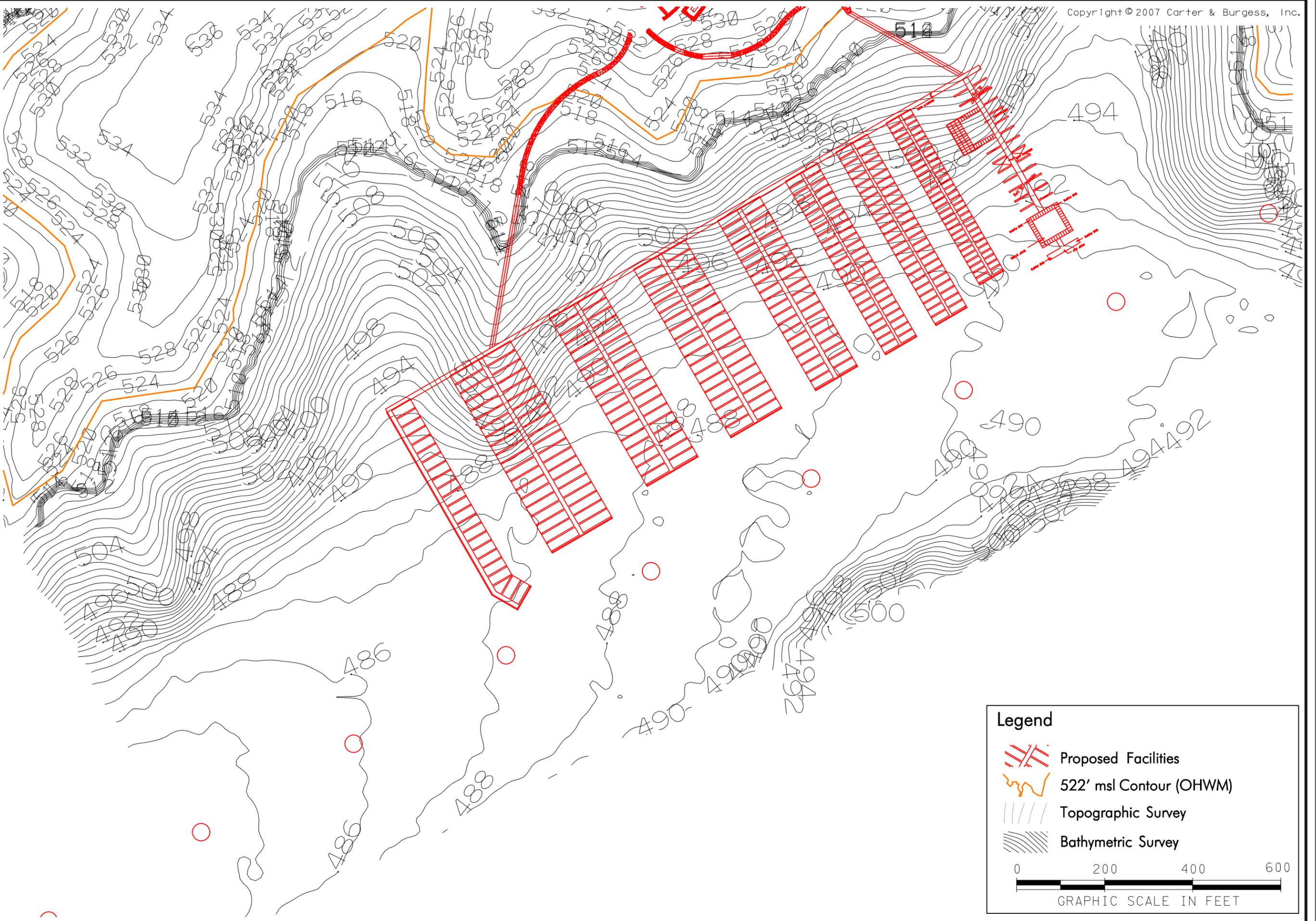
Attachment C
Dredging Activities Map

Carter & Burgess

Bathymetric Survey
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010



EXHIBIT
1

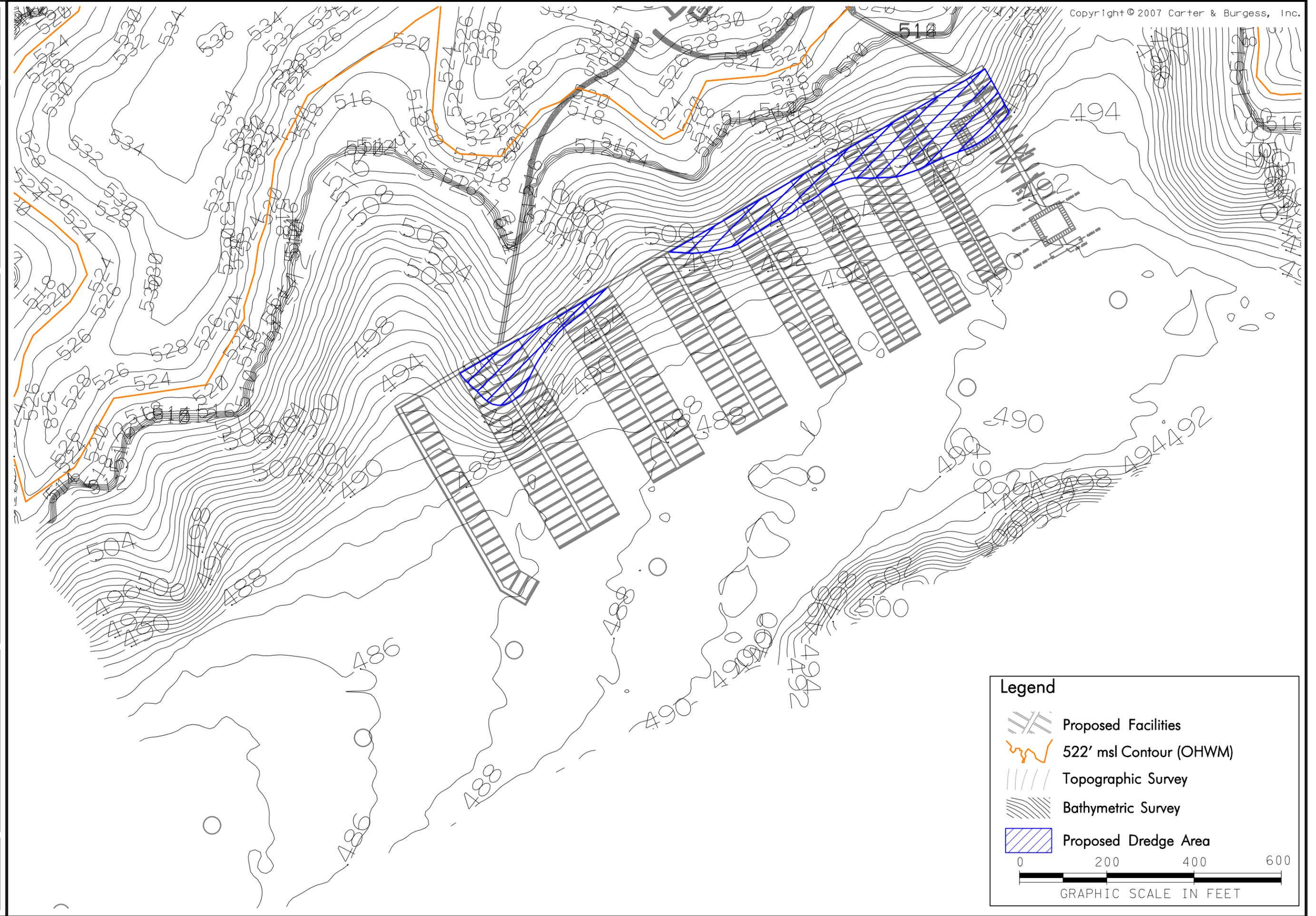


Carter & Burgess

Proposed Dredge Area
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010



EXHIBIT
2



Legend

-  Proposed Facilities
-  522' msl Contour (OHWM)
-  Topographic Survey
-  Bathymetric Survey
-  Proposed Dredge Area

0 200 400 600

GRAPHIC SCALE IN FEET

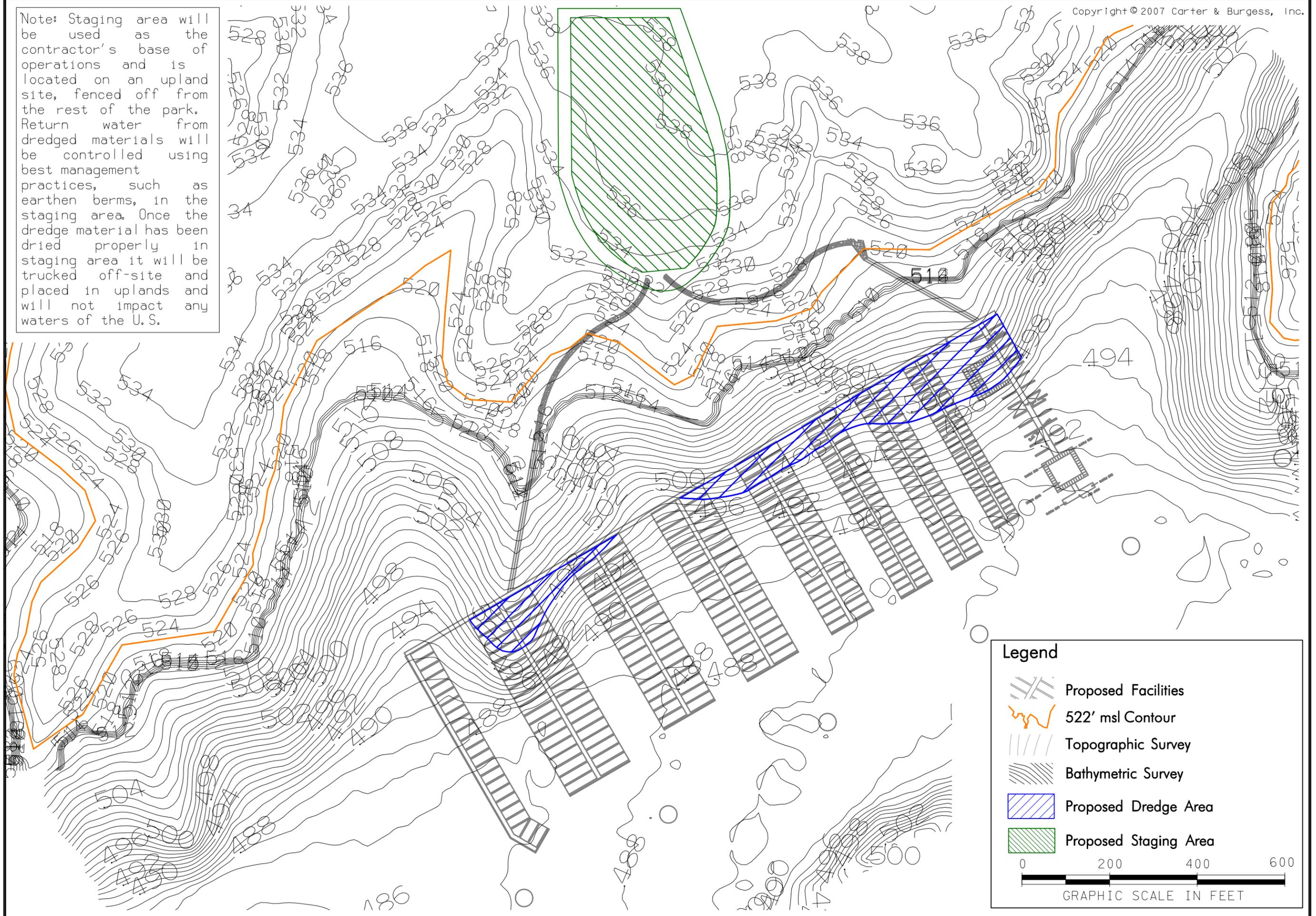
Note: Staging area will be used as the contractor's base of operations and is located on an upland site, fenced off from the rest of the park. Return water from dredged materials will be controlled using best management practices, such as earthen berms, in the staging area. Once the dredge material has been dried properly in staging area it will be trucked off-site and placed in uplands and will not impact any waters of the U.S.

Carter & Burgess

Proposed Staging Area
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010



EXHIBIT
3



Legend

-  Proposed Facilities
-  522' msl Contour
-  Topographic Survey
-  Bathymetric Survey
-  Proposed Dredge Area
-  Proposed Staging Area

0 200 400 600
GRAPHIC SCALE IN FEET

APPENDIX C

Agency Coordination and Public Involvement

September 18, 2006

Ms. Jennifer Barrow
Texas Parks and Wildlife Department
121 County Road 3131
Decatur, Texas 76234

Reference: Hidden Cove Park Environmental Information Document

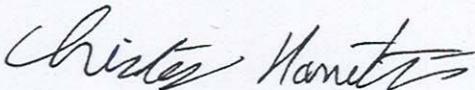
Dear Ms. Barrow:

Per the voicemail from Eric Huff on August 28, 2006, this letter and enclosed Environmental Information Document is intended to inform Texas Parks and Wildlife Department (TPWD) about the proposed Hidden Cove project on Lewisville Lake (**Attachment A, Exhibits 1 and 2**). The Hidden Cove project will provide additional recreational facilities and more efficient access to Lewisville Lake. The project was originally proposed in the U.S. Army Corps of Engineers (USACE) 1999 Lewisville Lake Programmatic Environmental Assessment (PEA). In the 1999 PEA the Hidden Cove project consisted of a marina and associated park facilities. The Hidden Cove project has not changed significantly since the 1999 PEA. However, the marina and associated park facilities are proposed to be moved to the existing Hidden Cove park area (**Attachment A, Exhibit 3**). This proposed relocation would result in fewer disturbances to previously undisturbed land, given that the proposed location already contains park facilities and is regularly mowed. Additionally the new location is more sheltered to allow safer operation and less wear and tear on the structures from wave activity that is more prevalent on the northwest shore of the park.

The enclosed Environmental Information Document was submitted to the USACE Elm Fork Project office on June 9, 2006. Per the USACE Elm Fork Project office request we are submitting a copy for TPWD to review. The project is currently going through final review at the USACE Elm Fork Project office before it goes to the USACE Fort Worth District.

Please let me know if you have any questions or comments about the project. You can contact me at 817-735-7019 (Office) or 817-880-5045 (Cell). You may also contact Tim MacAllister at the USACE Elm Fork Project office (469-645-9100) if you have any questions that the USACE might be able to answer about the project. I look forward to working with you and TPWD on this project.

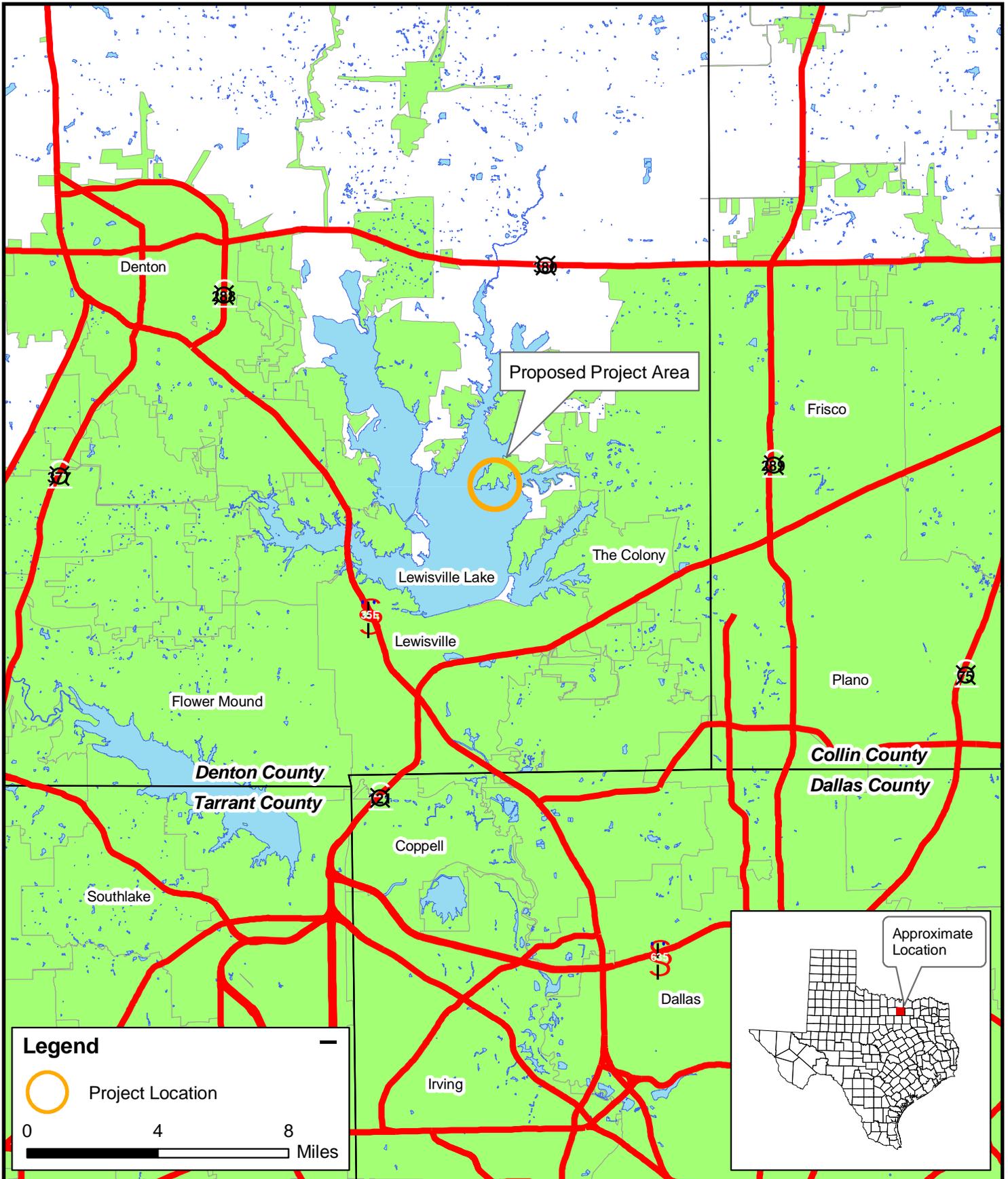
Sincerely,

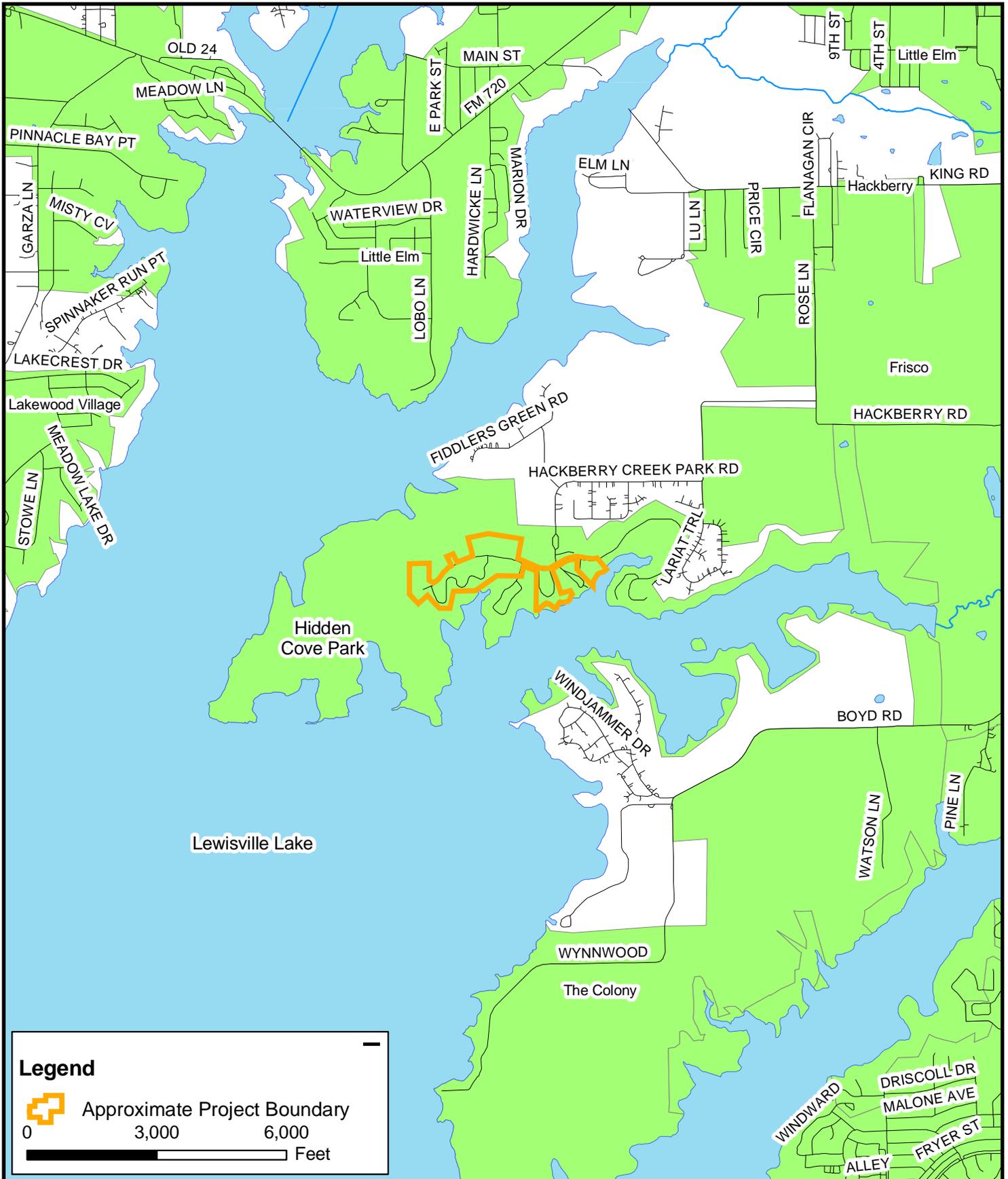


Christopher Hamilton
Environmental Scientist

CAH/nh
Enclosures
T:\Job\014295e1\WP\CORR\014295.L010.doc

cc: Correspondence
Environmental
Tim MacAllister-USACE Elm Fork Project Office





Legend

 Approximate Project Boundary

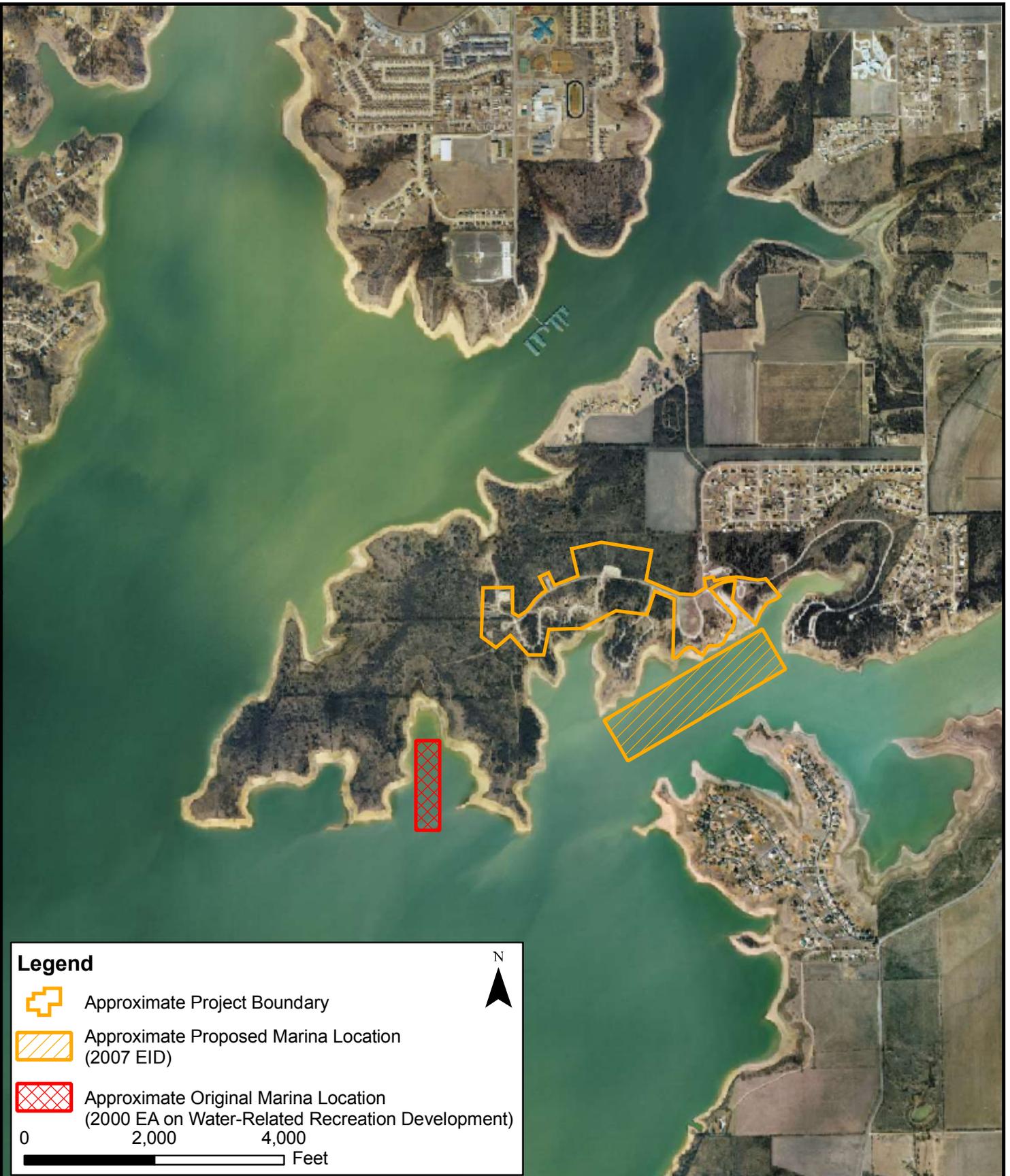
0 3,000 6,000
Feet

Carter=Burgess

Local Area Map
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010

Source: Texas State Data Center (2000)

Exhibit
2



Legend

-  Approximate Project Boundary
 -  Approximate Proposed Marina Location (2007 EID)
 -  Approximate Original Marina Location (2000 EA on Water-Related Recreation Development)
- 0 2,000 4,000
Feet



CarterBurgess

2006 Aerial Photograph
Hidden Cove Marina
The Colony, Denton County, Texas
C&B Project No. 014295.010

Source: AirPhoto USA (2006)

Exhibit
3

Comments received during 11 April 2007 to 23 May 2007 review



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

REPLY TO
ATTENTION OF:

April 11, 2007

NOTICE OF AVAILABILITY
ENVIRONMENTAL ASSESSMENT
HIDDEN COVE PARK/MARINA
LEWISVILLE LAKE, DENTON COUNTY, TEXAS

Description. Interested parties are hereby notified that the District Engineer, Fort Worth District, has prepared an Environmental Assessment (EA) and a draft Finding of No Significant Impact (FONSI) regarding the proposed project for the City of The Colony at Lewisville Lake, Texas.

Statutory Authority. This notice is being issued to all interested parties in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality (CEQ) Code of Federal Regulations (40 CFR parts 1500-1508).

Background. An EA and draft FONSI for the proposed action were prepared in accordance with the requirements of NEPA and Engineering Regulation 200-2-2, Procedures for Implementing NEPA. The purpose of the EA is to identify and evaluate the environmental aspects of implementing the proposed action in accordance with NEPA.

Proposed Action. The proposed action is for the U.S. Army Corps of Engineers to address modifications to the Programmatic Environmental Assessment (PEA) signed August 1999 to the City of The Colony for the proposed construction activities at Hidden Cove Park at Lewisville Lake. Modifications of varying scope are proposed with the major modification being a shift of 510 vessel allocations from Wynnewood Park to Hidden Cove Park, thus increasing the total vessel allocations in Hidden Cove Park from 350 to 860, and decreasing the vessel allocations in Wynnewood Park from 840 to 330. In addition to this shift in vessel allocation, the physical location of the proposed marina would be moved from the northwestern shore of Hidden Cove Park to the southeastern shore of Hidden Cove Park. Other major modifications proposed include increasing the size and scope of the lodge/hotel conference center from 75 rooms to 250 rooms and increasing the dry storage area for boats and recreational vehicles from 60 open spaces to 248 covered spaces and 300 open spaces. Three alternatives were considered in the EA including the preferred alternative, no modification to the PEA and the no action alternative.

Public Hearing. A public hearing has not been scheduled for this proposed action. Prior to the close of the comment period, any person may make a written request for a public hearing, setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his decision. If a public hearing is warranted, all known interested parties will be notified of the time, date, and location of such a hearing.

Public Review. Pursuant to the regulations implementing the procedural provisions of the National Environmental Policy Act of 1969 as amended in 1975 (40 Code of Federal Regulations [CFR], Parts

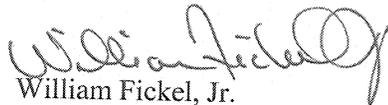
1500 through 1508), the U.S. Department of the Army gives notice that it has prepared the required environmental documentation for the Hidden Cove Park/Marina project, Lewisville Lake, Texas. This document is available for review on the Fort Worth District Website www.swf.usace.army.mil or at the following addresses:

Elm Fork Project Office
1801 N. Mill St.
Lewisville, Texas 75057
469-645-9100

Parks & Recreation Admin.
5151 North Colony Blvd.
The Colony, Texas 75056
972-625-1106

The Colony Public Library
6800 Main Street
The Colony, Texas 75056
972-625-1900

Comment Period. The comment period for this action is 30 days from the date of this Public Notice. Please address any comments to Mr. Brandon Mobley, CESWF-PER-EE, Post Office Box 17300, Fort Worth, Texas 76102-0300. Copies of the EA and draft FONSI may be requested in writing at the above address or by telephone at (817) 886-1714.



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

May 9, 2007

Mr. Brandon Mobley
U.S. Army Corps of Engineers
CESWF-PER-EE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Mobley:

The comments and requests generated in this document have been compiled after reading the available public documents found regarding The Marina in Hidden Cove Park and Lake Lewisville. There also were a number of discussions with U.S. Army Corps of Engineers employees Don Wiese and Brandon Mobley, the City of the Colony's city planner, Wes Morrison, Rea Lynn Schneider and John Hoffmann both formerly with Geo-Marine who were instrumental in writing the Water Related Recreation Use Study for the USACE, and those at Carter and Burgess.

The accumulation of shifting units, increasing densities, and moving the location of the marina completely changed the dynamics and considerations once studied in the previous reports; Programmatic Environmental Assessment, Environmental Assessment for Water-Related Recreation Development, and Water-Related Recreational Use Study. The Environmental Assessment and Draft Finding of No Significant Impact based various findings from the above reports which did not consider the increase loading of activity in the new location and proximity of residential neighborhoods. It is being requested that additional information be provided, new or updated studies be preformed, answers to specific questions be addressed, and most importantly the City of the Colony be held more accountable.

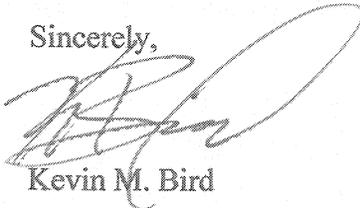
The Programmatic Environmental Assessment addresses the facts that a potential Marina in Hidden Cove Park is acceptable and practical. But the Environmental Assessment does not address the specific issues that are created by the combination of the new scope. It is also understood that The City of the Colony and Leasee will be responsible for up holding standards and requiring appropriate development standards. The City of the Colony's standards or lack of such only amplifies the need for the U.S. Army Corps of

**COMMENT FOR THE:
ENVIRONMENTAL ASSESSMENT
HIDDEN COVE PARK/MARINA**

Engineers to review the proposed project in greater detail. The City has already shown their irresponsibility by approving development and site plans without approvals in place by the U.S. Army Corps of Engineers. There is great concern that standards will be below government standards and functionality of this proposed facility will operate without governing control. The City has too many limitations which was evident when they ran the park over the past years. Additionally, the City's self-motivated circumstance should put this proposed project under a microscope.

Based on the content of the information provided in this Comment for the Environmental Assessment of Hidden Cove Park/Marina on Lewisville Lake, Denton County, by the U.S. Army Corps of Engineers Fort Worth District dated April 2007, here after, I ask the U.S. Army Corps of Engineers to look into the findings and if there is still no significant affects on the human environment at least require more information and study be provided from the applicant and The City of the Colony during the development of this project. Lastly, that all governing agencies involved and affected such as; USACE, The City of the Colony, The City Of Frisco, City Of Hackberry, Denton County, and Texas Department Of Transportation collectively review and comment on the development of this project initially and regularly as each phase is implemented.

Sincerely,



Kevin M. Bird

5970 Diamond Spurs Trail
Frisco, Texas 75034

**COMMENT FOR THE:
ENVIRONMENTAL ASSESSMENT
HIDDEN COVE PARK/MARINA**

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 - 3.4 Theater**
- 4. Update WRRUS**
- 5. Reduce Proposed Vessel Count**
- 6. Navigational Lane**
- 7. Water Quality**
- 8. Aquatic Resources**
- 9. Wetlands**
- 10. Floodplains**
- 11. Air Quality**
- 12. Noise**
- 13. Mitigation**
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- 15. Threaten & Endangered Species**
- 16. Potential Hazardous and Toxic Waste Concerns**
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- 18. Level of Service**
- 19. Growth Management Plan**
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**COMMENT FOR THE:
ENVIRONMENTAL ASSESSMENT
HIDDEN COVE PARK/MARINA**

1. New Base Line

The Proposed Water-Related Recreation Development found in the Programmatic Environmental Assessment (PEA), Environmental Assessment for Water-Related Recreation Development (EAWRRD), and Water-Related Recreational Use Study (WRRUS) originally proposed the Marina in Wynnewood Park (840 wet slips and restaurant) location as the more density intense project. While the Marina in Hidden Cove Park (350 slips and boat ramp with 25 spaces) was a much less impacted location. The Draft Environmental Assessment April 2007 (EA) references the PEA as not finding significant impacts on Water Quality, Noise, Socioeconomic Conditions, Recreation, and CUMULATIVE IMPACTS. Due to the fact the PEA and WRRUS were evaluating Wynnewood Park as the much more impacted Park, not Hidden Cove Park a new Baseline Study is requested. The new Baseline should take in consideration the switching of the larger impacted area from Wynnewood to Hidden Cove and the increase in Proposed Action found in the EA (i.e. Large Hotel, Multi Story Dry Stack Storage Facility, Theater, Two Restaurants) that was not considered by the PEA and WRRUS at either Park.

Two further reasons for a new Baseline Study are proximity to residential homes and the increased boat activity in a smaller and more physically restrictive area. In the original PEA and WRRUS both marina locations were careful and considerate in choosing a location away from existing residential neighborhoods. The proposed location for the Marina in Hidden Cove Park is now within 1,000 feet from the existing Saratoga and Wynnewood neighborhoods. The EA states that "No noteworthy change in the type of recreation is foreseen in the proposed action. Additional slip allocations are proposed to be added but these allocations would come from another marina that is located within the same zone. Therefore, no impacts to lake carrying capacity are foreseen since the number of slips in this zone fall within guidelines from the WRRUS and the PEA". From a theoretical standpoint the slip allocation is a fitting statement. But what is not being taken into consideration is Wynnewood's location was a few hundred feet north of Zone A and the proposed marina faced out into the main body of the lake not sandwiched in a cove next to residential neighborhoods. The moving of the Marina in Hidden Cove Park from the PEA's original the proposed locations (3 options) and increasing the number of boat activity requires this to be looked at on a micro level and site specific. There are numerous things left out or not being considered that will require a new baseline to be established in order to accurately assess the environmental consequences.

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2. Traffic Study

The PEA states it is difficult to accurately predict future noise levels from visitors using the various recreational facilities being proposed as part of the overall marina developments. Future noise levels from vehicles using the existing and proposed access roads can be predicted using the FHWA's traffic noise modeling software. However, in order to model traffic noise levels future traffic projections are required.

A Traffic Study is requested. The study would determine if the current road capacity and design could handle the increase in density, the noise levels from vehicles, safety concerns with vehicles using the existing roads, and the need for law enforcement. The study should address each phase's build-out. The roads that will be affected are FM 423 a Texas State road, Stonebrook Boulevard, a City of Frisco road and Hackberry Creek Road a Denton County road. The required traffic data could easily be found through the City of Frisco and the Texas Department of Transportation. In fact, a traffic study (signalization warrant study) has already been done for the intersection of FM 423 and Stonebrook Boulevard. This particular study did not account for the proposed increases at Marina in Hidden Cove Park.

The following items need to be reviewed.

1. The number of trips generated by the allowable increase of:
 - A. Boat use
 - i. 560 wet slips
 - ii. 34 courtesy slips
 - iii. 300 boat dry stack storage
 - iv. 608 cover & uncovered storage (300 specifically for boats)
 - B. Boat repair facility
 - C. Hotel
 - i. 250 rooms
 - ii. 2 conference centers/banquet rooms (no size)
 - D. Two Restaurants (no limiting size)
 - E. Campsites
 - i. 50 RV sites
 - ii. 32 cabins
 - iii. 25 tent sites
 - iv. 41 shelters & pavilions

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- F. Swim Beaches
- G. Employee Facilities
- H. Heliport (not consistently mentioned throughout EA)
- I. Indoor - Outdoor Theater no limit on capacity (not consistently characterize throughout EA)
- J. Construction
 - i. Above listed improvements
 - ii. 90,000 cy of dredging

2. Immediate concerns:

- A. The intersection of FM 423 & Stonebrook
 - i. FM 423's north bound left turn crossing two south bound lanes of unstopped traffic onto Stonebrook.
 - ii. Exiting Stonebrook North on FM 423
 - iii. Has the ultimate design of this intersection taken into account the trips generated by the increase in park's density?
- B. Stonebrook Blvd. is unfinished
 - i. Numerous lane changes from four lanes to two lanes.
- C. Hackberry Creek Road
 - i. Passes in front of 20 residential driveways
 - ii. Asphalt constructed road (may need frequent repairs)
 - iii. No street lights
- D. The construction activity
 - i. Safety
 - ii. Maintenance
 - iii. 90,000 cy would equate to over 6,000 truck loads to haul off site
 - iv. Phasing over four years would mean many years of disruption by construction equipment.

3. Inconsistencies in the Environmental Assessment

3.1 Restaurants

Dockside restaurant is not mentioned in Table 1.

A maximum square footage as it regards to the Dockside Restaurant and the Lodge/Hotel Restaurant facility should be determined for

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consideration in the EA. Once the square footage is determined the Impacts and Cumulative Impacts should be re-addressed (air quality, noise, vegetation, socioeconomic conditions, and aesthetics). Two restaurants will require their own parking spaces per code depending on size and will have a direct affect on total development area by the possible increase of impervious surfaces on the proposed project. Hours of operation will need to be establish and the restaurants alcohol to food ratios be set.

3.2 Helipad

A Helipad is indicated in Table 1 but not mentioned in the proposed action nor does the Impacts and Cumulative Impacts section address the affects of a Helipad.

3.3 Wastewater

Wastewater expansion is proposed in Phase 1B. The current system has failed as recent as last year under the existing activities. Was this reported to TCEQ and what are the finds and corrections that have taken place? If Phase 1A will increase the use of the current wastewater system the system should be upgraded before Phase 1A activities are allowed to operate. A study on the current system and what the proposed action will require in the way of upgrading is requested.

One Lift Station is proposed in Phase 2 there is a significant amount of activity that exists and that is being proposed in Phase 1A, 1B & 1C. The complete marina and camping facilities will be operational in Phase 1. Shouldn't certain activities within Phase 1 be contingent on having a Lift Station in place? Lift Stations are not being considered until Phase 2. Phase 2 is basically amenities to the project's Phase 1 with the exception of the hotel. The hotel will eventually need to be included in the wastewater capacity study.

3.4 Theater

Indoor-outdoor theater is indicated, but it is not listed in the Proposed Action or listed in Table 1. If a theater is proposed, a seating capacity

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needs to be set. The Impacts and Cumulative Impacts then should address the theater.

4. Update WRRUS

Has an update to the WRRUS been done? If not I am requesting at least a cursory review be done. The reason for this request is the WRRUS is over eight years old and since then numerous slip additions to existing marinas been made and the Marina in Cottonwood Park has been constructed. The existing vessels for each zone and overall total have changed. Another significant reason is not all the improvements to these existing marinas have been operating within the original allowable activities. As an example, Hidden Cove Park's current activities as described in the EA allows for a 3 lane boat ramp with 75 parking units but the EAWRRD states a boat ramp with a 25 space parking lot. The EA goes on to identify under section 3 Existing Environment there are actually 146 existing parking units for the boat ramp. These types of inconsistencies need to be reviewed and surveyed and once an accurate account of vessel impacts can be derived for Zone C and the entire lake will there be solid conclusion that the proposed activities at the Marina in Hidden Cove Park will not exceed the lake's vessel capacity.

This brings up another point, has a study been done on the number of boats launched from Hidden Cove Park and how are the current parking conditions handling the volume?

Lastly, I ask the US Army Corps of Engineers (USACE) to require a legally executed document be in place between the applicant and the party who has the rites to the vessels allowed at the Marina in Cottonwood Park before permitting the proposed development to proceed. This legal document should identify the conditions related to the transfer of vessels to the Marina of Hidden Cove Park while restricting the activities and the number of vessels allowed at the Marina in Cottonwood Park.

5. Reduce Proposed Vessel Count

The WRRUS median resource protection for Zone C is 289 vessels. The EAWRRD allocated those vessels; 84 vessels to Marina in Wynnewood, 84 vessels to Marina in Cottonwood, and 60 vessels (35 slips & 25 ramp parking) to Marina in Hidden Cove Park. The Marina in Cottonwood stays the same with 84 vessels and the Marina in Wynnewood is reduced to 33 vessels while the Marina in Hidden Cove is increased. To maintain the median resource protection level and not be a significant impact the Marina

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in Hidden Cove must not increase to more than 170 vessels. What is proposed is 560 slips (56 vessels), 300 Dry Stack Storage (30 vessels) and keeping the existing ramp along with the existing parking lot (146 spaces equates to 146 vessels). The proposed vessel count is over the median resource protection for zone C at 349 vessels.

I am also confused on why certain activities do not account toward vessel impacts. The Marina in Hidden Cove will have the proposed 560 slips (56 vessels), 300 Dry Stack Storage (30 vessels) and existing ramps with its 146 space parking lot and a total of 608 covered and uncovered RV and Boat Dry Storage (60 existing and 548 additional). It is stated 300 of those spaces are for those using the Dry Stack Storage. There is the huge potential the covered and uncovered RV and Boat Dry Storage will be considered reserved parking for boats that neither want to use the slips or dry stack storage and prefer not to use the ramp parking lot because of congestion and limited availability. The 300 spaces stated for Dry Stack Storage should be exclusively designated for this use. With a percentage of the remaining 308 parking spaces ultimately counted toward Zone C's carrying capacity.

Lastly, boat and jet ski rentals are not being count toward vessels impacts. At the current time the rental shop rents approximately five boats and eight jet skis. There is no limit indication to the number of boats and jet skis able to be rented.

Due to these above stated factors the vessel count for the Marina in Hidden Cove Park should be reduced so that the median resource protection for Zone C is not exceeded.

6. Navigational Lane

The EA states "The marina is not expected to hinder access to the upper end (i.e., east end) of the cove since the marina structure would not extend to the centerline of the cove, which is the deepest portion of the cove. It is possible that access to the east end of the cove may be limited during times of extreme drought. However, the marina will not be the determining factor (i.e., water depth would be the limiting factor)". Not expected is an inadequate conclusion. This similar issue was brought up at the Marina in Cottonwood Park (found in the EAWRRD Appendix F). In this case the USACE requested the city to provide drawings of the proposed marina in relation to the natural contours of the cove on both sides. The end result was the design was reconfigured and a 250 feet navigational lane from the breakwater beyond the docks was maintained to reach

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the back of the cove. I request the USACE requires the same from the City of the Colony and applicant. The USACE should require at least a 250 feet navigational lane from the breakwater beyond the docks to the south shore's 503 msl contour. In addition this south side of the cove is very stumpy and the removal of those stumps should be considered or the 250 feet should be from breakwater to the stumps. If a significant navigational lane is not maintained not only will boats not be able to get to the upper cove but those using the boat ramp will not be able to reach the main body of the lake (the boats will not be able to get around the marina's docks). The current design of the marina has a few critical points where navigating will be difficult.

7. Water Quality

Water quality data appears to be from the mid 1990's and outside the project area. Is updated water quality data available within the project area?

What measures would be proposed to ensure that hazardous waste and pollutants associated with project construction and the increased boat activity do not violate water quality standards?

The EA states there has been intense urban development in the vicinity of Lewisville Lake that has resulted in increased concentrations of sediments, metals, nitrogen and phosphorus in storm water runoff. There are two new golf courses under construction along the lake just in Zone C (bringing the total to three). Golf course maintenance pollutes the water when fertilizing with nitrogen and phosphorus and copper sulfate used as herbicides and pesticides. The proposed action will contribute additional nutrient loading and reduce the amount of native habitats available to filter pollutants and contaminants. Please provide data to demonstrate that the proposed action will not result in a cumulative impact to water quality.

Please provide data to demonstrate that lake sedimentation does not contain hazardous materials or chemical contaminants that could adversely affect water quality and aquatic flora and fauna during the proposed dredging activities.

If sewage pumpout facilities are proposed, please discuss what measures will be taken to ensure these activities do not result in impacts to water quality.

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8. Aquatic Resources

Updated surveys of aquatic resources is requested to determine whether aquatic vegetation or submerged resources are present that would provide habitat for aquatic organisms and food for waterfowl. If aquatic resources are present, what measures are proposed to mitigate for impacts to aquatic resources?

9. Wetlands

A jurisdictional wetland determination was not conducted for the site during the 1999 PEA, and agency verification of the 2005 wetland assessment has not been performed. Verification of wetland jurisdictional limits is recommended to ensure an appropriate compensatory mitigation plan is established if necessary.

10. Floodplains

Describe measures taken to ensure the project will not adversely affect the flow of water or cause harmful erosion or shoaling.

11. Air Quality

What are the effects on air quality from mobile sources, primarily construction equipment during summer months, as that is the time most likely to see a spike in ozone?

Additionally, the reallocation assumption, does not take into effect the additional mobile sources being generated by the additional slips, storage structures, boat repair facility and additional hotel spaces. I request to model the air quality effects from mobile sources associated with all activities, construction and operation.

12. Noise

It is anticipated that the loudest noise sources generated would be the sound of boat motors and automobiles. It was stated the PEA did not anticipate any significant noise impact for this project. But at the time of the PEA this project's proposed action did not included a multi story dry stack storage facility, two restaurants, a possible theater, a 250 room hotel, etc. These uses will create their own noise levels above boat motors and automobile which were the only things considered. What is the cumulative noise impact from all these uses?

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The greatest attenuator of noise is distance. But with the proposed change in the marina's location all the additional proposed action elements are now located adjacent to each other. I ask that the marina be pushed further away from the other proposed action elements and the near by neighborhoods. This will also allow for enough distance between project elements to attenuate project generated noise levels to the extent that noise levels from the project's elements would not significantly combine with other project related noise levels while keeping an increased distance from the neighborhoods.

Another thing to be considered is as technology increases other noise factors need to be measured. Numerous boats now have stereo sound systems that exceed the 65 decibel level. Jet skis operate at a louder decibel than the average boat. There are more and more larger boats which have larger dual engines.

The hours of operation have been depict as a consolation for when noise will decrease. How will it be possible for the park to be closed after 10pm when a hotel, restaurants etc. are in operation?

13. Mitigation

I request that the Upland mitigation plan (Appendix D of EA) provide Upland planting along all Residential boarders. And where allowed a 650 foot no activity zone be created to additionally buffer the existing residential.

14. Wildlife

Please provide data to demonstrate that other infrastructure improvements such as roads and increased traffic will not adversely affect wildlife usage and other natural resources.

15. Threatened & Endangered Species

I request a study of the project area to determine the affect of the project on federally listed migratory bird species, including but not limited to the whooping crane, piping plover, and interior least tern.

Where is the nearest bald eagle nest in relation to the project and what affect is the project likely to have on bald eagle foraging and nesting habitat?

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16. Potential Hazardous and Toxic Waste Concerns

I request additional information on the spill prevention and response plan. Will there be use of emergency shut-offs, double walled fuel lines, breakaway mechanisms, etc. that demonstrate water quality, aquatic flora and fauna will not be adversely impacted from fuel spillage.

17. Readjust/Realign the Marina Dock Layout

The current dock design locates numerous highly used activities in one area. Moving the docks to the West will relieve congestion while creating more distance from the residential neighborhoods. The following activities are the cause of the congestion:

- At the current time, boats line up and circle around the boat ramp waiting for their turn to be trailered out of the water. With the current design of the dock there is no space to effectively and safely load up and pull a boat out using the ramp.
- The courtesy docks are at the far East end of the docks. This will logically add to the congestion around the boat ramp. Courtesy docks will have the most concentration of in and out boat traffic.
- The dockside restaurant is located in the courtesy dock location adding to the traffic.
- The Ship Store with gas sales are also located in the courtesy dock location. This service will have a direct impact on traffic patterns.
- The Dry Stack Storage where boats will be launched is located east of the boat ramp. Boats using Dry Stack Storage will have to navigate around the boat ramp traffic and then the courtesy dock and restaurant traffic.
- The docks are in front of the beaches (as shown in the rendering not identified in any exhibit) and will be directly affected by boat spillage and floating debris due to the winds blowing into the shore line.

I recommend the dock design and the location of the activities be studied in greater detail. Boat traffic and the areas of high congestion should be addressed. Major consideration should be given to reconfiguring the dock design and moving the docks further west.

18. Level of Service

Staff levels for enforcement are not in place at the current time. The USACE and sheriff departments are short handed on and off the lake. Hidden Cove Park's location is the furthest distance from The City of the Colony and response times do not meet level of

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service standards. The addition of all the boats, campsites, restaurants, storage facilities, businesses etc. will only tax the limited staff of these governmental agencies. Is the applicant responsible for provide funding for the addition of more staff and life safety equipment?

What other measures are being taken by The City Of the Colony, USACE, and Denton County to provide enforcement and handle public safety issues?

19. Grow Management Plan

The City of the Colony has approved a Development Plan and Site Plan for Hidden Cove Marina and Resort. The approval by Planning and Zoning and then City Council has been granted before the USACE has finalized any of their findings and recommendations. There seems to be insufficient communication between the USACE and The City of the Colony.

On a development of this size there should be an intense, detailed review regarding Site Planning, Uses, Density, Infrastructure Design and Capacities, Public Safety, Beautification, Design standards, and Maintenance and Operation Requirements. Due to city staff turnover there has not been adequate attention to the issues at hand. Recently, there has been improvement in city involvement with new staff members but it's apparent they have not had the appropriate amount of time necessary to address all the items.

The current approved Development Plan does not meet the City of the Colony's parking requirements. Per the Development Plan Phase 1A (see Planning and Zoning Commission Report dated February 13, 2007) the project will have approximately 600 marina slips that will have only 160 parking spaces allocated for it. Also in the Phase 1A is the Ship Store (3,000 sf) and Dockside Restaurant (5,000 sf) these uses should require more or less 30 and 100 parking spaces respectfully per city code. This would leave 30 parking spaces for the marina slips. This can not be adequate parking for such activities. Like wise Phase III is the 250 room Hotel with a restaurant and convention/meeting rooms to accommodate 300 people with parking for 215 spaces. Per city code this should be a minimum of 600 spaces. Phase III is grossly under parked. In addition the development plan approves a Helipad which has not been addressed by the USACE. The Development Plan does not address or locate an indoor-outdoor theater. The purpose of pointing out some of the oversights in the Development Plan is two fold. One, there are

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major concerns that the facilities and infrastructure are under designed and two, The City of the Colony has overlooked a few items or are relaxing their standards to accommodate the proposed development.

I request the USACE work with the City of The Colony to require the applicant/developer to provide a more complete development package. The City of The Colony has not required or enforced the development to meet minimal standards found in their ordinances. Inadequate parking, water and sanitary sewer and no storm water system will have a direct impact on environmental issues. The package would need to address all the issues that are currently being brought up in this report. The development package would determine how the phases and current activities within those phases will be dependent upon adequate infrastructure in place. The development package would require comprehensive studies on wastewater, water, and traffic be conducted in order to anticipate and address the problems as the project develops in phases.

20. Request a Public Hearing

I am requesting a public hearing for the above referenced project. This request is made due to the fact the existing environment will be directly impacted by the proposed development. The environmental consequences of this proposed development are numerous and some significantly perilous. There have been meetings held (i.e. April 4, 2007) by the USACE, the applicant, and the City of The Colony that I nor many in our community were given notice of. I have not been properly given the chance to fully express my concerns and feel in a public hearing setting adequate or substantial answers can be given without confusing responses. Having the chance to write out my concerns does not substitute the actual dialog required to fully discuss the issues as these issues are very dynamic.

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RE: Comments to Draft Finding of No Significant Impact (FONSI) regarding proposed project for the City of the Colony at Lewisville Lake, Hidden Cove Park

Dear Mr. Mobley:

Please accept my request for public hearing and comments on the Draft FONSI.

Request for Public Hearing:

A public hearing is necessitated to allow elected officials, area government agencies, local residents, and persons interested in Hidden Cove Park and Lewisville Lake to better understand the proposed development and to have an opportunity to identify issues and concerns, including some not addressed in the Draft FONSI. The location of Hidden Cove Park is unique, in that there is no centralized governmental authority that controls the Park and immediate surrounding area. Many entities are involved in servicing and patrolling the area, and it is incumbent upon the Corps of Engineers to solicit and assess the impacts identified by these entities and individuals.

Informal meetings conducted prior to the Draft FONSI issuance restricted full participation by the Corps representatives. The so-called "public hearings" identified in Draft FONSI Section 8.0 were conducted by the proponent of the development thus chilling any serious public debate or input into the development plans. The City of the Colony did not notify abutting Hidden Cove Park landowners of public hearings or zoning changes related to the Park. There has been no public hearing conducted by an independent governmental authority, or one that collectively engages all interested parties. The Corps is to be commended for its efforts to date to solicit public input on this Draft FONSI, but a full public hearing is needed to bring all interested parties together.

The media reports in Draft FONSI Appendix C are from 2004, further highlighting the lack of any recent public discourse on the Proposed Action plan. It is crucial for the Corps to fulfill this role. The pursuit of a development of this magnitude, in a concentrated area, is deserving of a full public hearing, and I respectfully request the same.

Comments on Draft FONSI:

Introduction

As an abutting landowner, my first concern is quality of life and the quiet enjoyment of my property and that of my neighbors. When I bought my property in June of 2005, the 350 slip marina plan in the northwest shoreline of Hidden Cove Park was acceptable and still is. The Proposed Action significantly increases the proportions of the original plan, introduces unmitigated offensive characteristics, and changes placement into an intrusive location; the womb of the neighborhood. It is incredulous that a comparison of the two plans would render a determination that there is "no significant impact" on the human and natural environment. Living next to a public park is much different from living next to a commercial, retail, entertainment complex. The size, location, type, and concentration of development into a contained area of public property, surrounded by residential development, is deserving of further study, examination, and, preferably, outright denial. The location and size of the No Modification Alternative is more attractive and results in greater recreational access to the lake and less impact to the human environment.

No Modification Alternative v. Proposed Plan

The No Modification Alternative was examined in the PEA of 1999. The placement of the 350 slip marina on the northwest shore of Hidden Cove Park was apparently designed to coincide with the Little Elm Cottonwood Marina in close proximity. This area opens up to the main body of Lewisville Lake, as opposed to the Proposed Action which presumably shelters the boat slips in the cove, but requires boaters to navigate through a series of stumps and low water levels during frequent droughts to attain access to the open portion of the Lake. The predominant reason for the Corps to consider relocation to the cove is unmitigated northerly wind surge that would affect the floating marina in the northwest location.

We know southerly winds are prevalent. Northerly winds are not prevalent. The Draft FONSI is silent as to measures that can be instituted to prevent damage to a marina in the northwest location. Obviously, Cottonwood Marina, and other marinas on the lake, figured out a way to protect boat slip renters from north wind surge. Such alternatives must be studied and examined prior to considering relocation and expansion into a limited cove. The 560 floating concrete wet slip marina and dockside restaurant has the potential to choke off the cove in times of draught. It will cover a significant portion of the cove with concrete and blue tarp; not the natural environment residents and park patrons are expecting or accustomed to.

The addition of 300 boat slips via a waterside, 53 foot high, steel building is environmentally and visually insensitive. The heavy hydraulic machinery to lift boats in and out of the water at all times of the day and night is an auditory assault. A structure and operation of this size is better suited to the least intrusive northwest location in the

No Modification Alternative. There, the boats are completely housed and protected from pre-supposed, damaging north wind surge. There is no valid reason given to concentrate another 300-housed boats on the cove shoreline when the original location can accommodate it and the perceived adverse conditions are non-existent.

We learned from Corps representatives that, at the highest boat usage peak, only 1 of 10 boaters launch into the Lake. Therefore it does not make sense to disrupt the shoreline with a 300 boat storage facility when on any given day only 30 of those boats will touch water. A storage facility of such magnitude is not required to fulfill the recreational goals of the Corps, even though it may suit the profitable goals of the proponent. The proponent could easily discern the active boaters and house them in the floating marina. The huge waterside boat storage/slip facility operated using heavy equipment is inappropriate. I request the Corps deny its inclusion in the Proposed Plan, or, secondarily, reposition it to the original northwest location in the No Modification plan and institute appropriate controls to mitigate noise and aesthetic impacts, or, thirdly and at the very least, conduct a study of it's certain adverse impacts.

The second reason for the proponents abandoning the No Modification Alternative is that the northwest park area is currently undisturbed. However, boaters from Cottonwood Marina currently traverse this waterway and the Proposed Plan adds several "bunk houses" to the area. The environmental and human impacts of this location were addressed in the PEA 1999 and there were no serious objections to the placement of the marina and ancillary activities there. The current activities at Hidden Cove Park like day houses, RV sites and JT's boat rental shop, do not collectively make the park "already developed" to the extent contemplated by the Proposed Plan or the Draft FONSI.

The Proposed Plan will severely tax existing lake access by using the existing 3 lane boat ramp and increasing boat capacity by 860. In contrast, the northwest location provides additional access to the Lake by constructing a new 3-lane boat ramp, for a proposed 350 additional boat capacity. The report states in Section 1.1 Purpose and Need for the Project that "[t]he purpose of the Hidden Cove project is to provide additional recreational facilities and more efficient access to Lewisville Lake." If the Corps and proponent are advocating recreational access to the Lake then the No Modification Alternative expands public and private boating access to a safe part of the Lake. The Proposed Action constricts Lake access by privatizing and over-burdening the existing ramp to paying private tenants to the exclusion of the public.

Commercial Retail Development v. Recreational Uses

The City of the Colony has no direct connection to the park other than to fulfill the role of landlord and sales tax collector. To them, this is an investment property filled with potential eye-popping sales tax revenue. The City does not control the roadways leading to the park; it does not take exclusive responsibility for responding to emergencies at the park; it has no constituents concerned with concert noise; hydraulic machinery; boat noise; 53 foot high boat storage facilities; gasoline leakage; traffic backups, polluters;

speeders; drunk drivers; or drunk boaters. All of these things, so-called “amenities”, the proponents want to bring to bear on Hidden Cove Park, are not conducive to a recreational, public park environment.

If the proposed amenities were so desirable, the City of The Colony would position them in Wynnewood Park which already has significant recreational development, a pristine golf course, and which is directly connected to the City, within City limits, and for the use and benefit of City residents. A 250 room hotel and convention facility is a natural fit in that setting; it is not a public park amenity or recreational outlet suitable for Hidden Cove Park.

The Proposed Plan for a dockside restaurant and bar to fuel boaters with alcohol is irresponsible. The Lake does not need another bar or party cove to attract and encourage safe boating activities. This adds a dangerous element to the Proposed Plan, which is deserving of further study and controls, if not outright denial. As it stands, the Lake suffers from a serious lack of enforcement and patrol. A dockside bar and restaurant, even if remotely located in the northwest site to not disturb the neighborhood, is inappropriate and not in furtherance of recreational activities. Government should discourage drinking while boating, not provide opportunities for it.

Request for Studies on Aesthetics, Noise, Air Quality, Water Quality, and Hazardous Substances

The Proposed Plan adds several new and intense elements; a helipad, fuel sales, 548 space dry boat storage, dredging, heavy hydraulic machinery, increased hotel rooms, restaurants, and unrestricted retail facilities. The Draft FONSI in section 4.15 and 5.15, cumulative aesthetic concerns, rely on an “already developed park with existing structures” to negate the need for further study or control over materials and design. The existing park structures can not be compared to the Proposed Plan commercial facilities. They are distinctly different and result in a dramatically different shoreline vista.

The assessment of cumulative air quality impacts in Draft FONSI Section 5.6 relies on transportation improvements many miles away from the project area. There is no mention of the traffic restrictions imposed on the main access roads, Stonebrook Parkway, or the size limitations and location of Hackberry Road and Hackberry Creek Parkway. The failure to recognize the inadequacies of existing infrastructure leading to the project area necessitates a traffic study.

The Proposed Plan will dramatically transform the Park and cove, and the negative impact on aesthetics, air quality and noise will be exacerbated by lack of apparent oversight on materials and design. The ambient noise level, intensity and duration was dismissed in section 5.7 due to ‘ongoing and upcoming transportation and development projects.’ These projects were not identified. In addition to the 860 potential new vessels contributing to increased boat motor noise, any transportation or developments “in the

project area” must be analyzed, studied and made known to the public to properly consider the impacts.

The additional intensive boat activity, fuel sales, and proposed dredging of 90,000 cubic yards of sediment and the collection, transportation and disposal of the same is so contrary to and outside of the scope of the 1999 PEA, it is deserving of a true water quality, hazardous substances and noise study. None of the potential adverse affects was addressed in the 1999 PEA. The Corps is requested to commission further studies to understand the full impacts of this vast development.

Conclusion

Only a full public hearing properly noticed and conducted by an independent governmental authority, can flush out the many issues and concerns with the proposed relocation of the marina development and additional concentrated facilities. The No Modification Alternative is clearly the preferred location by local residents and poses less adverse impacts to the human environment and the existing character of the public park. Hotel, convention, and restaurant facilities are not conducive to a public park/recreational environment and the “fourth alternative”, Wynnewood Park, is deserving of serious consideration. To complete the picture and to assemble all pertinent information, the Corp is requested to conduct the appropriate studies and examinations of the potential affects, and to institute controls and mitigation measures that will protect the natural and human environment.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Saulnier".

Vicki Saulnier

Joe & Marilyn Bishop
5880 Silver Spur Trail
Frisco, Texas 75034

May 9, 2007

Mr. Brandon Mobley
Corps of Engineers
CESWF-PER-EE
P.O. Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Mobley

This letter is to address the "No Significant Impact" reply for the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

Background Assumptions:

The original environmental study for this park was done approximately 7 years ago. Some of the original assumptions are now used as facts for the new study. I have seen a significant change in the use of the lake since then. I base my findings on the fact that I have lived on the lake for 11 years within ½ mile from the proposed marina. I have observed the weather, the boat and the vehicular traffic, and the various lake levels. In 1999-2000, the sport of wakeboarding was just beginning. Many boats were still used for waterskiing and most of the noise was from exhaust. In addition the wake generated by the boat was kept to the lowest height possible to maximize the skier's ride. Also when large numbers of boats were skiing (running buoys), boaters would tie up together and wait turns. Today there are no buoys in the cove because the emphasis is on Wakeboarding. Wakeboarding boats do not need to wait for each other. The sport is done with the largest wakes that can be produced. There are no rules for the lake and boats compete for the best water often creating situations where boats turn in front of other boats. Just as on a congested freeway, this competition can and will cause hard feelings with the resulting problems of "road rage". The use of jet skis have also increased significantly.

- a. This marina is proposed at the opening to Hidden Cove, putting 800 boats at the opening to an area that is already congested will pose an unreasonable safety hazard to the lake. Lake Lewisville has a very poor reputation regarding deaths and public safety. There is nothing in this study that addresses law enforcement both on the water and the land.
- b. The placement of the marina will encourage the one pass down the cove to test the boat before the going out in the main lake. There are no speed limits on the lake. A 60-90 mile per hour pass down a small busy cove is unsafe. A speed limit would help, but there is no enforcement.
- c. The current proposed placement of the marina will use a large section of the water that many jet skiers are currently using; the lost of this area will force them down in the cove creating more congestion. Many jet skiers will not go on the main lake because of the high waves. Jet skis pose a real safety hazard to the cove. Most jet skis still have loud exhaust and make a high pitched sound. Speeds of 50-70 are typical.

- d. The noise from a modern ski boat has changed from exhaust to stereos. Many boats have high amp power and many speakers. The intent is to allow the wakeboarder to hear the music while skiing. In fact, the boat is a moving rock concert which can be heard at great distances. There is nothing addressing the noise and no attempt to regulate or enforce standards. This is not addressed in any of the studies.

Current Proposal Issues:

1. This current study says that the marina is being moved to the new location due to the north winds. Using the data from the Dallas Morning News webpage, <http://weather.dallasnews.com/history/airport/DFW/2004/10/6/DailyHistory.html>, the statistics does not support this assumption. Reviewing the results for the calendar year 2006, a count was performed based on the primary wind direction by day. The findings were as follows: East – 36, North – 91, South – 214, West – 24. The findings based on the Maximum Wind Speed being 25 mph or greater and the primary direction north or south were as follows: South – 55 days, North – 27 days.
2. The original study approved a smaller marina in three possible locations. These locations were all on more open water that will help to spread the environmental impact over a larger body of water.
 - a. Hidden Cove does not have any constant water supply causing flow through the cove. The south winds will force all floating debris (beer cans, gas, oil, etc) to be blown down the cove. All boats leak and all in water boats pump bilge in the lake. This might pose no threat to the lake as a whole, but confined to closed congested area there could be an impact. This marina was approved for 350 boats none in this area.
3. No need for a marina of this size in one location.
 - a. Cotton Wood Creek marina (in this zone) is already approved for 700+ boats and currently has less than 200 slips and no waiting list. They already have plans to go to 250 slips.
 - b. The proposed Hidden Cove marina will produce free for all atmosphere competition which could result in relaxed standards and allowing whatever it takes to fill the slips. There is no enforcement to control the activity. The restrictions that have been placed on Cotton Wood Creek should be the minimal standard for this marina.
4. A current traffic study has not been considered in the recommendations for the changes to the marina.
 - a. FM423 the main artery to the park from the South is one lane and from 3:30 PM to 7:00PM is backed up for half a mile or more. The turn to Hidden Cove turns across two lanes of traffic with a 55 mile per hour speed limit with no stoplight at Stonebrook parkway.
 - b. The final road leading to the park passes by a residential area, which is a blacktop road. The constable has said that type of road was designed as a one lane road with shoulders to pass on. This road was never intended to support traffic going both directions towing large trailers and boats. The speed limit is 25 MPH, but with zero enforcement, the actual speed is 40+
 - c. Considerable housing development has been approved by surrounding cities on adjoining lands. The type and level of development was not considered in the original study (i.e. a retirement community with small and compact homes).

5. Effectively, the current plan reduces general public boating access to the park because the parking for the current boat ramps will not be enlarged in this plan.
 - a. The park has plans for 300 boats on trailers on the ground. If even 10% launch their boat that is 30 parking spots used that can not be used by the general public.
 - b. The boat parking lot is already full on many weekends. By not expanding the public parking, the operator is in effect turning the park in to a members-only facility. The public area should be expanded to equal the proposed size of the marina and those spots removed from the operator.
6. There is a proposed Helipad in the plan.
 - a. The original study did not address operating aircraft in the park. There is no regulation on the pad. Who can use the pad? How much the pad will be used?
 - b. There is nothing addressing fire support while the helipad is in operation. A small accident and resulting fire could pose a large risk to the park and the attached communities.
 - c. There is no mention of flight paths, distance from housing, or related noise in the plan.
 - d. All flight operations in unregulated areas create possible weather related accidents, landing in high wind, fog, heavy weather, etc. There are no proposed navigation aids at the helipad.
 - e. There are no minimum requirements for the pilots operating out of the helipad. Example Student pilots practicing landings.
 - f. There are no minimum requirements (equipment) for the helicopters operating out of the Helipad.
 - g. There is no enforcement of any laws proposed or planned so any regulations for the helipad would not be enforced.

Summary:

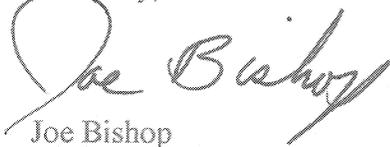
The location and size of the marina will propose a significant change to the original environmental impact study. The proposal focuses a large number of people and equipment in a very small closed area. This creates an undue hazard to the public and the environment.

I believe that the necessary studies should be done as well as a public hearing for the affected communities because:

- 1) the documented reason to move the marina is based on incorrect data
 - a. traffic volume and flow has changed considerably since the first proposal
- 2) the original environment impact study proposed a significant smaller marina
- 3) a helipad impact has not been environmentally considered
- 4) the current plan has been verbally communicated in meetings with small groups and without complete disclosure. Verbal commitments and plans are not documented. A master plan with priorities for infrastructure development and enforcement has not been developed and only verbally communicated.

Thank you for taking the time to review my concerns and considering a public hearing to address these issues.

Sincerely,


Joe Bishop


Marilyn Bishop

Mr. and Mrs. Erik Flint
2121 Golden Spurs
Frisco, TX 75034
May 9, 2007

Mr. Brandon Mobley
CESWF-PER-EE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Brandon Mobley:

We are concerned about your finding of "No Significant Impact" from the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

we are writing to you with our concerns which originate from the safety of our neighborhood, marina and restaurant noise, and the additional traffic which will inevitable be introduced into our neighborhood. In addition, we respectfully request a public hearing to voice these and many other concerns.

Conduct a study on the noise pollution to the community's environment

Due to the proposal to move the marina from the NW shore of the peninsula, we are highly concerned about the noise, and object to a finding of "No significant impact." However, it should be noted that this conclusion, as stated in the Environmental Assessment, is based on evaluations made in the Programmatic Environmental Assessment for Wynnewood Park and not Hidden Cove Park. I request that a new study be conducted to take into consideration the proposal to move the marina from Wynnewood to Hidden Cove, which moves the source of noise to the area of the park immediately bordering our community. As such, concentrating all the 840 wet slips and a restaurant into a dense location would significantly impact us.

South winds blow the majority of the year further exacerbating the noise permeating our community due to the proposal to relocate the Marina. Currently, the occasional live band or loud music can be heard clearly throughout the community. Live bands will be a regular activity at a lake-side restaurant, as exemplified by Sneaky Pete's and Pier 121's Charlie's restaurants.

In addition, the proposal to install a 6-story boat storage facility that mechanically launches boats could generate abusive noise to the aesthetics of our community.

We request a study be conducted to determine how much noise this facility would generate and whether it is still feasible to relocate this structure from the NW shore of the peninsula to the border of our community. We expect additional noise to be generated by the following:

- Marina restaurant and live bands
- Hotel restaurant and live bands

- Outdoor theatre
- Marina clientele's music originating from the docks and boats
- The proposed beach

We would like to request a new study to evaluate how the noise pollution will negatively impact our environment prior to approving any new development, including but not limited to the following: the re-location of the Marina, two restaurants (one being on the dock providing loud music), a 250 room hotel, conference center, helipad & theatre.

The Corps must clearly understand and be capable of predicting the noise levels the development will generate and communicate the negative impact this noise pollution will have on the residential communities bordering the park.

I also recommend including in this study, the historical wind direction, the noise levels to be generated, and the amount of noise that will carry into the community.

The environmental assessment states that the motive for moving the marina to the proposed location is to shelter it from the North winds. I would like to request a new study that would perform a study on the historical wind directions and reassess the motive for moving the marina to the South side of the peninsula. A quick check of the historical winds show that the winds blow out of the south twice as often as the North. Secondly, the historical numbers show that the wind blows out of the South at strengths greater than 25 knots twice as often as this occurs from the North.

With these statistics, the motive is not clear or acceptable to justify moving the proposed marina location to the land bordering the residential communities and causing negative impacts on these residential environments.

Conduct a Traffic Study

The Hackberry Creek Park Road is the sole entrance to the park and lies within our neighborhood. Our safety will be further decreased with the marina development and its increased traffic draw anticipated from:

- Marina and park visitors
- Construction trucks for the Marina, hotel, and boat storage
- Dirt haulers from the 90,000 cubic yards of dredging. We estimate this to be 6000 truckloads of dirt to be hauled on the road through our housing development. In total the trucks will make 12,000 trips through our community. The increased wear and tear on this road, maintained by Commissioner White's resources, must be planned for with appropriate monies budgeted.
- Fuel trucks for the Marina's gas tanks driving on the only road in and out of the park through a residential neighborhood. This poses a hazard to the residents.

- Intoxicated drivers from the Marina's restaurant and clientele driving through our neighborhood in which many children reside and play.
- Whereas the speed limit on this road is 25 mph, the typical driving speed is already 45 – 50 mph, and then we must factor in the additional large trucks and alcohol impaired motorists.
- Park clientele are notorious for throwing garbage out of their vehicles when leaving or entering the park.

Due to the fact that emergency vehicles find it difficult to get to our neighborhood and that the current fire hydrants do not have the ability to support fire emergencies, we request that a study be conducted to evaluate the traffic and emergency concerns along with a collaborative master plan to mitigate these safety concerns prior to approving any development.

Develop a Master Plan

The infrastructure for the proposed development is non-existent and/or wholly insufficient.

We request that you prepare a master development plan with approval and signoff from Denton County, the Denton County Fire Marshall, the city of The Colony, the city of Frisco, the Corps of Engineers, and the marina developer.

While the various governmental agencies mentioned above “can” mitigate the negative impacts on our community, this development currently lacks the collective involvement of these agencies, and is void of a “master” development plan. To put forth and enforce controls to minimize the negative impacts to the surrounding residential communities, we request the creation of a development plan, developed and agreed upon amongst the pertinent governmental agencies

While the city of The Colony has a lengthy lease on the park, it has been sub-leased to an independent developer, Marine Quest. The Colony's land does not physically connect to the park, and The Colony is governed by Precinct 2 County Commissioner Ron Marchant. Commissioner Marchant has jurisdiction over one half of our community. However, Precinct 1 County Commissioner Cynthia White also maintains responsibility of the land and community adjacent to the Park, as well as the entrance to the park. Traffic to and from the park must traverse the roads and infrastructure under her jurisdiction

Traffic to and from the park must also traverse roads and intersections maintained by the city of Frisco. However, the city of Frisco's planning department was previously unaware of the proposed development and Environmental Assessment, but most importantly, unaware of the additional marina traffic to be generated at the intersection of FM-423 and Stonebrook parkway.

The town of Hackberry will also be impacted in as much as the marina developer has mentioned leveraging their facilities to pump wastewater to their treatment plant. Again, this requires County involvement and planning.

The Colony has no legal obligation to set and monitor controls to help mitigate the negative impacts on our community, for our land does not reside within their city limits. We ask that the Corps of Engineers, Denton County, the city of The Colony, the city of Frisco, and others take responsibility to jointly develop a master plan.

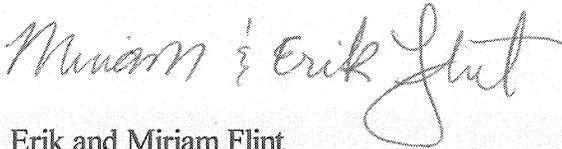
We request that the Master Development plan include designs for an alternate route to the park in order to re-route the park traffic from our residential road (Hackberry Creek Park), which falls within the jurisdiction of Denton County, and that this road infrastructure to and from the park be constructed prior to any new development.

We hope that you will seriously consider the impact the marina development will have on our environment, especially when considering the proposed relocation of the marina from the NW shore of the peninsula to the land adjacent to our community. We request a public hearing so as the various governmental agencies and the communities surrounding the proposed development may be further informed and to provide a mechanism for our voices to be heard.

We respectfully request that the above-mentioned studies be conducted and measures and controls put in place to minimize the substantial negative impacts on our community.

We strongly suggest that the Corps of Engineers work with the city of The Colony, the city of Frisco, and the two Denton County Commissioners to publish a master plan in order to successfully develop the park and minimize the negative impacts to the environment which we are pleased to call 'home'.

Sincerely,



Erik and Miriam Flint

cc:

Dale Cheatham
City Manager, City of The Colony
6800 Main St.
The Colony, TX 75056

John Lettelleir
Planning and Development Director, City of Frisco, TX
6101 Frisco Square Blvd., Suite C301
Frisco, TX 75034

Ron Marchant
Commissioner, Denton County, Precinct 2
1029 W. Rosemeade Parkway
Carrollton, Texas 75007-6251

Pam Nelson
Community Services Director, City of The Colony

5151 N. Colony Blvd.
The Colony, TX 75056

George Purefoy
City Manager, Frisco, TX
6101 Frisco Square Blvd.
Frisco, Texas 75034

Cynthia White
Commissioner, Denton County, Precinct 1
110 W. Hickory Street
Denton, Texas 76201-4168

Mark Varvil
Saratoga Property Owners Association
5860 Silver Spurs
Frisco, TX 75034
May 6, 2007

Mr. Brandon Mobley
CESWF-PER-EE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Brandon Mobley:

We are concerned about your finding of "No Significant Impact" from the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

As President of Saratoga Property Owners Association, I am writing to you with the concerns of our community's members. Our concerns originate from the safety of our residents, marina and restaurant noise, and the additional traffic induced into our neighborhood. In addition, we respectfully request a public hearing to voice our concerns.

Request #1 – Create and publish a Master Development Plan in Conjunction with Denton County and other Governmental Agencies

We request that you prepare a master development plan with approval and signoff from Denton County, the city of The Colony, the city of Frisco, the Corps of Engineers, and the marina developer.

While we feel that the various governmental agencies mentioned above "can" mitigate the negative impacts on our community, this development currently lacks the collective involvement of these agencies, and is void of a "master" development plan. To put forth and enforce controls that minimize the negative impacts to the surrounding residential communities, we request the creation of a development plan, developed and agreed upon amongst the pertinent governmental agencies

While the city of The Colony has a lengthy lease on the park, it has been sub-leased to an independent developer, Marine Quest. The Colony's land does not physically connect to the park, and The Colony is governed by Precinct 2 County Commissioner Ron Marchant. Commissioner Marchant has jurisdiction over one half of our community. However, Precinct 1 County Commissioner Cynthia White also maintains responsibility of the land and community adjacent to the Park, and the entrance to the park. Traffic to and from the park must traverse the roads and infrastructure under her jurisdiction

Traffic to and from the park must also traverse roads and intersections maintained by the city of Frisco. However, the city of Frisco's planning department was previously unaware of the proposed development and Environmental Assessment, but most importantly, they were unaware of the additional marina traffic to be generated at the intersection of FM-423 and Stonebrook parkway (until our residents contacted them).

The town of Hackberry also joins the mix in that the marina developer has mentioned leveraging their facilities to pump waste water to their treatment plant. Again, this requires County involvement and planning.

The Colony has no legal obligation to set and monitor controls to help mitigate the negative impacts on our community, for our land does not reside within their city limits. Again, we ask that the Corps of Engineers, Denton County, the city of The Colony, the city of Frisco, and others take responsibility to jointly develop a master plan.

Request #2 – Conduct a Traffic Study

Hackberry Creek Park Road is the sole entrance to the park and lies within our neighborhood and at the front yards of many of our residents. The safety for our citizens walking or riding on this road will be further decreased with the marina development and its increased traffic draw:

- Marina and park visitors
- Construction trucks for the Marina, hotel, and boat storage
- Dirt haulers from the 90,000 cubic yards of dredging. We estimate this to be 6000 truck loads of dirt to be hauled on the road through our housing development. In total the trucks will make 12,000 trips through our community. The increased wear on this road, maintained by Commissioner White's resources, must be planned for and monies budgeted for.
- Fuel trucks for the Marina's gas tanks
- Drunk drivers from the Marina's restaurant and clientele driving through our neighborhood
- Whereas the speed limit on this road is 25 mph, the typical driving speed is already 45 – 50 mph, and then we must factor in the additional large trucks and alcohol.
- Park clientele are notorious for throwing garbage out of their vehicles when leaving or entering the park. Our residents regularly clean up rubbish and beer bottles from their yards.

The park's check-in pay station sits on the front property line of the park boundary. Often times, traffic waiting to enter the park backs up on Hackberry Creek Park Road, blocking our resident's driveways.

We request that the agencies mentioned above conduct a study of our traffic concerns and collaborate on a master plan to mitigate the safety concerns of our community prior to approving any development.

Request #3 – Extend Stonebrook Parkway to the entrance to the park.

Work with Denton County to plan an alternate route to the park in order to re-route the park traffic from our residential road (Hackberry Creek Park Road). Proposals have already been discussed with Denton County Commissioner Cynthia White, and the former Denton County Commissioner, Sandy Jacobs.

Request #4 – Construct infrastructure before development

Develop the necessary road infrastructure to and from the park **prior** to any new marina and hotel development.

Request #5 – Move the Park’s front entrance and pay station

Move the park entrance so that park traffic waiting to enter the park does not block resident’s driveways on Hackberry Creek Park road.

Request #6 – Conduct a study on the noise pollution infiltrating the residential community’s environment

For sake of the environment in which we live in, we request for the Corps to study the noise pollution that may negatively impact our environment prior to approving the re-location of the Marina.

The Corps must clearly understand and be capable of predicting the noise levels the development will generate, and communicate the possible negative impact this noise pollution may have on the residential communities bordering the park.

We recommend including in this study, the historical wind direction, the noise levels to be generated, and the amount of noise that will carry into the community.

Request #7 – Implement controls for noise abatement

Due to the proposal to move the marina from the NW shore of the peninsula, we are highly concerned about the noise, and object to a finding of “No significant impact”. This new location moves the source of noise to an area of the park immediately bordering our community.

South winds blow the majority of the year, and would further exacerbate the noise permeating our community due to the proposal to relocate the Marina. Currently, the occasional live band or loud music can be heard clearly throughout the community. Live bands will be a regular activity at a lake-side restaurant, as exemplified by Sneaky Pete’s and Pier 121’s Charlie’s restaurants.

In addition, the proposal to install a 6-story boat storage facility that mechanically launches boats could generate abusive noise and degradate the aesthetic quality of our community.

We request that the Corps implement controls and measures to abate the nuisance noise that the marina, restaurant, and boat storage facility may cause. If the marina's new location is approved, noise must cease by 10:00 pm on Friday and Saturday evening, and by 8:00 pm during Sunday through Thursday evenings.

Request # 6 requested a study be conducted to determine how much noise this facility would generate and whether it is still feasible to re-locate this structure from the NW shore of the peninsula to the border of our community. Afterwards, we request that measures and controls then be established and the developer continuously held accountable to meet these measures.

We expect additional noise to be generated by the following:

- Marina restaurant and live bands
- Hotel restaurant and live bands
- Outdoor theatre
- Marina clientele's music originating from the docks and boats

With a marina restaurant, hotel, and a 6-story mechanical boat storage facility, there must be controls on the noise generated, or the proposal to move the Marina location from the NW shore of the peninsula should be re-evaluated.

Request #8 – Conduct a study on the current septic system

Study the current septic system and how much additional load it can handle. In the summer of 2006, the septic system was overloaded and caused the park management to close its doors to new customers for the day.

If the system can not handle the current volume, development should not be allowed to commence before an alternate system is in place, since waste water overflows onto the park property and into the water supply.

Request #9 – Publish a plan to provide alternate waste-water treatment

If further waste-water treatment systems are to be constructed onsite, we request the implementation of measures and controls to abate the nuisance gasses and odors from permeating into the residential environment.

If waste-water is to be transferred to the city of Hackberry, a master plan must be approved by Denton County and the city of Hackberry in order to develop the infrastructure.

Request #9 – Limit stacked Boat Storage building's maximum height

Limit the height of the proposed boat storage facility to a maximum of 25 -30 feet.

We find the proposal to allow a 6-story boat storage facility to be a visual attack on the visual aesthetics of the environment in which our resident's live. This building will be taller than any other building in The Colony. In addition, the Colony granted a waiver to allow this 6-story building to exist as a metal sided building. Since this land does not reside in the physical territory of The Colony, the city has no reason to object to a structure of this size and material. Again, we insist that the Corps must establish a set of rules to prevent this structure from towering over our community and destroying the country environment in which we live.

Request #10 – Limit hotel's maximum height

For the same reason as Request #9, we request a maximum height limit put forth on the hotel in order that it not detract from the visual aesthetics of the residential communities bordering and across the cove from the park. We request the Corp limit the building's maximum height to two stories in order that I not block the lake views from the two story homes.

Request #11 – Control the construction location and material of the stacked boat storage facility

We request that you reconsider the allowed construction material as well as the site of the stacked boat storage facility and offer the following options:

- Remove the building from the Proposed Plan
- Locate the facility on the north-west shoreline where the marina was originally intended to be built; since the facility is an enclosed structure there will be no north winds to contend with
- Locate the building further inland where the other storage facilities will be located so that it won't block the beautiful lake views and spoil the water-front view of the park.
- Reduce the height and number of boats stored waterside.
- Enforce construction of this facility to be built of wood or brick to insulate the clamor and noise from heavy machinery; position the open doors to the Southwest to mitigate noise carry into the neighborhood. The Colony has already approved this building to be constructed of metal siding.

Request #12 – Conduct a study on the wind direction to validate the motive for moving the marina

Perform a study on the historical wind directions, and re-assess the motive for moving the marina to the South side of the peninsula.

The environmental assessment states that the motive for moving the marina to the proposed location is to shelter it from the North winds. A quick check of the historical winds show that the winds blow out of the south twice as often as the North. Secondly, the historical numbers show that the wind blows out of the South at strengths > 25 knots twice as often as this occurs from the North.

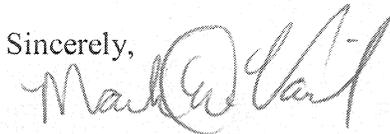
With these statistics, the motive is not clear or acceptable to justify moving the proposed marina location to the land bordering the residential communities and causing negative impacts on the residential environments.

I hope that you will seriously consider the impact the marina development will have on our environment, *especially when considering the proposal to relocate the marina* from the NW shore of the peninsula to the area of the park adjacent to our community. We request a public hearing whereas the various governmental agencies and the communities surrounding the proposed development may be further informed and to provide a mechanism for our voices to be heard.

We respectfully request that the above mentioned studies be conducted and measure and controls put in place to minimize the negative impacts on our community.

Lastly, we strongly suggest that the Corps of Engineers work with the city of The Colony, the city of Frisco, and the two Denton County Commissioners to publish a master plan in order to successfully develop the park and minimize the negative impacts to the environment which we are pleased to call 'home'.

Sincerely,



Mark Varvil



President
Saratoga Property Owners Association

cc:

Dale Cheatham
City Manager, City of The Colony
6800 Main St.
The Colony, TX 75056

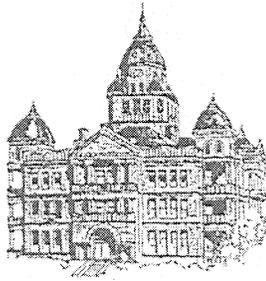
John Lettelleir
Planning and Development Director, City of Frisco, TX
6101 Frisco Square Blvd., Suite C301
Frisco, TX 75034

Ron Marchant
Commissioner, Denton County, Precinct 2
1029 W. Rosemeade Parkway
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Pam Nelson
Community Services Director, City of The Colony
5151 N. Colony Blvd.
The Colony, TX 75056

George Purefoy
City Manager, Frisco, TX
6101 Frisco Square Blvd.
Frisco, Texas 75034

Cynthia White
Commissioner, Denton County, Precinct 1
110 W. Hickory Street
Denton, Texas 76201-4168



CYNTHIA WHITE
DENTON COUNTY COMMISSIONER

May 16, 2007

~~Mr. & Mrs. Erik Flint
2121 Golden Spurs
Frisco, Texas 75034~~

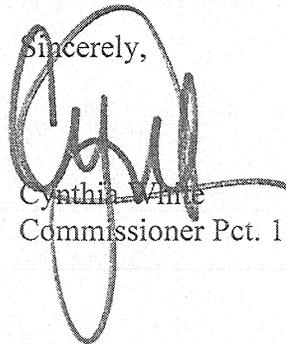
Dear Erik & Miriam,

Thank you for taking the time to send me a copy of the letter you sent to the Army Corp of Engineers regarding the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

Certainly, your concerns are valid. You have taken the appropriate action by contacting the Corp of Engineers. As County Commissioner for Precinct 1, I have no authority to determine the outcome of the Environmental Assessment.

Thank you again for including me in your correspondence regarding this issue.

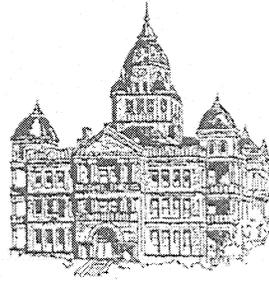
Sincerely,



Cynthia White
Commissioner Pct. 1

Cc: ✓ Brandon Mobley, CESWF-PER-EE
Dale Cheatham, City of The Colony
John Lettelleir, City of Frisco
Ron Marchant, Commissioner, Pct. 2
Pam Nelson, City of The Colony
George Purefoy, City of Frisco





CYNTHIA WHITE
DENTON COUNTY COMMISSIONER

May 16, 2007

Andrew & Michelle Silver
5830 Silver Spur
Frisco, Texas 75034

Dear Andrew & Michelle,

Thank you for taking the time to send me a copy of the letter you sent to the Army Corp of Engineers regarding the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

Certainly, your concerns are valid. You have taken the appropriate action by contacting the Corp of Engineers. As County Commissioner for Precinct 1, I have no authority to determine the outcome of the Environmental Assessment.

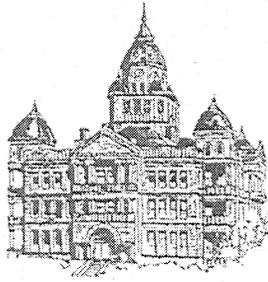
Thank you again for including me in your correspondence regarding this issue.

Sincerely,

Cynthia White
Commissioner Pct. 1

Cc: ✓ Brandon Mobley, CESWF-PER-EE
Dale Cheatham, City of The Colony
John Lettelleir, City of Frisco
Ron Marchant, Commissioner, Pct. 2
Pam Nelson, City of The Colony
George Purefoy, City of Frisco





CYNTHIA WHITE
DENTON COUNTY COMMISSIONER

May 16, 2007

Mark & Dorinda Breard
20046 Saratoga Trail
Frisco, Texas 75034

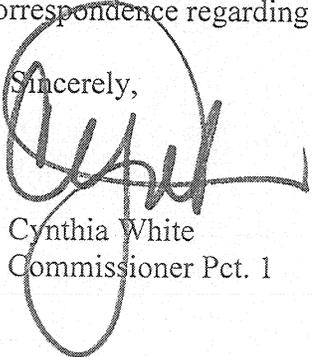
Dear Mark & Dorinda,

Thank you for taking the time to send me a copy of the letter you sent to the Army Corp of Engineers regarding the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

Certainly, your concerns are valid. You have taken the appropriate action by contacting the Corp of Engineers. As County Commissioner for Precinct 1, I have no authority to determine the outcome of the Environmental Assessment.

Thank you again for including me in your correspondence regarding this issue.

Sincerely,



Cynthia White
Commissioner Pct. 1

Cc: ✓ Brandon Mobley, CESWF-PER-EE
Dale Cheatham, City of The Colony
John Lettelleir, City of Frisco
Ron Marchant, Commissioner, Pct. 2
Pam Nelson, City of The Colony
George Purefoy, City of Frisco



Andrew & Michelle Silver
5830 Silver Spur
Frisco, TX 75034
972-292-0002
andrewsilver@yahoo.com
mhsilver03@yahoo.com

May 7, 2007

Mr. Brandon Mobley
CESWF-PER-EE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Brandon Mobley:

We are residents of Saratoga, a community located on Lake Lewisville next to Hidden Cove Park.

We are concerned about your finding of "No Significant Impact" from the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

We are particularly concerned about the impact of the traffic due to the significant increase in vessels, parking and facilities being proposed for approval, as listed in the Corp's Environmental Assessment (Page 5 of 79):

Modifications of varying scope are proposed with the major modification being a shift of 510 vessel allocations from Wynnewood Park to Hidden Cove Park, thus increasing the total vessel allocations in Hidden Cove Park from 350 to 860, and decreasing the vessel allocations in Wynnewood Park from 840 to 330.

There appear to be some conflicts in the various Corps documents, some stating the number of vessels to be 582 slips and 548 dry docks – so we're not really sure what the real numbers are. But in either case – these numbers are huge, and most certainly have significant impacts to the surroundings and the lake itself.

We also find it hard to understand how this is being approved when only two years ago we personally received a Violation Warning Notice from the Corps of Engineers for tending to the waterfront property in front of our houses (i.e. mowing) and for parking our boat on shore overnight – which seems immensely less impacting to the environment than what is being proposed.

We are also concerned about the proposed "No-Wake" zone across the entire marina from the north to the south of the lake area which would typically be around ½ mile. This would effectively cut off the east end of the lake – and mean for us that live in Saratoga it would take us in the order of 6 minutes to traverse the marina at <5mph to get to our homes by boat, and then another 6 minutes to return to the main lake. This would make it highly inconvenient for all Saratoga residents with boats.

If this "No-wake" zone is to be permitted, we would strongly urge that a channel be established at the south side of the lake (opposite the marina) that would enable traffic to proceed at a reasonable speed for

entering/exiting the east bay. The marina could put up a wake-barrier similar to what is in place at marinas such as Pier 121 and Eagle Point on Lake Lewisville.

We also are not sure we understand why the marina proposal was moved from the north side to the south side. The south side, where we are located, consistently experiences significantly higher winds than from the north. We have a weather station installed at our house that has been tracking and recording this data for the past 3 years and this data shows these facts. It would then seem logical for the marina to be located on the north side instead where it is better protected.

With this said, we kindly would request additional impact studies be performed and shared with the impacted communities such as Saratoga including traffic, noise pollution, crime, water treatment and lake impacts before this development should be approved for implementation.

We sincerely hope that our concerns will be considered and addressed. Our community is being significantly affected by several new developments in the area, in addition to this marina. Our community which has been here for many years risks being overrun by traffic, crime, noise, sewage and other environmental impacts. We are not trying to stop progress and development – we just need it to be carefully planned to take into consideration our existing situation as residents of a community that will be significantly impacted. We thank you for your attention and consideration.

Sincerely,



Andrew Silver & Michelle Silver

cc:

Dale Cheatham
City Manager, City of The Colony
6800 Main St.
The Colony, TX 75056

George Purefoy
City Manager, Frisco, TX
6101 Frisco Square Blvd.
Frisco, Texas 75034

John Lettelleir
Planning and Development Director, City of Frisco, TX
6101 Frisco Square Blvd., Suite C301
Frisco, TX 75034

Cynthia White
Commissioner, Denton County
Precinct 1
110 W. Hickory Street
Denton, Texas 76201-4168

Ron Marchant
Commissioner, Denton County, Precinct 2
1029 W. Rosemeade Parkway
Carrollton, Texas 75007-6251

Pam Nelson
Community Services Director, City of The Colony
5151 N. Colony Blvd.
The Colony, TX 75056

Mark and Dorinda Breard
20046 Saratoga Trail
Frisco, TX 75034
(972) 294-3047

May 7, 2007

Mr. Brandon Mobley
CESWF-PER-EE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Brandon Mobley:

We live in the Saratoga Subdivision and are concerned about your finding of "No Significant Impact" from the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

While we recognize some benefits to developing the park behind our home into a marina with hotel, we ask that the safety of our residents and standard of living of our homeowners are carefully assessed and not negatively impacted. We need your help to ensure we minimize negative impact to our home and subdivision.

From our personal perspective, following are the items our family respectfully requests:

- We would like to ensure the hotel location is located considerably away from the Saratoga Subdivision, and suggest that it be located far to the right of the park entrance (current entrance as you drive in). We do not want to have hotel guests looking into our yards, and do not want to dilute the value of our homes by blocking lake views. We also need to minimize the noise pollution by having the development as far away from our subdivision as possible.
- Minimize the height of any structures (hotel, boat storage, etc.) not to negatively impact the views from our homes.
- For a development of this size, we need additional, upgraded roads to handle the park traffic without impacting the quiet subdivision we currently enjoy. In addition to park traffic, we suggest extending Stonebrook Parkway around our neighborhood and into a new park entrance to the right of the existing entrance (before any excavation or construction of marina, hotel, restaurant, etc, begin). This would help with the following neighborhood considerations, and streamline the drive for park visitors:
 - Protecting the safety of our residents by rerouting general traffic to avoid drunk drivers, speeding in our residential neighborhood, trash thrown into resident's yards, and backup into our subdivision for people waiting to enter the park;
 - Heavy construction vehicles;
 - Dirt haulers from dredging; and
 - Fuel trucks for the marina's gasoline facilities.

Our homeowners association president, Mark Varvil, will submit a letter respectfully requesting a public hearing to voice the concerns of the residents in our subdivision, and provide detail on our collective subdivision's concerns and requests.

We strongly suggest that the Corps of Engineers work with the city of The Colony, the city of Frisco, and the two Denton County Commissioners to publish a master plan in order to successfully develop the park and minimize the negative impacts to the environment which we are pleased to call 'home'.

Sincerely,



Dorinda Breard and Mark Breard

Saratoga Homeowners

cc:

Dale Cheatham
City Manager, City of The Colony
6800 Main St.
The Colony, TX 75056

John Lettelleir
Planning and Development Director, City of Frisco, TX
6101 Frisco Square Blvd., Suite C301
Frisco, TX 75034

Ron Marchant
Commissioner, Denton County, Precinct 2
1029 W. Rosemeade Parkway
Carrollton, Texas 75007-6251

Pam Nelson
Community Services Director, City of The Colony
5151 N. Colony Blvd.
The Colony, TX 75056

George Purefoy
City Manager, Frisco, TX
6101 Frisco Square Blvd.
Frisco, Texas 75034

Cynthia White
Commissioner, Denton County, Precinct 1
110 W. Hickory Street
Denton, Texas 76201-4168

M Fickel

FYI

*WT
PER-EE*

WYNNWOOD HAVEN HOMEOWNERS ASSOCIATION

May 10, 2007

Mr. Brandon Mobley
Corps of Engineers
CESWF-PER-EE
P. O. Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Mobley:

Subject: 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville, Denton County, Texas.

We thank you for calling to give us information as to where we could go to find the results of this assessment. We informed our community and conducted a survey as to what our community feelings would be. We have numerous concerns as to how this study fails to address issues that affect those living closest to the proposed marina.

BACKGROUND:

Currently, residents of Wynnwood Haven are experiencing excessive noise coming from Hidden Cove Park especially on the weekends. The park is under the jurisdiction of the City of the Colony and has not established any noise regulations whatsoever. The noise blasts all day and late into the evenings, without respect for those residents in Saratoga and Wynnwood Haven communities. The Wynnwood Haven Community directly across from the proposed site is especially vulnerable to noise as it travels unhindered across the water. If Dallas can regulate Love Field noise, The Colony has done nothing to regulate noise in Hidden Cove Park. Residents of Wynnwood Haven have made numerous calls to the Colony Police Department over the past complaining about the noise from Hidden Cove to no avail.

ENVIROMENTAL IMPACT TO HIDDEN COVE

Hidden Cove is unique. This cove is one of the best fishing coves on Lake Lewisville. We have residents who have record catches in Hidden Cove on the exact location being proposed. The placement of 800 plus boats in this cove will significantly disrupt and reduce the fishing environment in the cove. The PCB pollution from boats will be very damaging to this environment. The cove will effectively become a stagnant pond. To dredge the cove means the current bottom environment will be destroyed and fishing will be severely disrupted in the cove area. We have included a copy of the Corps original Lake Lewisville master plan clearly indicating that Hidden Cove is designated to be used for Wildlife Management.

RECEIVED
14 May 2007

RELOCATION OF SLIPS:

We have questions concerning the relocation of additional slips to Hidden Cove from previous plan. The addition of more boats will significantly increase high levels of PCB's causing an impact of the Corps designated "wildlife management area ". We point out that both the Saratoga Community and Wynnwood Haven Community have a major disagreement with this Corps study as to the dominating wind direction. The wind direction 75% of the year in Hidden Cove is from the South. For the Corps to site wind direction as a motive to make these drastic changes to increase slips means the Corps is making a decision based on wrong intelligence. There were no weapons of mass destruction. Wind direction has been from the South for the eleven years I have lived directly across from the proposed marina.

REQUEST FOR STUDY OF TOTAL IMPACT TO SURROUNDING COMMUNITIES

There seems to be no coordinated study as to the impact of this marina on the surrounding communities especially in regards to entrance traffic. The marina is under the jurisdiction of The Colony, the entrance roads are in Frisco and the City of Hackberry E.T.J.. Those living next to this development get the traffic, noise, pollution and the loss of a tranquil natural cove abundant with fish and wildlife.

UNSAFE LAKE LEVELS:

Another concern is safety of boaters using and residents immediately around this marina. The level of the lake has fluctuated dramatically over recent years. Should the lake level be allowed to drop to recent lows after the marina is built, many of the proposed slips will be aground. Vessels attempting to navigate out of the marina will be in danger of running aground on the shallow bottom rising to Buccaneer Point in Wynnwood Haven. Building the marina on the original NW site would eliminate this problem as the water deepens to the northwest. We acknowledge there have been droughts; however, lakes to the north managed by the Corps do not appear to have the extreme ups and downs as seems to occur on Lake Lewisville.

Equal Treatment for All:

Our community is one of the oldest on Lake Lewisville. Our concern is for fair treatment. For example, this marina will not be under the same shoreline mowing regulations the corps wants individual residents living next to and directly across the cove to adhere too.

REQUESTED ACTION.....

NOISE IMPACT STUDY REQUESTED:

The assessment did not include a noise impact study. The Colony currently has no noise regulations on the existing park. Those communities immediately adjacent to the park are currently experiencing park noise levels have no avenue for relief. The loud speakers blasting are heard throughout the community of Wynnwood as well as the Saratoga community. Lake noise pollution is as much a form of pollution as exhaust fumes from boats into the water.

FISHING IMPACT STUDY REQUESTED.

To dredge Hidden Cove will significantly remove existing bottom food sources for one of the best fishing areas on Lake Lewisville. To dredge this cove will destroy this fishing haven.

FREEDOM OF INFORMATION REQUEST:

We request information as to why the location was moved from the northwest location to this plan, why more slips were added to this location compared to the original plan. What benefits are expected to be produced by moving to the new south location. The existing channel is smaller at the new location.

UNSAFE LAKE LEVELS...Request to make Lake Lewisville a constant level lake.

Lake levels in the Hidden Cove area, as experienced by residents living next to the park, are extreme at times. The control of water flow from Lake Lewisville will need to be better regulated to help maintain a constant level to accommodate this plan. When the lake level drops the channel becomes very narrow and unsafe for boating. The addition of 800 plus boats in this narrow Hidden Cove area will create an unsafe environment.

SUMMARY:

We respectfully request a public hearing be held to allow communities to speak.

Sincerely,


Ralph Johnson

President

Wynnwood Haven Homeowners Association

10628 Buccaneer Point

Frisco, Texas 75034

RON MERCHANT
COMMISSIONER, DENTON COUNTY, PRECINCT 2
1029 W. ROSEMEADE PARKWAY
CARROLLTON, TEXAS 75007-6251

GEORGE PUREFOY
CITY MANAGER
CITY OF FRISCO
6101 FRISCO SQUARE BVD,
FRISCO, TEXAS 75034

DALE CHEATHAM
CITY MANAGER
CITY OF THE COLONY
6800 MAIN
FRISCO, TEXAS 75056

JOHN LETTELLIER
DIRECTOR, PLANNING AND DEVELOPMENT
CITY OF FRISCO
6101 FRISCO SQUARE BLVD., SUITE C301
FRISCO, TEXAS 75034

KEITH HELMS
PARK DEVELOPMENT MANAGER
CITY OF THE COLONY
6800 MAIN
FRISCO, TEXAS 75056

WILLIAM FICKEL JR.
CHIEF, PLANNING, ENVIROMENTAL AND REGULATORY DIVISION
U. S. ARMY COPRS OF ENGINEERS
819 TAYLOR STREET
P.O. BOX 17300
FORT WORTH, TEXAS 76102

MICHAEL BURGESS M.C.
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

SENATOR JOHN CORNYN
UNITED STATES SENATE
WASHINGTON, D.C.

SAWNIE A. McENTIRE
3333 Hanover Drive
Dallas, Texas 75225

May 23, 2007

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

Re: Environmental Assessment/Hidden Cove Park/Marina
Lewisville Lake, Denton County, Texas

Dear Mr. Mobley:

This letter constitutes formal written comment in response to the Notice of Availability, Environmental Assessment/Hidden Cove Park/Marina, Lewisville Lake, Denton County, Texas, dated April 11, 2007. It is my understanding that the United States Corps of Engineers (USACE) proposes to issue a FONSI in connection with increasing the allocation of slips for the Hidden Cove Park Marina, as well as adjusting the location of this marina. My comments are directed to both of these aspects of the draft Environmental Assessment ("EA") and the draft FONSI.

VESSEL ALLOCATION

The EA evaluates an increase in total vessel allocations from 350 slips to 860 vessels. As you know, Lake Lewisville is divided into three zones and the proposed marina is located in Zone C. The boat capacity of Zone C was first analyzed by Geo-Marine, Inc., in its Final Report, Water-Related Recreation Use Study on Lewisville Lake ("WRRUS"), dated December 1998. Clearly, boat capacity subsumes a variety of issues, including lake safety. Other issues also are implicated. Geo-Marine advised USACE that "additional boats on the lake could detrimentally affect the optimum carrying capacity of the lake, existing marine operator profits, resource protection, user enjoyment and safety." [See: Exhibit D, Final Report, WRRUS, pages 5-3].

There does not appear to be any analysis in the current EA of how the proposed marina (with additional vessel allocations) might impact the economics of the Cottonwood Creek Marina which was constructed and placed into operation since the Programmatic Environmental Assessment ("PEA"). Increasing the number of slips in closer proximity to Cottonwood Creek Marina may have adverse economics impacts. The current EA does not appear to address this issue.

LOCATION

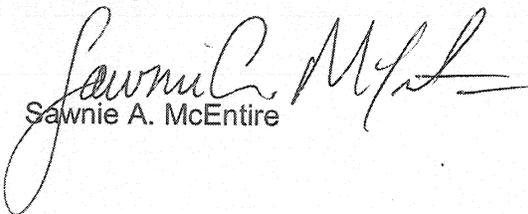
USACE identifies its "Proposed Action" in the draft EA as follows: The Proposed Action would move the location of a Proposed Marina from the northwest shore of Hidden Cove Park to the southeast shore of the Park. The EA then directs the reader to Appendix A, Exhibit 2 and 3. Exhibits 2 and 3 are site maps which purport to identify the location of the "No Modification Alternative" on the northwest shore.

Of equal importance, Section 2.1 of the EA describes the "No Modification Alternative" to be the maintenance of "...the originally proposed location of the marina and original activities list of recreational facilities on the northwest shore of Hidden Cove Park." However, the location described as the "No Modification Alternative" was rejected by the USACE as a part of the February 2002 settlement referenced below. The "No Modification Alternative" is not an accurate term to describe the current location for the Project and should be corrected.

On or about February 2002, USACE, together with the Town of Little Elm, and others, entered into a Settlement Agreement and Releases, which addressed several issues regarding marina development in Zone C that includes Hidden Cove Park. At that time, USACE determined that the preferred location for the Hidden Cove Marina was not on the northwest shore. Rather, USACE stated that it had "determined and continues to believe that the only locations suitable for marina development at Hidden Cove Park are on the southern shore line of the peninsula as identified as Option 3 on the attached Exhibit E." [See: page 6, Settlement Agreement and Releases, February 2002]. Option 3, as identified on Exhibit E, is on the southern shoreline, not the northwest shoreline. Option 2 and Option 1 are on the northwestern shoreline. Importantly, USACE had already determined that the "No Modification Alternative" was not a preferred alternative. These determinations are not reflected in the current EA. Also, the current EA does not discuss the viability of a marina at the location originally denominated as Option 3 and whether the new proposed location would reduce various adverse impacts in comparison to Option 3.

Thank you for the opportunity to provide this comment.

Sincerely,


Sawnie A. McEntire

SAM/glr

cc:

Frederick W. Addison III
Munsch Hardt Kopf & Harr, P.C.
3800 Lincoln Plaza
500 N. Akard Street
Dallas, Texas 75201-6659

**Response to comments received during 11 April 2007 to 23 May 2007
review**

September 14, 2007

Mr. Dwight Bosworth
Marine Quest Marina & Resort
1207 South White Chapel, Ste. 200
Southlake, TX 76092

Re: Hidden Cove Existing Wastewater System

Mr. Bosworth,

The purpose of this letter is to summarize the findings Carter & Burgess, Inc. made in the "Engineering Report – Hidden Cove Water/Wastewater System", and to clarify certain capacity questions in regards to the wastewater system that will serve Phase 1A. These questions were brought up in comments on the Environmental Assessment of Hidden Cove Park/Marina.

The system that currently exists is comprised of several lift stations, force mains and gravity lines that convey wastewater to the onsite treatment plant. This plant is currently sized to treat 16,000 gallons per day (gpd) of wastewater, and based upon information received from the Self Reporting Form for May 2006, the Maximum Day Flow that feeds into the plant is only 8,400 gpd. This leaves a surplus of 7,600 gpd available for future wastewater flow.

The first phase of development for Hidden Cove Park/Marina (Phase 1A) consists of a ship store and dockside restaurant* which will produce wastewater that the existing plant must handle. The overall Maximum Day Flow expected to be generated once Phase 1A is constructed is 25,000 gpd, leaving a 9,000 gpd excess that needs to be taken care of. Assuming a "worst case" scenario of three (3) Maximum Flow Days followed by four (4) average flow days (8,000 gpd), after three (3) days there would be a wastewater surplus of 27,000 gallons. To contain this flow, an equalization tank of at least 27,000 gallons would need to be constructed to fully serve Phase 1A. Carter & Burgess, Inc. would recommend a 30,000 gallon tank to be conservative.

Future development of the property beyond Phase 1A would once again over-capacitate the existing treatment plant, and other options would need to be explored to handle the new flow. Two (2) ideas would be to either:

1. Construct a new treatment plant onsite that can handle all of the expected future flow, or
2. Construct a lift station and force main system to pump the wastewater to an existing offsite system that could handle the flow. Coordination with offsite owners, Cities, etc. would be required if this option were chosen.

Please contact me if you have any questions in regards to this letter, and see the engineering report mentioned above for more detail.

Regards,

A handwritten signature in black ink, appearing to read 'Adam S. Reeves', with a long, sweeping flourish extending to the right.

Adam S. Reeves, P.E.

(* The Engineering Report has two alternatives for Phase 1A. Alt. 1 has a proposed dockside restaurant of 3,000 square foot (sf) with 150 seats, and Alt. 2 has a 5,000 sf restaurant with 250 seats. Since the report was completed, it has been determined that the restaurant will be 5,000 sf, *but* that there will only be 150 seats inside. This allows us to use the numbers in Alt. 1 to determine flows that will be produced by Phase 1A).



September 19, 2007

Don Weise and Brandon Mobely

USACE- Ft. Worth District Office

Dear Don and Brandon-

Please accept the attached responses from MarineQuest and the City of The Colony to public comments from the Hidden Cove Park EA. In addition to the attachments, we would like to add the following information:

1. All parties have a clear understanding that nothing will be built at the park without Corps approval, even if the City has gone through its approvals.
2. The project will be held to all applicable federal, state and local codes and regulations.
3. The developer (MarineQuest) has not secured a re-allocation of slips from Wynnewood to Hidden Cove Park yet. Although plans show the possibility of shifting up to 510 slip allocations, this has not been finalized. If an agreement is not reached prior to construction, the number of slips built at Hidden Cove will remain 350 as was originally approved in the 1999 PEA.
4. The Colony is working with the developer to potentially relocate the ships store, fuel docks, and to a location further to the west within the proposed marina to help mitigate noise and boat traffic congestions concerns. The City Fire Marshal will have to approve any relocation of the fuel docks to address fire safety concerns.
5. The Colony Police Department will remain the primary responders to any violations to applicable laws and ordinances such as noise. If assistance is needed with other agencies, such as the Sheriff's department, TC police department will coordinate.
6. The Colony is committed to remaining good neighbors to residents in close proximity to the park, and will work with the developer to ensure negative impacts are addressed whenever feasible. We will ask the marina operator and park manager to meet regularly with the HOA's to alleviate concerns whenever possible.

If there are any questions or a need for additional information, please feel free to contact me.

Thank you for your assistance and patience!

Best Regards,

A handwritten signature in blue ink that reads "Pam Nelson".

Pam Nelson

Community Services Director



616 S. Kimball
Metro: 817-410-7450

Southlake, Texas 76092
Fax: 817-442-5815

Anderson Mill*Captains Cove*Chandlers Landing*
Eagle Mountain*Hidden Cove*Joe Pool*Lake Country*
Marshall Ford*Texoma Marina & Resort*Texoma II*

September 14, 2007

City of The Colony
Parks and Recreation Department
Attn: Ms. Pam Nelson
5151 N. Colony Boulevard
The Colony, TX 75056

**RE: RESPONSE TO HIDDEN COVE MARINA
EID PUBLIC COMMENTS**

Pam,

We have reviewed the public comments on the Hidden Cove Marina furnished by the Corps of Engineers. Based on our knowledge of the project, we are offering the additional information below to aid in the response.

1. We have reviewed the request to relocate the restaurant, ship store and fueling further west to reduce congestion around the boat ramp. Although relocation west may afford some reduction in possible congestion, discussion with the city fire department has revealed concerns. Moving the fueling off of the end and internal to the boat docks, increases the difficulty in fighting fire and increases the risk of additional boats being involved. Based on this assessment, we recommend that the fueling activities (which are directly related to the ship store) remain at the east end of the docks.
2. Several comments were made related to the dry stack storage building. Although the concept plan approved a six-story, 72 foot high corrugated metal building, the present plans are to construct a five-story, 56 foot high building. The building will be metal with additional architectural features to blend with the planned restaurant, ship store and docks. This building will be located over 850 feet from the nearest residential lot.
3. MarineQuest presently owns ten (10) marinas (including Hidden Cove) throughout the Metroplex and Texas. All of the marinas owned by MarineQuest are certified or in the process of being certified as a "Clean Texas Marina" by the Marina Association of Texas in cooperation with TCEQ. MarineQuest plans to operate the Hidden Cove Marina in the same manner and have it certified a "Clean Texas Marina" as well.
4. A new parking area is being constructed for use by the new marina slip owners. The new parking lot and existing public boat ramp parking will have additional signage installed to insure that both uses have adequate parking spaces.

5. One comment noted that the park entry should be moved so that traffic will not block the existing residential driveways. The property to the west of the entry road is not owned by the City of The Colony or MarineQuest. Previous discussions with that owner have not yielded any desire to sell or develop the property. It does not appear that there is any opportunity to move the existing public roadway that provides access to the park entry.
6. The proposed hotel/lodge/conference center has an approved height of 3-5 stories. The materials for construction will comply with all applicable City of The Colony zoning and building regulations regarding masonry and architectural requirements. The building will be located over 1,100 feet from the nearest residential lot.

In addition to the information above, we have included a letter from Carter& Burgess, Inc. summarizing the status of the existing sewer system and future improvements and an exhibit illustrating the existing and new "no-wake zone".

If you have any questions or additional comments regarding this information, please feel free to contact Ottis Lee or myself.

Sincerely,

MarineQuest



Marcel Bosworth



6800 Main Street * The Colony, TX 75056 * Telephone (972) 624-3160 * FAX (972) 624-2273
Development Services Department

To: Pam Nelson, Director of Community Services
Keith Helms, Park Development Manager

From: Wes Morrison, City Planner

Cc: Donna Bateman, Director of Development Services

Date: September 18, 2007

Re: Hidden Cove Response to Army Corp of Engineers

Pursuant to our meeting on August 30, 2007, I have provided the City's response to the following questions that were raised by the Corp's public hearing process. Please let me know if you need further information regarding any of these issues.

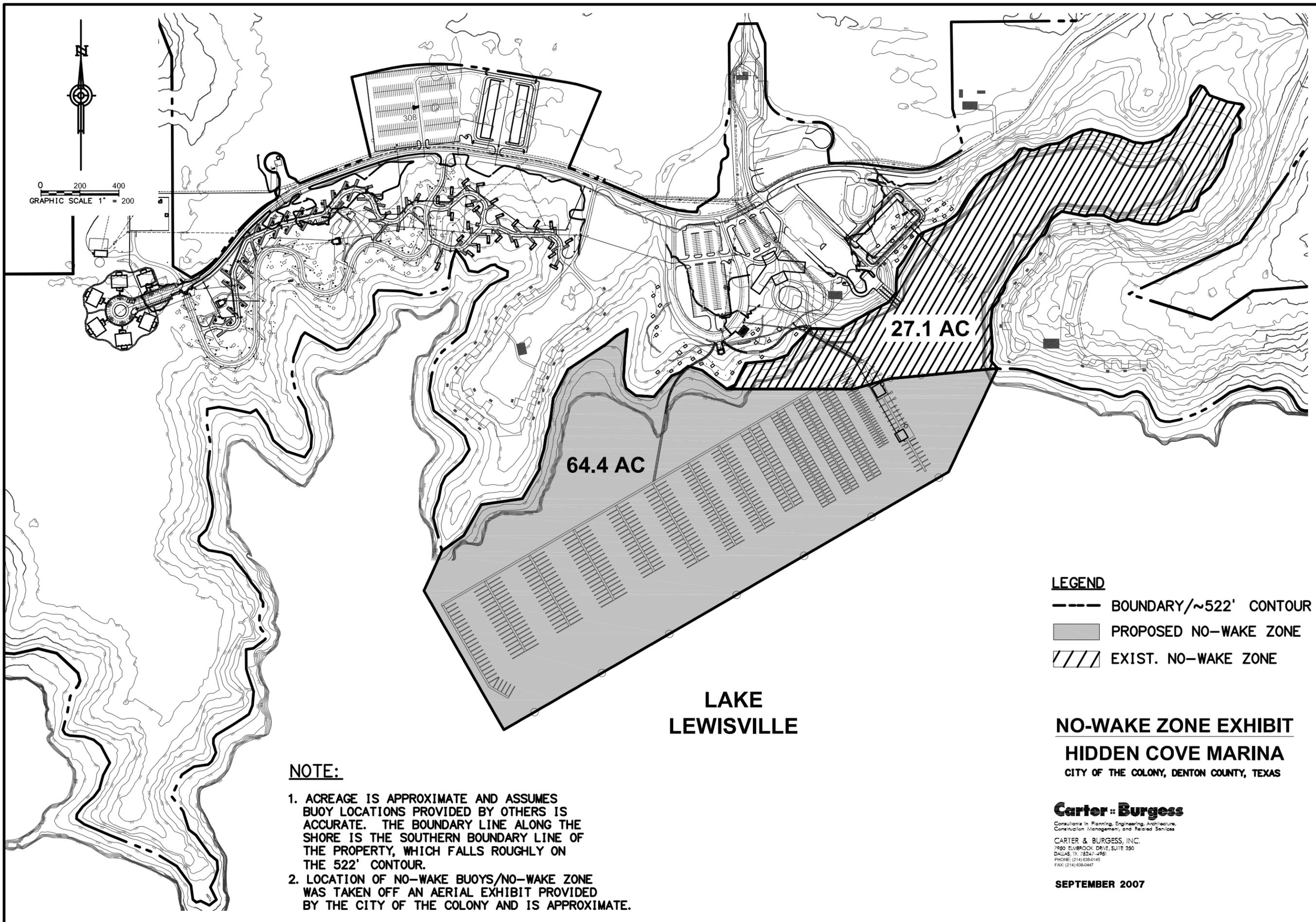
1. Parking space requirements are as follows:
 - a. Hotel/Motel – 1 space per each room
 - b. Restaurant – 1 space per 50 square feet of dining area
 - c. Assembly Area/Convention Hall – 1 space per 3 seats
2. With respect to building height requirements, the Concept Plan approved by City Council on April 17, 2006 regulates the following building heights:
 - a. Dry Stack Storage Building – maximum 72 feet (6 stories)
 - b. Rustic Cabins – maximum 14 feet (1 story)
 - c. Group Bunkhouses – maximum 14 feet (1 story)
 - d. Marina – maximum 28 feet (1 story)
 - e. Ship Store and Fuel Sales – maximum 14 feet (1 story)
 - f. Dockside Restaurant – maximum 28 feet (2 stories)

With respect to other uses that are not listed above, at the time of their site plan approval, all height restrictions will be reviewed then.

3. The approved concept plan identifies the permitted exterior building material for certain uses, those uses that do not have exterior building materials listed in the approved Concept Plan will reviewed at the time of site plan approval. The following exterior materials were listed in the Concept Plan:
 - a. Dry Stack Storage Building – Prefabricated corrugated metal fascia
 - b. Dry Storage Building and Storage Area – Prefabricated corrugated metal
 - c. Rustic Cabins – Log or Plank treated wood
 - d. Group Bunkhouses – Lot or Plank treated wood

- e. Marina - Prefabricated corrugated metal
- f. Ship Store and Fuel Sales – Vinyl siding with prefabricated corrugated metal roof
- g. Dockside Restaurant - Vinyl siding with prefabricated corrugated metal roof

It is important to note, that the only per City Ordinances, the only uses within this development that have received all approvals from City Council are the wet slips, dockside restaurant, and the ship and fuel sales. The property may apply for a building permit at any with the City for the above stated uses. The remainder of the uses, such as dry stack storage, dry storage buildings, rustic cabins, group bunkhouses and the marina still must go through the site plan process which requires a public hearing by state law and City Council approval. At that time, building heights, building materials, landscaping, parking areas and various other land use related issues will be reviewed in a more detailed manner.



0 200 400
GRAPHIC SCALE 1" = 200'

64.4 AC

27.1 AC

LAKE LEWISVILLE

- LEGEND**
- BOUNDARY/~522' CONTOUR
 - PROPOSED NO-WAKE ZONE
 - ▨ EXIST. NO-WAKE ZONE

**NO-WAKE ZONE EXHIBIT
HIDDEN COVE MARINA
CITY OF THE COLONY, DENTON COUNTY, TEXAS**

Carter & Burgess
Consultants in Planning, Engineering, Architecture,
 Construction Management, and Related Services
 CARTER & BURGESS, INC.
 7950 ELMBROOK DRIVE, SUITE 250
 DALLAS, TX 75247-4951
 PHONE: (214) 636-4145
 FAX: (214) 636-9447

SEPTEMBER 2007

- NOTE:**
1. ACREAGE IS APPROXIMATE AND ASSUMES BUOY LOCATIONS PROVIDED BY OTHERS IS ACCURATE. THE BOUNDARY LINE ALONG THE SHORE IS THE SOUTHERN BOUNDARY LINE OF THE PROPERTY, WHICH FALLS ROUGHLY ON THE 522' CONTOUR.
 2. LOCATION OF NO-WAKE BUOYS/NO-WAKE ZONE WAS TAKEN OFF AN AERIAL EXHIBIT PROVIDED BY THE CITY OF THE COLONY AND IS APPROXIMATE.

Summary of Comments on Kevin Bird letter. pdf

This page contains no comments

May 9, 2007

Mr. Brandon Mobley
U.S. Army Corps of Engineers
CESWI-PER-EE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Mobley:

The comments and requests generated in this document have been compiled after reading the available public documents found regarding The Marina in Hidden Cove Park and Lake Lewisville. There also were a number of discussions with U.S. Army Corps of Engineers employees Don Wiese and Brandon Mobley, the City of the Colony's city planner, Wes Morrison, Rea Lynn Schneider and John Hoffmann both formerly with Geo-Marine who were instrumental in writing the Water Related Recreation Use Study for the USACE, and those at Carter and Burgess.

The accumulation of shifting units, increasing densities, and moving the location of the marina completely changed the dynamics and considerations once studied in the previous reports; Programmatic Environmental Assessment, Environmental Assessment for Water-Related Recreation Development, and Water-Related Recreational Use Study. The Environmental Assessment and Draft Finding of No Significant Impact based various findings from the above reports which did not consider the increase loading of activity in the new location and proximity of residential neighborhoods. It is being requested that additional information be provided, new or updated studies be performed, answers to specific questions be addressed, and most importantly the City of the Colony be held more accountable.

The Programmatic Environmental Assessment addresses the facts that a potential Marina in Hidden Cove Park is acceptable and practical. But the Environmental Assessment does not address the specific issues that are created by the combination of the new scope. It is also understood that The City of the Colony and Lessee will be responsible for up holding standards and requiring appropriate development standards. The City of the Colony's standards or lack of such only amplifies the need for the U.S. Army Corps of

COMMENT FOR THE:
ENVIRONMENTAL ASSESSMENT
HIDDEN COVE PARK/MARINA

Engineers to review the proposed project in greater detail. The City has already shown their irresponsibility by approving development and site plans without approvals in place by the U.S. Army Corps of Engineers. There is great concern that standards will be below government standards and functionality of this proposed facility will operate without governing control. The City has too many limitations which was evident when they ran the park over the past years. Additionally, the City's self-motivated circumstance should put this proposed project under a microscope.

Based on the content of the information provided in this Comment for the Environmental Assessment of Hidden Cove Park/Marina on Lewisville Lake, Denton County, by the U.S. Army Corps of Engineers Fort Worth District dated April 2007, here after, I ask the U.S. Army Corps of Engineers to look into the findings and if there is still no significant affects on the human environment at least require more information and study be provided from the applicant and The City of the Colony during the development of this project. Lastly, that all governing agencies involved and affected such as; USACE, The City of the Colony, The City Of Frisco, City Of Hackberry, Denton County, and Texas Department Of Transportation collectively review and comment on the development of this project initially and regularly as each phase is implemented.

Sincerely,



Kevin M. Bird
5970 Diamond Spars Trail
Frisco, Texas 75034

Page: 2

Author: m2o2mdmhw

Subject: Right of

Submission: 10/12/07 10:43 AM -05:00

The Colony has approved development and site plans without USACE approval. The proposed facility would operate under direct control of The Colony to insure compliance with standard park and recreation lease conditions. The Colony has operated Hidden Cove Park for more than twelve years, during which the USACE has received no serious public complaints about park operation. To the contrary, The Colony has served a significant public need by assuming responsibility for Hidden Cove Park when the park was removed from the state park system by Texas Parks and Wildlife Department in 1995.

This page contains no comments

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14. Wildlife
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19. Growth Management Plan
20. Request For A Public Hiring

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1. New Base Line

The Proposed Water-Related Recreation Development found in the Programmatic Environmental Assessment (PEA), Environmental Assessment for Water-Related Recreation Development (EA WRRD), and Water-Related Recreational Use Study (WRRUS) originally proposed the Marina in Wynnewood Park (840 wet slips and restaurant) location as the more density intense project. While the Marina in Hidden Cove Park (350 slips and boat ramp with 25 spaces) was a much less impacted location. The Draft Environmental Assessment April 2007 (EA) references the PEA as not finding significant impacts on Water Quality, Noise, Socioeconomic Conditions, Recreation, and CUMULATIVE IMPACTS. Due to the fact the PEA and WRRUS were evaluating Wynnewood Park as the much more impacted Park, not Hidden Cove Park a new Baseline Study is requested. The new Baseline should take in consideration the switching of the larger impacted area from Wynnewood to Hidden Cove and the increase in Proposed Action found in the EA (i.e. Large Hotel, Multi Story Dry Stack Storage Facility, Theater, Two Restaurants) that was not considered by the PEA and WRRUS at either Park.

Two further reasons for a new Baseline Study are proximity to residential homes and the increased boat activity in a smaller and more physically restrictive area. In the original PEA and WRRUS both marina locations were careful and considerate in choosing a location away from existing residential neighborhoods. The proposed location for the Marina in Hidden Cove Park is now with in 1,000 feet from the existing Saratoga and Wynnewood neighborhoods. The EA states that "No noteworthy change in the type of recreation is foreseen in the proposed action. Additional slip allocations are proposed to be added but these allocations would come from another marina that is located within the same zone. Therefore, no impacts to lake carrying capacity are foreseen since the number of slips in this zone fall within guidelines from the WRRUS and the PEA". From a theoretical standpoint the slip allocation is a fitting statement. But what is not being taken into consideration is Wynnewood's location was a few hundred feet north of Zone A and the proposed marina faced out into the main body of the lake not sandwiched in a cove next to residential neighborhoods. The moving of the Marina in Hidden Cove Park from the PEA's original the proposed locations (3 options) and increasing the number of boat activity requires this to be looked at on a micro level and site specific. There are numerous things left out or not being considered that will require a new baseline to be established in order to accurately access the environmental consequences.

Author: M2PERBMM

Subject: Highlight

Date: 1/8/2008 9:23:52 AM

The PEA and WRRUS did not establish or evaluate Wynnewood Park as the much more impacted park compared to Hidden Cove Park. Both parks are leased to The Colony by the USACE and both are located in boating use ZONE C. At the time of the PEA, The Colony operated Hidden Cove Park directly, but operated Wynnewood Park through a sublease arrangement with a commercial entity. At the time, it was The Colony's desire to allocate the majority of slips to Wynnewood Park on the basis that the commercial operator would be in the best position to construct and operate a viable marina.

Author: M2PERBMM

Subject: Highlight

Date: 1/8/2008 9:24:26 AM

The EA incorrectly stated that the proposed action calls for relocation of the marina from the northwestern shore of Hidden Cove Park to the southeastern shore of Hidden Cove Park. At the completion of the July 2008 EA on Proposed Water-Related Recreation Development at Lewisville Lake, it was decided that the two proposed marina locations on the northwestern shoreline were withdrawn from consideration in favor of a location in a cove on the southern shoreline approximately 4,500 feet west of the location described in the proposed action.

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2. Traffic Study

The PEA states it is difficult to accurately predict future noise levels from visitors using the various recreational facilities being proposed as part of the overall marina developments. Future noise levels from vehicles using the existing and proposed access roads can be predicted using the FHWA's traffic noise modeling software. However, in order to model traffic noise levels future traffic projections are required.

A Traffic Study is requested. The study would determine if the current road capacity and design could handle the increase in density, the noise levels from vehicles, safety concerns with vehicles using the existing roads, and the need for law enforcement. The study should address each phase's build-out. The roads that will be affected are FM 423 a Texas State road, Stonebrook Boulevard, a City of Frisco road and Hackberry Creek Road a Denton County road. The required traffic data could easily be found through the City of Frisco and the Texas Department of Transportation. In fact, a traffic study (signalization warrant study) has already been done for the intersection of FM 423 and Stonebrook Boulevard. This particular study did not account for the proposed increases at Marina in Hidden Cove Park.

Author: m2zdmrdhw
Subject: Stone Brook
Date: 6/28/2007 8:30:15 AM -0500'

The EA was provided to Denton County, Frisco and The Colony and no comments were received relative to traffic related issues. We believe that the current language in the EA adequately discloses that increased traffic into and out of Hidden Cove Park would occur, but that these impacts are not significant in view of the overall traffic situation in the area.

Author: m2zdmrdhw
Subject: Highlight
Date: 6/27/2007 1:00:07 PM -0500'

Author: M2PERBMM
Subject: Highlight
Date: 6/14/2007 1:25:51 PM -0500'

The following items need to be reviewed.

1. The number of trips generated by the allowable increase of:

- A. Boat use
 - i. 560 wet slips
 - ii. 34 courtesy slips
 - iii. 300 boat dry stack storage
 - iv. 608 cover & uncovered storage (300 specifically for boats)
- B. Boat repair facility
- C. Hotel
 - i. 250 rooms
 - ii. 2 conference centers/banquet rooms (no size)
- D. Two Restaurants (no limiting size)
- E. Campsites
 - i. 50 RV sites
 - ii. 32 cabins
 - iii. 25 tent sites
 - iv. 41 shelters & pavilions

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- F. Swim Beaches
- G. Employee Facilities
- H. Heliport (not consistently mentioned throughout EA)
- I. Indoor - Outdoor Theater no limit on capacity (not consistently characterize throughout EA)
- J. Construction
 - i. Above listed improvements
 - ii. 90,000 cy of dredging
- 2. Immediate concerns:
 - A. The intersection of FM 423 & Stonebrook
 - i. FM 423's north bound left turn crossing two south bound lanes of unstoppped traffic onto Stonebrook.
 - ii. Exiting Stonebrook North on FM 423
 - iii. Has the ultimate design of this intersection taken into account the trips generated by the increase in park's density?
 - B. Stonebrook Blvd. is unfinished
 - i. Numerous lane changes from four lanes to two lanes.
 - C. Hackberry Creek Road
 - i. Passes in front of 20 residential driveways
 - ii. Asphalt constructed road (may need frequent repairs)
 - iii. No street lights
 - D. The construction activity
 - i. Safety
 - ii. Maintenance
 - iii. 90,000 cy would equate to over 6,000 truck loads to haul off site
 - iv. Phasing over four years would mean many years of disruption by construction equipment.
- 3. Inconsistencies in the Environmental Assessment
 - 3.1 Restaurants
 - Dockside restaurant is not mentioned in Table 1.
 - A maximum square footage as it regards to the Dockside Restaurant and the Lodge/Hotel Restaurant facility should be determined for

Page: 6

Author: M2PERBMM

Subject: Highlight

Date: 6/27/2007 1:30:40 PM -0500

Noted

Author: M2PERBMM

Subject: Highlight

Date: 6/27/2007 2:30:19 PM -0500

Noted
The 1999 PEA included Development Plan Guidelines for Restaurants as well as other facilities. While these guidelines do not address the maximum square footage of a proposed restaurant they do require restaurants and similar concessions to "blend in with the aesthetics of the development they are supporting" and that restaurants are not allowed as stand alone facilities.

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consideration in the EA. Once the square footage is determined the Impacts and Cumulative Impacts should be re-addressed (air quality, noise, vegetation, socioeconomic conditions, and aesthetics). Two restaurants will require their own parking spaces per code, depending on size and will have a direct affect on total development area by the possible increase of impervious surfaces on the proposed project. Hours of operation will need to be established and the restaurants alcohol to food ratios be set.

Author: M2PERBWM
Subject: Highlight
Date: 6/16/2007 7:16:33 AM -0500
Helipad has been eliminated from proposed project.

Author: M2PERBWM
Subject: Highlight
Date: 6/20/2007 9:28:36 AM
See Appendix C

Author: M2PERBWM
Subject: Highlight
Date: 6/29/2007 9:53:29 AM -0500
The indoor-outdoor theater is planned to be part of and to serve guests at the proposed conference center. The Colony has stated that the theater is envisioned to be a large meeting room that could seat approximately 200 and would have a stage that could rotate and open to the outside where guests would use blankets and lawn chairs for seating.

3.2 Helipad

A Helipad is indicated in Table 1 but not mentioned in the proposed action nor does the Impacts and Cumulative Impacts section address the affects of a Helipad.

3.3 Wastewater

Wastewater expansion is proposed in Phase 1B. The current system has failed as recent as last year under the existing activities. Was this reported to TCEQ and what are the finds and corrections that have taken place? If Phase 1A will increase the use of the current wastewater system the system should be upgraded before Phase 1A activities are allowed to operate. A study on the current system and what the proposed action will require in the way of upgrading is requested.

One Lift Station is proposed in Phase 2 there is a significant amount of activity that exists and that is being proposed in Phase 1A, 1B & 1C. The complete marina and camping facilities will be operational in Phase 1. Shouldn't certain activities within Phase 1 be contingent on having a Lift Station in place? Lift Stations are not being considered until Phase 2. Phase 2 is basically amenities to the project's Phase 1 with the exception of the hotel. The hotel will eventually need to be included in the wastewater capacity study.

3.4 Theater

Indoor-outdoor theater is indicated, but it is not listed in the Proposed Action or listed in Table 1. If a theater is proposed, a seating capacity

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needs to be set. The impacts and cumulative impacts then should address the theater.

4. Update WRRUS

Has an update to the WRRUS been done? If not I am requesting at least a cursory review be done. The reason for this request is the WRRUS is over eight years old and since then numerous slip additions to existing marinas been made and the Marina in Cottonwood Park has been constructed. The existing vessels for each zone and overall total have changed. Another significant reason is not all the improvements to these existing marinas have been operating within the original allowable activities. As an example, Hidden Cove Park's current activities as described in the EA allows for a 3 lane boat ramp with 75 parking units but the EAWRRD states a boat ramp with a 25 space parking lot. The EA goes on to identify under section 3 Existing Environment there are actually 146 existing parking units for the boat ramp. These types of inconsistencies need to be reviewed and surveyed and once an accurate account of vessel impacts can be derived for Zone C and the entire lake will there be solid conclusion that the proposed activities at the Marina in Hidden Cove Park will not exceed the lake's vessel capacity.

This brings up another point, has a study been done on the number of boats launched from Hidden Cove Park and how are the current parking conditions handling the volume?

Lastly, I ask the US Army Corps of Engineers (USACE) to require a legally executed document be in place between the applicant and the party who has the title to the vessels allowed at the Marina in Cottonwood Park before permitting the proposed development to proceed. This legal document should identify the conditions related to the transfer of vessels to the Marina of Hidden Cove Park while restricting the activities and the number of vessels allowed at the Marina in Cottonwood Park.

5. Reduce Proposed Vessel Count

The WRRUS median resource protection for Zone C is 289 vessels. The EAWRRD allocated those vessels; 84 vessels to Marina in Wynnewood, 84 vessels to Marina in Cottonwood, and 60 vessels (35 slips & 25 ramp parking) to Marina in Hidden Cove Park. The Marina in Cottonwood stays the same with 84 vessels and the Marina in Wynnewood is reduced to 33 vessels while the Marina in Hidden Cove is increased. To maintain the median resource protection level and not be a significant impact the Marina

8 of 15

Author: M2PERBMM

Subject: Highlight

Date: 6/27/2007 3:15:51 PM -05'00'

The boating capacity decisions stemming from the WRRUS were published in December 2000 as part of the EA for Water-Related Recreation Development. All slip additions and the construction of Cottonwood Park Marina have been accomplished in accord with the previous decisions.

Author: M2PERBMM

Subject: Highlight

Date: 6/29/2007 12:52:37 PM -05'00'

The 146 parking spaces noted in Section 3.0 is incorrect. The correct number is 50. The language in the draft EA will be changed to reflect the correct number and also to clarify that The Colony is not proposing to increase or decrease the existing 50 parking spaces at the boat ramp.

Author: M2PERBMM

Subject: Highlight

Date: 6/29/2007 9:55:18 AM -05'00'

The WRRUS was completed in the summer of 1998 and included detailed counts of boat trailers in the parking lot on an hourly basis from 28 boat ramp locations on July 3, 4, 5, 15, 17, 18, 19, 1998. The maximum number of trailers at the Hidden Cove Park boat ramp was 40 at 5:00 pm on July 4th. No official count has been done since, but The Colony believes that the level of use has not increased dramatically since 1998.

Author: M2PERBMM

Subject: Highlight

Date: 6/29/2007 10:25:35 PM -05'00'

The marina at Cottonwood Park is not involved in the proposed action. The vessel allocations for Wynnewood Park and Hidden Cove Park are involved in the proposed action and are both under the management of The Colony.

Author: M2PERBMM

Subject: Highlight

Date: 6/29/2007 2:06:26 PM -05'00'

As stated earlier, the existing boat ramp in Hidden Cove Park has only 50 parking spaces, not 146. The proposed shifting of 51 vessels (510 slips) from Wynnewood Park to Hidden Cove Park will not cause the resource protection level for Zone C to be exceeded.

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in Hidden Cove must not increase to more than 170 vessels. What is proposed is 560 slips (56 vessels), 300 Dry Stack Storage (30 vessels) and keeping the existing ramp along with the existing parking lot (146 spaces equates to 146 vessels). The proposed vessel count is over the median resource protection for zone C at 349 vessels.

I am also confused on why certain activities do not account toward vessel impacts. The Marina in Hidden Cove will have the proposed 560 slips (56 vessels), 300 Dry Stack Storage (30 vessels) and existing ramps with its 146 space parking lot and a total of 608 covered and uncovered RV and Boat Dry Storage (60 existing and 548 additional). It is stated 360 of those spaces are for those using the Dry Stack Storage. There is the huge potential the covered and uncovered RV and Boat Dry Storage will be considered reserved parking for boats that neither want to use the slips or dry stack storage and prefer not to use the ramp parking lot because of congestion and limited availability. The 300 spaces stated for Dry Stack Storage should be exclusively designated for this use. With a percentage of the remaining 308 parking spaces ultimately counted toward Zone C's carrying capacity.

Lastly, boat and jet ski rentals are not being count toward vessels impacts. At the current time the rental shop rents approximately five boats and eight jet skis. There is no limit indication to the number of boats and jet skis able to be rented.

Due to these above stated factors the vessel count for the Marina in Hidden Cove Park should be reduced so that the median resource protection for Zone C is not exceeded.

6. Navigational Lane

The EA states "The marina is not expected to hinder access to the upper end (i.e., east end) of the cove since the marina structure would not extend to the centerline of the cove, which is the deepest portion of the cove. It is possible that access to the east end of the cove may be limited during times of extreme drought. However, the marina will not be the determining factor (i.e., water depth would be the limiting factor)". Not expected is an inadequate conclusion. This similar issue was brought up at the Marina in Cottonwood Park (found in the EAWRRD Appendix F). In this case the USACE requested the city to provide drawings of the proposed marina in relation to the natural contours of the cove on both sides. The end result was the design was reconfigured and a 250 feet navigational lane from the breakwater beyond the docks was maintained to reach

Author: M2FERBMM

Subject: Highlight

Date: 6/29/2007 2:41:27 PM -05'00'

The WRRUS determined that boats stored in covered or open dry boat storage facilities (not dry stacked storage) tended to utilize parking spaces at boat ramps and were thus counted as part of the overall boat traffic on the lake. Apparently, most dry storage facilities are too remote from the boat ramp to be utilized as "reserved parking for boats" as you described.

Author: M2FERBMM

Subject: Highlight

Date: 6/29/2007 8:57:06 AM -05'00'

The WRRUS determined that boats stored in covered or open dry boat storage facilities (not dry stacked storage) tended to utilize parking spaces at boat ramps and were thus counted as part of the overall boat traffic on the lake. Apparently, most dry storage facilities are too remote from the boat ramp to be utilized as "reserved parking for boats" as you described. The number of wet slips or dry stacked storage slips will need to be reduced by the number of boat or jet ski rental units so that the authorized number of 880 wet/dry slips is not exceeded.

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the back of the cove. I request the USACE requires the same from the City of the Colony and applicant. The USACE should require at least a 250 feet navigational lane from the breakwater beyond the docks to the south shore's 503 msf contour. In addition this south side of the cove is very stumpy and the removal of those stumps should be considered or the 250 feet should be from breakwater to the stumps. If a significant navigational lane is not maintained not only will boats not be able to get to the upper cove but those using the boat ramp will not be able to reach the main body of the lake (the boats will not be able to get around the marina's docks). The current design of the marina has a few critical points where navigating will be difficult.

7. Water Quality

Water quality data appears to be from the mid 1990's and outside the project area. Is updated water quality data available within the project area?

What measures would be proposed to ensure that hazardous waste and pollutants associated with project construction and the increased boat activity do not violate water quality standards?

The EA states there has been intense urban development in the vicinity of Lewisville Lake that has resulted in increased concentrations of sediments, metals, nitrogen and phosphorus in storm water runoff. There are two new golf courses under construction along the lake just in Zone C (bringing the total to three). Golf course maintenance pollutes the water when fertilizing with nitrogen and phosphorus and copper sulfate used as herbicides and pesticides. The proposed action will contribute additional nutrient loading and reduce the amount of native habitats available to filter pollutants and contaminants. Please provide data to demonstrate that the proposed action will not result in a cumulative impact to water quality.

Please provide data to demonstrate that lake sedimentation does not contain hazardous materials or chemical contaminants that could adversely affect water quality and aquatic flora and fauna during the proposed dredging activities.

If sewage pumpout facilities are proposed, please discuss what measures will be taken to ensure these activities do not result in impacts to water quality.

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Author: M2PERBMM

Subject: Highlight

Date: 6/26/2007 9:59:54 AM -0500

The Colony will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) which will specify best management practices (BMP's) to be implemented during construction activities. The impacts to water quality from boating activity was assessed in the previous EA for Water-Related Recreation Development at Lewisville Lake (Finding of No Significant Impact dated 20 Dec 2000). It was determined that additional boating on the lake within the boating capacity limits established by the USACE pursuant to by the WRRUS would have no significant impact on water quality.

Author: M2PERBMM

Subject: Highlight

Date: 7/22/2007 2:36:20 PM -0500

The Texas Commission on Environmental Quality (TCEQ) is responsible for monitoring water quality in the state of Texas and was furnished notification of this EA. No response was received from TCEQ. However, in TCEQ's 2006 Clean Water Act, Section 303 (d) list of Texas water bodies that do not meet applicable water quality standards, there has been no change for Lewisville Lake since the publication of the 1989 PEA. Lewisville Lake is not on the 303 (d) list although a segment of the Elm Fork of the Trinity River immediately below Lewisville Lake Dam is on the list for having potential problems with bacteria.

Author: M2PERBMM

Subject: Highlight

Date: 7/22/2007 2:36:20 PM -0500

The Colony will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) which will specify best management practices (BMP's) to be implemented during construction activities. The impacts to water quality from boating activity was assessed in the previous EA for Water-Related Recreation Development at Lewisville Lake (Finding of No Significant Impact dated 20 Dec 2000). It was determined that additional boating on the lake within the boating capacity limits established by the USACE pursuant to by the WRRUS would have no significant impact on water quality.

Author: M2PERBMM

Subject: Highlight

Date: 7/22/2007 3:10:39 PM -0500

The USACE will cooperate with TCEQ and the EPA if any water quality standards are threatened by boating activity or other activities on Federal land.

Author: M2PERBMM

Subject: Highlight

Date: 7/22/2007 3:10:39 PM -0500

As published in the 1989 PEA, available data bases were checked to determine the presence of hazardous waste disposal sites on Federal land at Lewisville Lake. In addition, visual inspections of areas proposed for development were made to look for potential hazardous waste / materials issues. No sites were noted for Hidden Cove Park.

Author: M2PERBMM

Subject: Highlight

Date: 7/22/2007 3:12:49 PM -0500

As published in the 1989 PEA, available data bases are required to be certified by TCEQ. In addition, existing and future pumpouts are inspected annually by the USACE for proper certification and operation.

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8. **Aquatic Resources**
Updated surveys of aquatic resources is requested to determine whether aquatic vegetation or submerged resources are present that would provide habitat for aquatic organisms and food for waterfowl. If aquatic resources are present, what measures are proposed to mitigate for impacts to aquatic resources?
9. **Wetlands**
A jurisdictional wetland determination was not conducted for the site during the 1999 PEA, and agency verification of the 2005 wetland assessment has not been performed. Verification of wetland jurisdictional limits is recommended to ensure an appropriate compensatory mitigation plan is established if necessary.
10. **Floodplains**
Describe measures taken to ensure the project will not adversely affect the flow of water or cause harmful erosion or shoaling.
11. **Air Quality**
What are the effects on air quality from mobile sources, primarily construction equipment during summer months, as that is the time most likely to see a spike in ozone?
Additionally, the reallocation assumption, does not take into effect the additional mobile sources being generated by the additional slips, storage structures, boat repair facility and additional hotel spaces. I request to model the air quality effects from mobile sources associated with all activities, construction and operation.
12. **Noise**
It is anticipated that the loudest noise sources generated would be the sound of boat motors and automobiles. It was stated the PEA did not anticipate any significant noise impact for this project. But at the time of the PEA this project's proposed action did not include a multi story dry stack storage facility, two restaurants, a possible theater, a 250 room hotel, etc. These uses will create their own noise levels above boat motors and automobile which were the only things considered. What is the cumulative noise impact from all these uses?

Author: M2FERBMM
Subject: Highlight
Date: 6/16/2007 9:56:35 AM -05'00'
Section 3.3 describes aquatic resources at the site. Section 6.0 describes aquatic plantings as part of the mitigation plan

Author: M2FERBMM
Subject: Highlight
Date: 6/16/2007 7:24:31 AM -05'00'
3.D is appendix B in the document.

Author: M2FERBMM
Subject: Highlight
Date: 7/2/2007 3:16:00 PM -05'00'
Best Management Practices will be employed during construction to prevent erosion and deposition of sediment in the lake.

Author: M2FERBMM
Subject: Highlight
Date: 7/3/2007 8:31:03 AM -05'00'
The potential for cumulative impacts to air quality were disclosed in the 1999 PEA and were determined to have no significant adverse impact. The Texas Commission on Environmental Quality (TCEQ) and the EPA regulate air quality and were furnished a Notice of Availability on this EA. No comment was received from either agency.

Author: M2FERBMM
Subject: Highlight
Date: 7/11/2007 8:05:59 AM -05'00'
The EA discloses that some increase in ambient noise levels is expected but the cumulative impact would not be significant in view of the surrounding existing and planned residential development. The USACE seeks to maintain a pleasant environment in peak areas under USACE jurisdiction. To quote Title 36, Chapter III of the Code of Federal Regulations "The operation or use of any sound producing or motorized equipment, including but not limited to generators, vessels, or vehicles, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from motorized equipment is prohibited." Further supporting the conclusion of no significant noise impact, the USACE has experienced very few noise complaints stemming from the other marinas located on Lewisville Lake, all of which have facilities similar or larger in scope than the facilities described in the proposed action, and are located very near residential areas. The USACE believes the lack of complaints is a testimony to our marina operators' efforts to be good neighbors.

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The greatest attenuator of noise is distance. But with the proposed change in the marina's location all the additional proposed action elements are now located adjacent to each other. I ask that the marina be pushed further away from the other proposed action elements and the near by neighborhoods. This will also allow for enough distance between project elements to attenuate project generated noise levels to the extent that noise levels from the project's elements would not significantly combine with other project related noise levels while keeping an increased distance from the neighborhoods.

Another thing to be considered is as technology increases other noise factors need to be measured. Numerous boats now have stereo sound systems that exceed the 65 decibel level. Jet skis operate at a louder decibel than the average boat. There are more and more larger boats which have larger dual engines.

The hours of operation have been depicted as a consolation for when noise will decrease. How will it be possible for the park to be closed after 10pm when a hotel, restaurants etc. are in operation?

13. Mitigation

I request that the Upland mitigation plan (Appendix D of EA) provide Upland planting along all Residential borders. And where allowed a 650 foot no activity zone be created to additionally buffer the existing residential.

14. Wildlife

Please provide data to demonstrate that other infrastructure improvements such as roads and increased traffic will not adversely affect wildlife usage and other natural resources.

15. Threatened & Endangered Species

I request a study of the project area to determine the affect of the project on federally listed migratory bird species, including but not limited to the whooping crane, piping plover, and interior least tern.

Where is the nearest bald eagle nest in relation to the project and what affect is the project likely to have on bald eagle foraging and nesting habitat?

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Author: M2PERBWM
Subject: Highlight
Date: 7/3/2007 9:07:32 AM -05'00'
See above comment on noise

Author: M2PERBWM
Subject: Highlight
Date: 7/3/2007 9:07:18 AM -05'00'
See above comment on noise

Author: M2PERBWM
Subject: Highlight
Date: 7/3/2007 9:19:59 AM -05'00'
The mitigation plan is intended to offset losses to wildlife habitat and will be implemented at locations of most benefit to wildlife.

Author: M2PERBWM
Subject: Highlight
Date: 8/16/2007 10:07:56 AM -05'00'
Implementation of the proposed project would take place in an area that has limited resources due to current and past use. The project would be constructed in areas at the park where past construction activities and facilities have already taken place and are currently utilized.

Author: M2PERBWM
Subject: Highlight
Date: 6/18/2007 10:13:32 AM -05'00'
See section 4.10 of the document. Designated habitat for listed species does not exist at the project site except for the possibility of interior least tern habitat when water levels are low.

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16. Potential Hazardous and Toxic Waste Concerns

I request additional information on the spill prevention and response plan. Will there be use of emergency shut-offs, double walled fuel lines, breakaway mechanisms, etc. that demonstrate water quality, aquatic flora and fauna will not be adversely impacted from fuel spillage.

17. Readjust/Realign the Marina Dock Layout

The current dock design locates numerous highly used activates in one area. Moving the docks to the West will relieve congestion while creating more distance from the residential neighborhoods. The following activates are the cause of the congestion:

- At the current time, boats line up and circle around the boat ramp waiting for their turn to be trailered out of the water. With the current design of the dock there is no space to effectively and safely load up and pull a boat out using the ramp.
- The courtesy docks are at the far East end of the docks. This will logically add to the congestion around the boat ramp. Courtesy docks will have the most concentration of in and out boat traffic.
- The dockside restaurant is located in the courtesy dock location adding to the traffic.
- The Ship Store with gas sales are also located in the courtesy dock location. This service will have a direct impact on traffic patterns.
- The Dry Stack Storage where boats will be launched is located east of the boat ramp. Boats using Dry Stack Storage will have to navigated around the boat ramp traffic and than the courtesy dock and restaurant traffic.
- The docks are in front of the beaches (as shown in the rendering not identified in any exhibit) and will be directly affected by boat spillage and floating debris due to the winds blowing into the shore line.

I recommend the dock design and the location of the activities be studied in greater detail. Boat traffic and the areas of high congestion should be addressed. Major consideration should be given to reconfiguring the dock design and moving the docks further west.

18. Level of Service

Staff levels for enforcement are not in place at the current time. The USACE and sheriff departments are short handed on and off the lake. Hidden Cove Park's location is the furthest distance from The City of the Colony and response times do not meet level of

Page: 13

Author: M2FERBMM

Subject: Highlight

Date: 7/3/2007 8:35:30 AM -05'00'

Fuel storage and fueling areas are governed strictly in accordance with Texas Administrative Code, Title 20, Part 1, Chapter 304, and the National Fire Protection Association rule 30A for automotive and marine service stations. State-of-the-art technology for leak detection and spill prevention will be required.

Author: M2FERBMM

Subject: Highlight

Date: 7/3/2007 9:38:51 AM -05'00'

Note: Movement of some activities/facilities to the west is a viable suggestion to relieve potential traffic around the boat ramp.

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service standards. The addition of all the boats, campsites, restaurants, storage facilities, businesses etc. will only tax the limited staff of these governmental agencies. Is the applicant responsible for the addition of more staff and life safety equipment?

Author: M2PERBMM
Subject: Highlight
Date: 7/10/2007 12:34:42 PM -0500
The applicant is The City of the Colony and the USACE would look to The Colony to ensure that public safety and law enforcement needs are met.

What other measures are being taken by The City Of the Colony, USACE, and Denton County to provide enforcement and handle public safety issues?

Author: M2PERBMM
Subject: Highlight
Date: 6/14/2007 1:41:44 PM -0500

19. **Grow Management Plan**

The City of the Colony has approved a Development Plan and Site Plan for Hidden Cove Marina and Resort. The approval by Planning and Zoning and then City Council has been granted before the USACE has finalized any of their findings and recommendations. There seems to be insufficient communication between the USACE and The City of the Colony.

Author: M2PERBMM
Subject: Highlight
Date: 6/18/2007 10:14:35 AM -0500
Helpaid has been eliminated from the project.

On a development of this size there should be an intense, detailed review regarding Site Planning, Uses, Density, Infrastructure Design and Capacities, Public Safety, Beautification, Design standards, and Maintenance and Operation Requirements. Due to city staff turnover there has not been adequate attention to the issues at hand. Recently, there has been improvement in city involvement with new staff members but it's apparent they have not had the appropriate amount of time necessary to address all the items.

Author: M2PERBMM
Subject: Highlight
Date: 7/3/2007 8:46:35 AM -0500
See earlier note about indoor-outdoor theater.

The current approved Development Plan does not meet the City of the Colony's parking requirements. Per the Development Plan Phase 1A (see Planning and Zoning Commission Report dated February 13, 2007) the project will have approximately 600 marina slips that will have only 160 parking spaces allocated for it. Also in the Phase 1A is the Ship Store (3,000 sf) and Dockside Restaurant (5,000 sf) these uses should require more or less 30 and 100 parking spaces respectively per city code. This would leave 30 parking spaces for the marina slips. This can not be adequate parking for such activities. Like wise Phase III is the 250 room Hotel with a restaurant and convention/meeting rooms to accommodate 300 people with parking for 215 spaces. Per city code this should be a minimum of 600 spaces. Phase III is grossly under parked. In addition the development plan approves a Helpaid which has not been addressed by the USACE. The Development Plan does not address or locate an indoor-outdoor theater. The purpose of pointing out some of the oversights in the Development Plan is two fold. One, there are

COMMENT FOR THE:
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HIDDEN COVE PARK/MARINA

This page contains no comments

major concerns that the facilities and infrastructure are under designed and two. The City of the Colony has overlooked a few items or are relaxing their standards to accommodate the proposed development.

I request the USACE work with the City of The Colony to require the applicant/developer to provide a more complete development package. The City of The Colony has not required or enforced the development to meet minimal standards found in their ordinances. Inadequate parking, water and sanitary sewer and no storm water system will have a direct impact on environmental issues. The package would need to address all the issues that are currently being brought up in this report. The development package would determine how the phases and current activities within those phases will be dependent upon adequate infrastructure in place. The development package would require comprehensive studies on wastewater, water, and traffic be conducted in order to anticipate and address the problems as the project develops in phases.

20. Request a Public Hiring

I am requesting a public hiring for the above referenced project. This request is made due to the fact the existing environment will be directly impacted by the proposed development. The environmental consequences of this proposed development are numerous and some significantly perilous. There have been meetings held (i.e. April 4, 2007) by the USACE, the applicant, and the City of The Colony that I nor many in our community were given notice of. I have not been properly given the chance to fully express my concerns and feel in a public hiring setting adequate or substantial answers can be given without confusing responses. Having the chance to write out my concerns does not substitute the actual dialog required to fully discuss the issues as these issues are very dynamic.

Victoria A. Sautner, Esq.
2117 Golden Spurs Trail
Ft. Worth, Texas 75034
469-562-0160
vick@sautner.com

Brandon Mobley, C/ESWF-PER-EE
P.O. Box 17300
Fort Worth, Texas 76102-0300

RE: Comments to Draft Finding of No Significant Impact (FONSI) regarding proposed project for the City of the Colony at Lewisville Lake, Hidden Cove Park

Dear Mr. Mobley:

Please accept my request for public hearing and comments on the Draft FONSI.

Request for Public Hearing:

A public hearing is necessitated to allow elected officials, area government agencies, local residents, and persons interested in Hidden Cove Park and Lewisville Lake to better understand the proposed development and to have an opportunity to identify issues and concerns, including some not addressed in the Draft FONSI. The location of Hidden Cove Park is unique, in that there is no centralized governmental authority that controls the Park and immediate surrounding area. Many entities are involved in servicing and maintaining the area, and it is incumbent upon the Corps of Engineers to solicit and assess the impacts identified by these entities and individuals.

Informal meetings conducted prior to the Draft FONSI issuance restricted full participation by the Corps representatives. The so-called "public hearings" identified in Draft FONSI Section 8.9 were conducted by the proponent of the development thus chilling any serious public debate or input into the development plans. The City of the Colony did not notify abutting Hidden Cove Park landowners of public hearings or zoning changes related to the Park. There has been no public hearing conducted by an independent governmental authority, or one that collectively engages all interested parties. The Corps is to be commended for its efforts to date to solicit public input on this Draft FONSI, but a full public hearing is needed to bring all interested parties together.

The media reports in Draft FONSI Appendix C are from 2004, further highlighting the lack of any recent public discourse on the Proposed Action plan. It is crucial for the Corps to fulfill this role. The pursuit of a development of this magnitude, in a concentrated area, is deserving of a full public hearing, and I respectfully request the same.

This page contains no comments

Comments on Draft FONSI:

Introduction

As an abating landowner, my first concern is quality of life and the quiet enjoyment of my property and that of my neighbors. When I bought my property in June of 2005, the 350 slip marina plan in the northwest shoreline of Hidden Cove Park was acceptable and still is. The Proposed Action significantly increases the proportions of the original plan, introduces unmitigated offensive characteristics, and changes placement into an intrusive location, the womb of the neighborhood. It is ludicrous that a comparison of the two plans would render a determination that there is "no significant impact" on the human and natural environment. Living next to a public park is much different from living next to a commercial, retail, entertainment complex. The size, location, type, and concentration of development into a contained area of public property, surrounded by residential development, is deserving of further study, examination, and, preferably, outright denial. The location and size of the No Modification Alternative is more attractive and results in greater recreational access to the lake and less impact to the human environment.

No Modification Alternative v. Proposed Plan

The No Modification Alternative was examined in the PEIA of 1999. The placement of the 350 slip marina on the northwest shore of Hidden Cove Park was apparently designed to coincide with the Little Elm Cottonwood Marina in close proximity. This area opens up to the main body of Lewisville Lake, as opposed to the Proposed Action which presumably shelters the boat slips in the cove, but requires boaters to navigate through a series of ramps and low water levels during frequent droughts to attain access to the open portion of the Lake. The predominant reason for the Corps to consider relocation to the cove is unmitigated northerly wind surge that would affect the floating marina in the northwest location.

We know southerly winds are prevalent. Northerly winds are not prevalent. The Draft FONSI is silent as to measures that can be instituted to prevent damage to a marina in the northwest location. Obviously, Cottonwood Marina, and other marinas on the lake, figured out a way to protect boat slip renters from north wind surge. Such alternatives must be studied and examined prior to considering relocation and expansion into a limited cove. The 560 floating concrete via slip marina and dockside restaurant has the potential to choke off the cove in times of drought. It will cover a significant portion of the cove with concrete and blue tarp, not the natural environment residents and park patrons are expecting or accustomed to.

The addition of 300 boat slips via a water-side, 53 foot high steel building is environmentally and visually insensitive. The heavy hydraulic machinery to lift boats in and out of the water at all times of the day and night is an auditory assault. A structure and operation of this size is better suited to the least intrusive northwest location in the

Author: M2PERBWM

Subject: Highlight

Date: 7/10/2007 1:40:35 PM -0500

I See note on page 4 concerning marina locations.

Author: M2PERBWM

Subject: Highlight

Date: 7/10/2007 1:51:22 PM -0500

I As explained in the note on page 4 regarding marina locations, the proposed action actually calls for relocation from a more westerly cove on the southern shoreline of Hidden Cove Park (referred to as Option 3 in the July 2000 EA, to the location described in the proposed action. The more westerly location would be exposed to a four mile fetch of open water to the south thus subjecting any marina at that location to significant wave action. Option 3 is also remote from existing infrastructure in Hidden Cove Park.

Author: M2PERBWM

Subject: Highlight

Date: 7/10/2007 1:53:58 PM -0500

I Need to consult with The Colony. Can the height be reduced?

Author: M2PERBWM

Subject: Highlight

Date: 6/14/2007 8:26:05 AM -0500

No Modification Alternative. There, the boats are completely housed and protected from pre-posed, damaging north wind surge. There is no valid reason given to concentrate another 300+ boated boats on the cove shoreline when the original location can accommodate it and the perceived adverse conditions are non-existent.

We learned from Corps representatives that, at the highest boat usage peak, only 1 of 10 boaters launch into the Lake. Therefore it does not make sense to disrupt the shoreline with a 300 boat storage facility when on any given day only 20 of those boats will touch water. A storage facility of such magnitude is not required to fulfill the recreational goals of the Corps, even though it may suit the profitable goals of the proponent. The proponent could easily discern the active boaters and house them in the floating marina. The huge waterside boat storage/slip facility operated using heavy equipment is inappropriate. I request the Corps deny its inclusion in the Proposed Plan, or, secondarily, reposition it to the original northwest location in the No Modification plan and institute appropriate controls to mitigate noise and aesthetic impacts, or, thirdly and at the very least, conduct a study of it's certain adverse impacts.

The second reason for the proponents abandoning the No Modification Alternative is that the northwest park area is currently undisturbed. However, boaters from Cottonwood Marina currently traverse this waterway and the Proposed Plan adds several "bank houses" to the area. The environmental and human impacts of this location were addressed in the PEIA 1999 and there were no serious objections to the placement of the marina and ancillary activities there. The current activities at Hidden Cove Park like day houses, RV sites and JT's boat rental shop, do not collectively make the park "already developed" to the extent contemplated by the Proposed Plan or the Draft FONSI.

The Proposed Plan will severely tax existing lake access by using the existing 3 lane boat ramp and increasing boat capacity by 80%. In contrast, the northwest location provides additional access to the Lake by constructing a new 3-lane boat ramp, for a proposed 350 additional boat capacity. The report states in Section 1.1 Purpose and Need for the Project that "[t]he purpose of the Hidden Cove project is to provide additional recreational facilities and more efficient access to Lewisville Lake." If the Corps and proponent are advocating recreational access to the Lake then the No Modification Alternative expand public and private boating access to a safe part of the Lake. The Proposed Action constructs Lake access by privatizing and over-burdening the existing ramp to paying private tenants to the exclusion of the public.

Commercial Retail Development - Recreational Uses

The City of the Colony has no direct connection to the park other than to fulfill the role of landlord and sales tax collector. To them, this is an investment property filled with potential eye-popping sales tax revenue. The City does not control the roadway's leading to the park, it does not take exclusive responsibility for responding to emergencies at the park, it has no constituents concerned with concert noise, hydraulic machinery, boat noise, 53 foot high boat storage facilities, gasoline leakage, traffic backups, polluters,

Author: M2PERBWM
Subject: Highlight
Date: 7/10/2007 2:04:20 PM -0500
I proposed development within an undisturbed area of Hidden Cove Park would not result in serious impacts. I Nonetheless, there is an environmental benefit to moving the proposed marina to an area that is highly developed, continuously mowed and has an existing road network.

Author: M2PERBWM
Subject: Highlight
Date: 7/10/2007 2:05:14 PM -0500
I Boats stored in the proposed wet slips and dry stacked storage will not utilize the existing 3 lane ramp.

Author: m2odmnhw
Subject: Highlight
Date: 7/10/2007 2:10:45 PM -0500
I See previous notes about marina locations. The Purpose and Need statement is correct in that additional recreation facilities would be provided and housing these facilities close to existing infrastructure is more efficient than constructing them in an undeveloped area.

Author: M2PERBWM
Subject: Highlight
Date: 7/10/2007 2:11:36 PM -0500
I The existing ramp will not be used by marina patrons and will continue to be available for use by the general public.

Author: m2odmnhw
Subject: Highlight
Date: 7/10/2007 2:17:35 PM -0500
I In accordance with the lease agreement between The Colony and the USACE, revenues collected by The Colony are to be used to improve and maintain facilities on the leased premises. In the case of The Colony, the leased premises includes Stewart Creek Park, Esaville Park, Wynwood Park and Hidden Cove Park, all of which are leased by The Colony. The Colony has a long history of providing significant lakefront recreation opportunities to its citizens and the general public, and has aggressive plans for additional facilities including a trail system along approximately 19 miles of shoreline.

Author: m2odmnhw
Subject: Highlight
Date: 7/10/2007 2:12:08 PM -0500
I

specters; drunk drivers; or drunk boaters. All of these things, so-called "amenities", the proponents want to bring to bear on Hidden Cove Park, are not conducive to a recreational, public park environment.

If the proposed amenities were so desirable, the City of the Colony would position them in Myrwood Park which already has significant recreational development, a pristine golf course, and which is directly connected to the City, within City limits, and for the use and benefit of City residents. A 230 room hotel and convention facility is a natural fit in that setting. It is not a public park amenity or recreational outlet suitable for Hidden Cove Park.

The Proposed Plan for a dockside restaurant and bar to fuel boaters with alcohol is infeasible. The Lake does not need another bar or party cove to attract and encourage safe boating activities. This adds a dangerous element to the Proposed Plan, which is deserving of further study and controls, if not outright denial. As it stands, the Lake suffers from a serious lack of enforcement and patrol. A dockside bar and restaurant, even if remotely located in the northwest site to not disturb the neighborhood, is inappropriate and not in furtherance of recreational activities. Government should discourage drinking while boating, not provide opportunities for it.

Request for Studies on Aesthetics, Noise, Air Quality, Water Quality, and Hazardous Substances

The Proposed Plan adds several new and intense elements: a helipad, fuel sales, 548 space dry boat storage, dredging, heavy hydraulic machinery, increased hotel rooms, restaurants, and unrestricted retail facilities. The Draft FONSI in section 4.1.5 and 5.1.5, cumulative aesthetic concerns, rely on an "already developed park with existing structures" to negate the need for further study or control over materials and design. The existing park structures can not be compared to the Proposed Plan commercial facilities. They are distinctly different and result in a dramatically different shoreline vista.

The assessment of cumulative air quality impacts in Draft FONSI Section 5.6 relies on transportation improvements many miles away from the project area. There is no mention of the traffic restrictions imposed on the main access road, Stonebrook Parkway, or the size limitations and location of Hackberry Road and Hackberry Creek Parkway. The failure to recognize the inadequacies of existing infrastructure leading to the project area necessitates a traffic study.

The Proposed Plan will dramatically transform the Park and cove, and the negative impact on aesthetics, air quality and noise will be exacerbated by lack of apparent oversight on materials and design. The ambient noise level, intensity and duration was dismissed in section 5.7 due to "ongoing and upcoming transportation and development projects." These projects were not identified. In addition to the 860 potential new vessels contributing to increased boat motor noise, any transportation or developments "in the

Author: MZPERBWM
Subject: Highlight
Date: 7/10/2007 2:34:17 PM -05'00'

With regard to consumption of alcohol, the USACE does discourage drinking while participating in water-oriented recreation. However, the sale and consumption of alcoholic beverages is allowable at concessions in accordance with local and state law. Additionally, the USACE does not allow stand-alone bars and does not allow package sales of hard liquor.

Author: mgodwin
Date: 7/10/2007 2:19:18 PM -05'00'

Author: MZPERBWM

Subject: Highlight
Date: 7/10/2007 2:39:20 PM -05'00'

Concur that the existing park is a typical example of a park offering camping, picnicking, and boating access, and the proposed development could be described as a full service resort facility. However, it is not contrary to USACE policy to allow development of full service resort facilities that capitalize on lakeside recreation and related natural resources.

Author: MZPERBWM
Subject: Highlight
Date: 7/10/2007 2:40:11 PM -05'00'

See previous notes about traffic review by local governments

Author: MZPERBWM
Subject: Highlight
Date: 7/11/2007 7:53:59 AM -05'00'

See previous comment on noise.

This page contains no comments

project area" must be analyzed, studied and made known to the public to properly consider the impacts.

The additional intensive boat activity, fuel sales, and proposed dredging of 90,000 cubic yards of sediment and the collection, transportation and disposal of the same is so contrary to and outside of the scope of the 1999 PE/A, it is deserving of a rare water quality, hazardous substances and noise study. None of the potential adverse effects was addressed in the 1999 PE/A. The Corps is requested to commission further studies to understand the full impacts of this vast development.

Conclusion

Only a full public hearing properly noticed and conducted by an independent governmental authority, can flush out the many issues and concerns with the proposed relocation of the marina development and additional concerned facilities. The No Modification Alternative is clearly the preferred location by local residents and poses less adverse impacts to the human environment and the existing character of the public park. Hotel, convention, and restaurant facilities are not conducive to a public park/recreational environment and the "fourth alternative", Wynnwood Park, is deserving of serious consideration. To complete the picture and to assemble all pertinent information, the Corp is requested to conduct the appropriate studies and examinations of the potential affects, and to institute controls and mitigation measures that will protect the natural and human environment.

Thank you for your consideration.

Sincerely,



Vicki Saulnier

Joe & Marilyn Bishop
5380 Silver Spur Trail
Frisco, Texas 75034

May 9, 2007

Mr. Brandon Mobley
Corps of Engineers
CISM-F-PEK-FEE
P.O. Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Mobley:

This letter is to address the "No Significant Impact" reply for the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

Background Assumptions:

The original environmental study for this park was done approximately 7 years ago. Some of the original assumptions are now used as facts for the new study. I have seen a significant change in the use of the lake since then. I base my findings on the fact that I have lived on the lake for 11 years within 1/2 mile from the proposed marina. I have observed the weather, the boat and the vehicular traffic, and the various lake levels. In 1999-2000, the sport of wakeboarding was just beginning. Many boats were still used for water skiing and most of the noise was from exhaust. In addition the wake generated by the boat was kept to the lowest height possible to maximize the skier's ride. Also when large numbers of boats were skiing (forming bumps), boaters would tie up together and wait turns. Today there are no buoys in the cove because the emphasis is on wakeboarding. Wakeboarding boats do not need to wait for each other. The sport is done with the largest wakes that can be produced. There are no rules for the lake and boats compete for the best water often creating situations where boats turn in front of other boats. Just as on a congested freeway, this competition can and will cause hard feelings with the resulting problems of "road rage". The use of jet skis have also increased significantly.

- a. This marina is proposed at the opening to Hidden Cove, putting 800 boats at the opening to an area that is already congested will pose an unreasonable safety hazard to the lake. Lake Lewisville has a very poor reputation regarding deaths and public safety. There is nothing in this study that addresses law enforcement both on the water and the land.
- b. The placement of the marina will encourage the one pass down the cove to test the boat before the going out in the main lake. There are no speed limits on the lake. A 60-90 mile per hour pass down a small busy cove is unsafe. A speed limit would help, but there is no enforcement.
- c. The current proposed placement of the marina will use a large section of the water that many jet skiers are currently using. The loss of this area will force them down in the cove creating more congestion. Many jet skiers will not go on the main lake because of the high waves. Jet skis pose a real safety hazard to the cove. Most jet skis still have loud exhaust and make a high pitched sound. Speeds of 50-70 are typical.

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Author: m20admtrhw
Subject: Highlight
Date: 7/11/2007 8:58:10 AM -0500
I have are several rules that govern inland boating in Texas and these rules are enforced by the Texas Parks & Wildlife Department (TPWD). Assessing TPWD on Lewisville Lake are the Denton County Sheriff's Department and several municipal police departments. In general, the U.S. Coast Guard Rules of the Road govern boat operation on inland waterways. These rules are similar to highway traffic rules and can be found at <http://www.nvccen.uscg.gov/nvccen/navrules/raonline.htm>. In addition to the Rules of the Road, there are a number of rules governing careless boat operation, boater education requirements, and noise from vessel engines that are set forth in the Texas Water Safety Act. In addition to the above mentioned rules, USACE park rangers also rules pertaining to careless operation of a vessel pursuant to Title 38 of the Code of Federal Regulations.

Author: M20RSRMM
Subject: Highlight
Date: 7/11/2007 8:17:41 AM -0500
I have needed by The Colony. Roughly, about 80 acres of water surface appears to be affected by the slow speed buoys. Need to have C&B calculate the acreage and then subtract any acreage that may already be a slow speed area.

d. The noise from a modern ski boat has changed from exhaust to stereos. Many boats have high amp power and many speakers. The intent is to allow the wakeboarder to hear the music while skiing. In fact, the boat is a moving rock concert which can be heard at great distances. There is nothing addressing the noise and no attempt to regulate or enforce standards. This is not addressed in any of the studies.

Current Research Issues:

1. This current study says that the marina is being moved to the new location due to the north winds. Using the data from the Dallas Morning News webpage, <http://weather.dallasnews.com/history/airport/DFW/2004/10/6/DailyHistory.html>, the statistics does not support this assumption. Reviewing the results for the calendar year 2006, a count was performed based on the primary wind direction by day. The findings were as follows: East - 36, North - 91, South - 214, West - 24. The findings based on the Maximum Wind Speed being 25 mph or greater and the primary direction north or south were as follows: South - 55 days, North - 27 days.
2. The original study approved a smaller marina in three possible locations. These locations were all on more open water that will help to spread the environmental impact over a larger body of water.
 - a. Hidden Cove does not have any constant water supply causing flow through the cove. The south winds will force all floating debris (beer cans, gas, oil, etc) to be blown down the cove. All boats leak and all in water boats pump bilge in the lake. This might pose no threat to the lake as a whole, but confined to closed congested area there could be an impact. This marina was approved for 350 boats more in this area.
 - b. No need for a marina of this size in one location.
 - a. Cotton Wood Creek marina (in this zone) is already approved for 700+ boats and currently has less than 200 slips and no waiting list. They already have plans to go to 250 slips.
 - b. The proposed Hidden Cove marina will produce free for all atmosphere competition which could result in relaxed standards and allowing whatever it takes to fill the slips. There is no enforcement to control the activity. The restrictions that have been placed on Cotton Wood Creek should be the minimal standard for this marina.
4. A current traffic study has not been considered in the recommendations for the changes to the marina.
 - a. FM423 the main artery to the park from the South is one lane and from 3:30 PM to 7:00PM is backed up for half a mile or more. The turn to Hidden Cove turns across two lanes of traffic with a 35 mile per hour speed limit with no stoplight at Seabrook parkway.
 - b. The final road leading to the park passes by a residential area, which is a blacktop road. The consultant has said that type of road was designed as a one lane road with shoulders to pass on. This road was never intended to support traffic going both directions towing large trailers and boats. The speed limit is 25 MPH, but with zero enforcement, the actual speed is 40+.
 - c. Considerable housing development has been approved by surrounding cities on adjoining lands. The type and level of development was not considered in the original study (i.e. a retirement community with small and compact homes).

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Author: M2PERBWM
Subject: Highlight
Date: 7/11/2007 10:30:03 AM -0500
I see previous note about marina locations

Author: M2PERBWM
Subject: Highlight
Date: 7/11/2007 10:44:03 AM -0500
I The USACE would hold The Colony accountable for a clean marina operation. To the credit of all existing marina operators on Lewisville Lake, each one is certified as a Clean Texas Marina by TCEQ. For information regarding the Clean Texas Marina Certification Program go to <http://www.cleantexasmarinas.org/>. Marine Quest would be the owner/operator of the proposed marina operates a number of marinas that are certified and fully intends to have the proposed marina certified as a Clean Texas Marina.

Author: M2PERBWM
Subject: Highlight
Date: 7/11/2007 10:44:50 AM -0500
I see previous note on competition between marinas.

5. Effectively, the current plan reduces general public boating access to the park because the parking for the current boat ramps will not be enlarged in this plan.

- a. The park has plans for 300 boats on trailers on the ground. If even 10% launch their boat that is 30 parking spots used that can not be used by the general public.
- b. The boat parking lot is already full on many weekends. By not expanding the public parking, the operator is in effect turning the park in to a members-only facility. The public area should be expanded to equal the proposed size of the marina and those spots removed from the general public.
- 6. There is a proposed Helipad in the plan.
 - a. The original study did not address operating aircraft in the park. There is no regulation on the pad. Who can use the pad? How much the pad will be used?
 - b. There is nothing addressing the support while the helipad is in operation. A small accident and resulting fire could pose a large risk to the park and the attached communities.
 - c. There is no mention of flight paths, distance from housing, or related noise in the plan.
 - d. All flight operations in unregulated areas create possible weather related accidents, landing in high wind, fog, heavy weather, etc. There are no proposed navigation aids at the helipad.
 - e. There are no minimum requirements for the pilots operating out of the helipad. Example: Student pilots practicing landings.
 - f. There are no minimum requirements (equipment) for the helicopters operating out of the Helipad.
 - g. There is no enforcement of any laws proposed or planned so any regulations for the helipad would not be enforced.

Summary:

The location and size of the marina will propose a significant change to the original environmental impact study. The proposal focuses a large number of people and equipment in a very small closed area. This creates an undue hazard to the public and the environment.

I believe that the necessary studies should be done as well as a public hearing for the affected communities because:

- 1) the documented reason to move the marina is based on incorrect data
 - a. traffic volume and flow has changed considerably since the first proposal
 - 2) the original environment impact study proposed a significant smaller marina
 - 3) a helipad impact has not been environmentally considered
 - 4) the current plan has been verbally communicated in meetings with small groups and without complete disclosure. Verbal commitments and plans are not documented. A master plan with priorities for infrastructure development and enforcement has not been developed and only verbally communicated.

I thank you for taking the time to review my concerns and considering a public hearing to address these issues.

Sincerely,



Joe Bishop
Marilyn Bishop

Author: M2PERBWM
Subject: Highlight
Date: 7/1/2007 10:47:24 AM -05'00'
I Need response from The Colony
Author: M2PERBWM
Subject: Highlight
Date: 6/18/2007 11:55:28 AM -05'00'
Eliminated from the plan.

Mr. and Mrs. Erik Flott
2121 Golden Spurs
Frisco, TX 75054
May 9, 2007

Mr. Brandon Mobley
CESWF-PER-ELE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Brandon Mobley:

We are concerned about your finding of "No Significant Impact" from the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

we are writing to you with our concerns which originate from the safety of our neighborhood, marina and restaurant noise, and the additional traffic which will inevitable be introduced into our neighborhood. In addition, we respectfully request a public hearing to voice these and many other concerns.

Conduct a study on the noise pollution to the community's environment

Due to the proposal to move the marina from the NW shore of the peninsula, we are highly concerned about the noise, and object to a finding of "No significant impact." However, it should be noted that this conclusion, as stated in the Environmental Assessment, is based on evaluations made in the Programmatic Environmental Assessment for Wynewood Park and not Hidden Cove Park. I request that a new study be conducted to take into consideration the proposal to move the marina from Wynewood to Hidden Cove, which moves the source of noise to the area of the park immediately bordering our community. As such, concentrating all the 840 wet slips and a restaurant into a dense location would significantly impact us.

South winds blow the majority of the year further exacerbating the noise permeating our community due to the proposal to relocate the Marina. Currently, the occasional live band or loud music can be heard clearly throughout the community. Live bands will be a regular activity at a lake-side restaurant, as exemplified by Sneydy, Pete's and Pier 121's, Charlie's restaurants.

In addition, the proposal to install a 6-story boat storage facility that mechanically launches boats could generate abusive noise to the aesthetics of our community.

We request a study be conducted to determine how much noise this facility would generate and whether it is still feasible to relocate this structure from the NW shore of the peninsula to the border of our community. We expect additional noise to be generated by the following:

- Marina restaurant and live bands
- Hotel restaurant and live bands

This page contains no comments

- Outdoor theatre
- Marina clientele's music originating from the docks and bouis
- The proposed beach

We would like to request a new study to evaluate how the noise pollution will negatively impact our environment prior to approving any new development, including but not limited to the following: the relocation of the Marina, two restaurants (one being on the dock providing loud music), a 250 room hotel, conference center, helipad & theatre.

The Corps must clearly understand and be capable of predicting the noise levels the development will generate and communicate the negative impact this noise pollution will have on the residential communities bordering the park.

I also recommend including in this study, the historical wind direction, the noise levels to be generated, and the amount of noise that will carry into the community.

The environmental assessment states that the motive for moving the marina to the proposed location is to shelter it from the North winds. I would like to request a new study that would perform a study on the historical wind directions and reassess the motive for moving the marina to the South side of the peninsula. A quick check of the historical winds show that the winds blow out of the south twice as often as the North. Secondly, the historical numbers show that the wind blows out of the South at strengths greater than 25 knots twice as often as this occurs from the North.

With these statistics, the motive is not clear or acceptable to justify moving the proposed marina location to the land bordering the residential communities and causing negative impacts on these residential environments.

Conduct a Traffic Study

The Hackberry Creek Park Road is the sole entrance to the park and lies within our neighborhood. Our safety will be further decreased with the marina development and its increased traffic draw anticipated from:

- Marina and park visitors
- Construction trucks for the Marina, hotel, and boat storage
- Dirt haulers from the 90,000 cubic yards of dredging. We estimate this to be 6000 truckloads of dirt to be hauled on the road through our housing development. In total the trucks will make 12,000 trips through our community. The increased wear and tear on this road, maintained by Commissioner White's resources, must be planned for with appropriate monies budgeted.
- Fuel trucks for the Marina's gas tanks driving on the only road in and out of the park through a residential neighborhood. This poses a hazard to the residents.

- Intoxicated drivers from the Marina's restaurant and clientele driving through our neighborhood in which many children reside and play.

- Whereas the speed limit on this road is 25 mph, the typical driving speed is already 45 – 50 mph, and then we must factor in the additional large trucks and alcohol impaired motorists.

- Park clientele are notorious for throwing garbage out of their vehicles when leaving or entering the park.

Due to the fact that emergency vehicles find it difficult to get to our neighborhood and that the current fire hydrants do not have the ability to support fire emergencies, we request that a study be conducted to evaluate the traffic and emergency concerns along with a collaborative master plan to mitigate these safety concerns prior to approving any development.

Develop a Master Plan

The infrastructure for the proposed development is non-existent and/or wholly insufficient.

We request that you prepare a master development plan with approval and signoff from Denton County, the Denton County Fire Marshall, the city of The Colony, the city of Frisco, the Corps of Engineers, and the marina developer.

While the various governmental agencies mentioned above "can" mitigate the negative impacts on our community, this development currently lacks the collective involvement of these agencies, and is void of a "transfer" development plan. To put forth and enforce controls to minimize the negative impacts to the surrounding residential communities, we request the creation of a development plan, developed and agreed upon amongst the pertinent governmental agencies

While the city of The Colony has a lengthy lease on the park, it has been sub-leased to an independent developer, Marine Quest. The Colony's land does not physically connect to the park, and The Colony is governed by Precinct 2 County Commissioner Ron Marchant. Commissioner Marchant has jurisdiction over one half of our community. However, Precinct 1 County Commissioner Cynthia White also maintains responsibility of the land and community adjacent to the Park, as well as the entrance to the park. Traffic to and from the park must traverse the roads and infrastructure under her jurisdiction

Traffic to and from the park must also traverse roads and intersections maintained by the city of Frisco. However, the city of Frisco's planning department was previously unaware of the proposed development and Environmental Assessment, but most importantly, unaware of the additional marina traffic to be generated at the intersection of FM-423 and Stonebrook parkway.

The town of Hackberry will also be impacted in as much as the marina developer has mentioned leveraging their facilities to pump wastewater to their treatment plant. Again, this requires County involvement and planning.

The Colony has no legal obligation to set and monitor controls to help mitigate the negative impacts on our community, for our land does not reside within their city limits. We ask that the Corps of Engineers, Denton County, the city of The Colony, the city of Frisco, and others take responsibility to jointly develop a master plan.

This page contains no comments

We request that the Master Development plan include designs for an alternate route to the park in order to re-route the park traffic from our residential road (Hackberry Creek Park), which falls within the jurisdiction of Denton County, and that this road infrastructure to and from the park be constructed prior to any new development.

We hope that you will seriously consider the impact the marina development will have on our environment, especially when considering the proposed relocation of the marina from the NW shore of the peninsula to the land adjacent to our community. We request a public hearing so as the various governmental agencies and the communities surrounding the proposed development may be further informed and to provide a mechanism for our voices to be heard.

We respectfully request that the above-mentioned studies be conducted and measures and controls put in place to minimize the substantial negative impacts on our community.

We strongly suggest that the Corps of Engineers work with the city of The Colony, the city of Frisco, and the two Denton County Commissioners to publish a master plan in order to successfully develop the park and minimize the negative impacts to the environment which we are pleased to call "home".

Sincerely,


Erik and Miriam Finn

cc:

Dale Cheatham
City Manager, City of The Colony
6800 Main St.
The Colony, TX 75056

John Lattaker
Planning and Development Director, City of Frisco, TX
6101 Frisco Square Blvd., Suite C301
Frisco, TX 75034

Ron Marchant
Commissioner, Denton County, Precinct 2
1029 W. Rosemeade Parkway
Carrollton, Texas 75007-6251

Pam Nelson
Community Services Director, City of The Colony

This page contains no comments

5151 N. Colony Blvd
The Colony, TX 75056

George Purcfoy
City Manager, Frisco, TX
6101 Frisco Square Blvd.
Frisco, Texas 75034

Cynthia White
Commissioner, Denton County, Precinct 1
110 W. Hickory Street
Denton, Texas 76201-4168

Mark Varil
Saratoga Property Owners Association
5860 Silver Spurs
Frisco, TX 75034
May 6, 2007

Mr. Brandon Mabley
CESNAF-PEREE
P O Box 17800
Fort Worth, Texas 76102-0130

Dear Mr. Brandon Mabley:

We are concerned about your finding of "No Significant Impact" from the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

As President of Saratoga Property Owners Association, I am writing to you with the concerns of our community's members. Our concerns originate from the safety of our residents, marina and restaurant patrons, and the additional traffic induced into our neighborhood. In addition, we respectfully request a public hearing to voice our concerns.

Request #1 - Create and publish a Master Development Plan in conjunction with Denton County and other Governmental Agencies

We request that you prepare a master development plan with approval and signoff from Denton County, the city of The Colony, the city of Frisco, the Corps of Engineers, and the marina developer.

While we feel that the various governmental agencies mentioned above "can" mitigate the negative impacts on our community, this development currently lacks the collective involvement of these agencies and is void of a "master" development plan. To put forth and enforce controls that minimize the negative impacts to the surrounding residential communities, we request the creation of a development plan, developed and agreed upon amongst the pertinent governmental agencies.

While the city of The Colony has a lengthy lease on the park, it has been sub-leased to an independent developer, Marine Quest. The Colony's land does not physically connect to the park, and The Colony is governed by Precinct 2 County Commissioner Ron Marchant. Commissioner Marchant has jurisdiction over one half of our community. However, Precinct 1 County Commissioner Cynthia White also maintains responsibility of the land and community adjacent to the Park, and the entrance to the park. Traffic to and from the park must traverse the roads and infrastructure under her jurisdiction.

Traffic to and from the park must also traverse roads and intersections maintained by the city of Frisco. However, the city of Frisco's planning department was proactively unaware of the proposed development and Environmental Assessment, but most importantly, they were unaware of the additional marina traffic to be generated at the intersection of FM-423 and Somersbrook parkway (until our residents contacted them).

Author: m2odindhw
Subject: Highlight
Date 05/06/2007 1:27:28 PM -0500
I am glad we provided a copy of the EA and each also participated financially in the WRRUS. PEA. The Colony, as a direct licensee with USACE, will issue primary oversight of the operation of Hidden Cove Park. The Colony has stated their intent to be good neighbors and to insure that operation of the park is conducted in a way that will be a source of pride to area residents.

Author: m2odindhw
Subject: Highlight
Date 7/11/2007 1:27:28 PM -0500

The town of Hackberry also joins the mix in that the marina developer has mentioned leveraging their facilities to pump waste water to their treatment plant. Again, this requires County involvement and planning.

The Colony has no legal obligation to set and monitor controls to help mitigate the negative impacts on our community, for our land does not reside within their city limits. Again, we ask that the Corps of Engineers, DeWitt County, the city of The Colony, the city of Frisco, and others take responsibility to jointly develop a master plan.

Request #2 – Conduct a Traffic Study

Hackberry Creek Park Road is the sole entrance to the park and lies within our neighborhood and in the front yards of many of our residents. The safety for our citizens walking or riding on this road will be further decreased with the marina development and its increased traffic draw:

- Marina and park visitors
- Construction trucks for the Marina, hotel and boat storage
- Dirt haulers from the 90,000 cubic yards of dredging. We estimate this to be 6000 truck loads of dirt to be hauled on the road through our housing development. In total the trucks will make 12,000 trips through our community. The increased wear on this road, maintained by Commissioner White's resources, must be planned for and monies budgeted for.
- Fuel tanks for the Marina's gas tanks
- Drunk drivers from the Marina's restaurant and clientele driving through our neighborhood
- Whereas the speed limit on this road is 25 mph, the typical driving speed is already 45 – 50 mph, and then we must factor in the additional large trucks and alcohol.
- Park clientele are notorious for throwing garbage out of their vehicles when leaving or entering the park. Our residents regularly clean up rubbish and beer bottles from their yards.

The park's check-in pay station sits on the front property line of the park boundary. Often times, traffic wanting to enter the park backs up on Hackberry Creek Park Road, blocking our resident's driveways.

We request that the agencies mentioned above conduct a study of our traffic concerns and collaborate on a master plan to mitigate the safety concerns of our community prior to approving any development.

This page contains no comments

Request #3 – Extend Stonebrook Parkway to the entrance to the park.

Work with Denton County to plan an alternate route to the park in order to re-route the park traffic from our residential road (Hackberry Creek Park Road). Proposals have already been discussed with Denton County Commissioner Cynthia White, and the former Denton County Commissioner, Sandy Jacobs.

Request #4 – Construct infrastructure before development

Develop the necessary road infrastructure to and from the park prior to any new marina and hotel development.

Request #5 – Move the Park's front entrance and pay station

Move the park entrance so that park traffic wanting to enter the park does not block resident's driveways on Hackberry Creek Park road.

Request #6 – Conduct a study on the noise pollution infiltrating the residential community's environment

For sake of the environment in which we live in, we request for the Corps to study the noise pollution that may negatively impact our environment prior to approving the re-location of the Marina.

The Corps must clearly understand and be capable of predicting the noise levels the development will generate, and communicate the possible negative impact this noise pollution may have on the residential communities bordering the park.

We recommend including in this study, the historical wind direction, the noise levels to be generated, and the amount of noise that will carry into the community.

Request #7 – Implement controls for noise abatement

Due to the proposal to move the marina from the NW shore of the peninsula, we are highly concerned about the noise, and object to a finding of "No significant impact". This new location moves the source of noise to an area of the park immediately bordering our community.

Sound winds blow the majority of the year, and would further exacerbate the noise permeating our community, due to the proposal to relocate the Marina. Currently, the occasional live band or loud music can be heard clearly throughout the community. Live bands will be a regular activity at a lake-side restaurant, as exemplified by Sneaky Pete's and Pier 121's, Charlie's restaurants.

Author: M2PERBWM
Subject: Highlight
Date: 7/11/2007 12:41:3 PM -0500
I ask the County how serious is this issue?
Author: M2PERBWM
Subject: Highlight
Date: 7/11/2007 1:24:32 PM -0500
See previous response on noise

In addition, the proposal to install a 6-story boat storage facility that mechanically launches boats could generate abusive noise and degrade the aesthetic quality of our community.

We request that the Corps implement controls and measures to abate the nuisance noise that the marina, restaurant, and boat storage facility may cause. If the marina's new location is approved, noise must cease by 10:00 pm on Friday and Saturday evenings, and by 8:00 pm during Sunday through Thursday evenings.

Request # 6 requested a study be conducted to determine how much noise this facility would generate and whether it is still feasible to re-locate this structure from the NW shore of the peninsula to the border of the community. Afterwards, we request that measures and controls then be established and the developer continuously held accountable to meet these measures.

We expect additional noise to be generated by the following:

- Marina restaurant and live bands
- Hotel restaurant and live bands
- Outdoor theatre
- Marina clientele's music originating from the docks and boats

With a marina restaurant, hotel, and a 6-story mechanical boat storage facility, there must be controls on the noise generated, or the proposal to move the Marina location from the NW shore of the peninsula should be re-evaluated.

Request #8 – Conduct a study on the current septic system

Study the current septic system and how much additional load it can handle. In the summer of 2006, the septic system was overloaded and caused the park management to close its doors to new customers for the day.

If the system can not handle the current volume, development should not be allowed to commence before an alternate system is in place, since waste water overflows onto the park property and into the water supply.

Author: M2PERBWM
Subject: Highlight
Date: 7/11/2007 1:27:52 PM -05'00'
Need Input from The Colony

Author: M2PERBWM
Subject: Highlight
Date: 7/11/2007 1:29:14 PM -05'00'
Need Input from The Colony

Request #9 – Publish a plan to provide alternate waste-water treatment

If further waste-water treatment systems are to be constructed onsite, we request the implementation of measures and controls to abate the nuisance gasses and odors from penetrating into the residential environment.

If waste-water is to be transferred to the city of Hackberry, a master plan must be approved by Denton County and the city of Hackberry in order to develop the infrastructure.

Request #9 – Limit stacked Boat Storage building's maximum height

Limit the height of the proposed boat storage facility to a maximum of 25 -30 feet.

We find the proposal to allow a 6-story boat storage facility to be a visual attack on the visual aesthetics of the environment in which our resident's live. This building will be taller than any other building in The Colony. In addition, the Colony granted a waiver to allow this 6-story building to exist as a metal sided building. Since this land does not reside in the physical territory of The Colony, the city has no reason to object to a structure of this size and material. Again, we insist that the Corps must establish a set of rules to prevent this structure from hovering over our community and destroying the country environment in which we live.

Request #10 – Limit hotel's maximum height

For the same reason as Request #9, we request a maximum height limit put forth on the hotel in order that it not detract from the visual aesthetics of the residential communities bordering and across the cove from the park. We request the Corp limit the building's maximum height to two stories in order that I not block the lake views from the two story homes.

Request #11 – Control the construction location and material of the stacked boat storage facility

We request that you reconsider the allowed construction material as well as the site of the stacked boat storage facility and offer the following options:

- Remove the building from the Proposed Plan
- Locate the facility on the north-west shoreline where the marina was originally intended to be built; since the facility is an enclosed structure there will be no north winds to contend with
- Locate the building further inland where the other storage facilities will be located so that it won't block the beautiful lake views and spoil the water-front view of the park.
- Reduce the height and number of boats stored waterside.
- Enhance construction of this facility to be built of wood or brick to insulate the clamor and noise from heavy machinery; position the open doors to the Southwest to mitigate noise carry into the neighborhood. The Colony has already approved this building to be constructed of metal siding.

This page contains no comments

Request #12 – Conduct a study on the wind direction to validate the motive for moving the marina
Perform a study on the historical wind directions, and re-assess the motive for moving the marina to the South side of the peninsula.

The environmental assessment states that the motive for moving the marina to the proposed location is to shelter it from the North winds. A quick check of the historical winds show that the winds blow out of the south twice as often as the North. Secondly, the historical numbers show that the wind blows out of the South at strengths > 25 knots twice as often as this occurs from the North.

With these statistics, the motive is not clear or acceptable to justify moving the proposed marina location to the land bordering the residential communities and causing negative impacts on the residential environments.

I hope that you will seriously consider the impact the marina development will have on our environment, especially when considering the proposal to relocate the marina from the NW shore of the peninsula to the area of the park adjacent to our community. We request a public hearing whereas the various governmental agencies and the communities surrounding the proposed development may be further informed and to provide a mechanism for our voices to be heard.

We respectfully request that the above mentioned studies be conducted and measure and controls put in place to minimize the negative impacts on our community.

Lastly, we strongly suggest that the Corps of Engineers work with the city of The Colony, the city of Frisco, and the two Denton County Commissioners to publish a master plan in order to successfully develop the park and minimize the negative impacts to the environment which we are pleased to call "home".

Sincerely,

Mark Vapori



President
Saratoga Property Owners Association

cc:

Dale Cheatham
City Manager, City of The Colony
6860 Main St
The Colony, TX 73086

John Lattelleur
Planning and Development Director, City of Frisco, TX
6101 Frisco Square Blvd., Suite C301
Frisco, TX 75034

Ron Marchant
Commissioner, Denton County, Precinct 2
1029 W. Rosenwade Parkway
Carrollton, Texas 75007-0251

Paul Nelson
Community Services Director, City of The Colony
5151 N. Colony Blvd.
The Colony, TX 75056

George Purefoy
City Manager, Frisco, TX
6101 Frisco Square Blvd.
Frisco, Texas 75034

Cynthia White
Commissioner, Denton County, Precinct 1
110 W. Hickory Street
Denton, Texas 76201-4168

This page contains no comments



CYNTHIA WHITE
DENTON COUNTY COMMISSIONER

May 16, 2007

Mr. & Mrs. Eric Finn
2121 Ogden Spurs
Frisco, Texas 75034

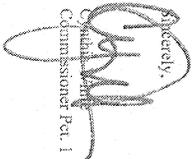
Dear Eric & Mitiam,

Thank you for taking the time to send me a copy of the letter you sent to the Army Corp of Engineers regarding the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

Certainly, your concerns are valid. You have taken the appropriate action by contacting the Corp of Engineers. As County Commissioner for Precinct 1, I have no authority to determine the outcome of the Environmental Assessment.

I thank you again for including me in your correspondence regarding this issue.

Sincerely,



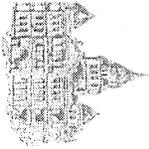
CYNTHIA WHITE
Commissioner Prec. 1

cc: ✓ Brandon Mobley, CESWF-PER-EE
Dale Chantam, City of The Colony
John Lattelle, City of Frisco
Ron Marsham, Commissioner, Prec. 2
Pam Nelson, City of The Colony
George Purdley, City of Frisco



Courthouse on the Square • 110 W. History Street • Denton, TX 76201
Phone/VoiceMail: 940.349.2810 • Fax: 940.349.2811 • e-mail: cynthia.white@dentoncounty.com

This page contains no comments



CYNTHIA WHITE
DENTON COUNTY COMMISSIONER

May 16, 2007

Andrew & Michelle Silver
5830 Silver Spur
Frisco, Texas 75034

Dear Andrew & Michelle,

Thank you for taking the time to send me a copy of the letter you sent to the Army Corp of Engineers regarding the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

Certainly, your concerns are valid. You have taken the appropriate action by contacting the Corp of Engineers. As County Commissioner for Precinct 1, I have no authority to determine the outcome of the Environmental Assessment.

Thank you again for including me in your correspondence regarding this issue.

Sincerely,

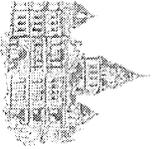
Cynthia White
Commissioner Prec. 1

Cc: ✓ Brandon Mobley, CESWF-PBR-EE
Dale Cheatham, City of The Colony
John Leuchter, City of Frisco
Ron Marchant, Commissioner, Prec. 2
Pam Nelson, City of The Colony
George Purefoy, City of Frisco



Commissioner's Office - 110 W. Hickory Street • Denton, TX 76201
Phone/Voice-mail: 940.349.2810 • Fax: 940.349.2811 • e-mail: cynthia.white@dentoncounty.com

This page contains no comments



CYNTHIA WHITE
DENTON COUNTY COMMISSIONER

May 16, 2007

Mark & Dorrinda Brand
20046 Saratoga Trail
Frisco, Texas 75034

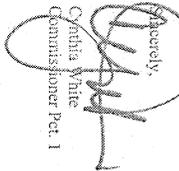
Dear Mark & Dorrinda,

Thank you for taking the time to send me a copy of the letter you sent to the Army Corp of Engineers regarding the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

Certainly, your concerns are valid. You have taken the appropriate action by contacting the Corp of Engineers. As County Commissioner for Precinct 1, I have no authority to determine the outcome of the Environmental Assessment.

Thank you again for including me in your correspondence regarding this issue.

Sincerely,


Cynthia White
Commissioner Prec. 1

Cc: ✓ Brandon Mobley, CESWF-PDR-EE
Dale Cheatham, City of The Colony
John Lettelfler, City of Frisco
Ron Marchant, Commissioner, Prec. 2
Pam Nelson, City of The Colony
George Purceloy, City of Frisco



This page contains no comments

Andrew & Michelle Silver
5830 Silver Spur
Frisco, TX 75034
972-292-0002
andrew@silverandmichelle.com
michelle@silverandmichelle.com

May 7, 2007

Mr. Brandon Mobley
CESWF-PERJEE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Brandon Mobley:

We are residents of Saratoga, a community located on Lake Lewisville next to Hidden Cove Park. We are concerned about your finding of "No Significant Impact" from the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

We are particularly concerned about the impact of the traffic due to the significant increase in vessels, parking and facilities being proposed for approval, as listed in the Corps Environmental Assessment (Page 5 of 79):

Modifications of varying scope are proposed with the major modification being a shift of 510 vessel allocations from Wynnewood Park to Hidden Cove Park, thus increasing the total vessel allocations in Hidden Cove Park from 350 to 860, and decreasing the vessel allocations in Wynnewood Park from 840 to 330.

There appear to be some conflicts in the various Corps documents, some stating the number of vessels to be 582 ships and 548 dry docks -- so we're not really sure what the real numbers are. But in either case -- these numbers are huge, and most certainly have significant impacts to the surroundings and the lake itself.

We also find it hard to understand how this is being approved when only two years ago we personally received a Violation Warning Notice from the Corps of Engineers for landing to the waterfront property in front of our houses (i.e. mooring) and for parking our boat on shore overnight -- which seems immensely less impacting to the environment than what is being proposed.

We are also concerned about the proposed "No-Wake" zone across the entire marina from the north to the south of the lake area which would typically be around 1/2 mile. This would effectively cut off the east end of the lake -- and mean for us that we in Saratoga it would take us in the order of 6 minutes to traverse the marina at <5mph to get to our homes by boat, and then another 6 minutes to return to the main lake. This would make it highly inconvenient for all Saratoga residents with boats.

If this "No-wake" zone is to be permitted, we would strongly urge that a channel be established at the south side of the lake (opposite the marina) that would enable traffic to proceed at a reasonable speed for

Author: M2PERBWM
Subject: Highlight
Date: 5/4/07 4:43:27 PM -0500
The numbers that relate to the boating capacity of Zone C are 580 wet slips and 300 dry stack spaces. These numbers include any slips belonging to the current boat rental concession. Other numbers that do not impact the boating capacity of Zone C include 32 courtesy slips for dockside restaurant customers, 248 dry covered units as shown on Exhibit 4 of the EA, and 500 uncovered storage spaces also shown on Exhibit 4.

Author: M2PERBWM
Subject: Highlight
Date: 7/11/2007 1:46:08 PM -0500
The EA will be edited to clearly describe a 250-foot wide navigational channel between the slow speed buoys and the opposite shoreline at a lake elevation of 503 feet.

entering/exiting the east bay. The marina could put up a wake-barrier similar to what is in place at marinas such as Pier 121 and Eagle Point on Lake Lewisville

We also are not sure we understand why the marina proposal was moved from the north side to the south side. The south side, where we are located, consistently experiences significantly higher winds than from the north. We have a weather station installed at our house that has been tracking and recording this data for the past 3 years and this data shows these facts. It would then seem logical for the marina to be located on the north side instead where it is better protected

With this said, we kindly would request additional impact studies be performed and shared with the impacted communities such as Saratoga including traffic, noise pollution, crime, water treatment and lake impacts before this development should be approved for implementation

We sincerely hope that our concerns will be considered and addressed. Our community is being significantly affected by several new developments in the area, in addition to this marina. Our community which has been here for many years risks being overrun by traffic, crime, noise, sewage and other environmental impacts. We are not trying to stop progress and development -- we just need it to be carefully planned to take into consideration our existing situation as residents of a community that will be significantly impacted. We thank you for your attention and consideration.

Sincerely,

Andrew Silver & Michelle Silver
Andrew Silver & Michelle Silver

cc:

Dale Cheatham
City Manager, City of The Colony
6880 Main St.
The Colony, TX 75056

George Purefoy
City Manager, Frisco, TX
6101 Frisco Square Blvd.
Frisco, Texas 75034

John Letteler
Planning and Development Director, City of Frisco, TX
6101 Frisco Square Blvd., Suite C301
Frisco, TX 75034

Cynthia White
Commissioner, Denton County
Precinct 1
110 W. Hickory Street
Denton, Texas 76201-4158

Ron Marchant
Commissioner, Denton County, Precinct 2
1029 W. Rosemarie Parkway
Carrollton, Texas 75007-6251

Pam Nelson
Community Services Director, City of The Colony
5151 N. Colony Blvd.
The Colony, TX 75056

Page 2 of 2

Page: 40

Author: M2PERBWM
Subject: Highlight
Printed: 11/28/07 1:55:47 PM -0500
See previous response on marina locations.

May 7, 2007

Ms. Brandon Mobley
CRESO
P.O. Box 17200
Fort Worth, Texas 76102-0330

Dear Ms. Brandon Mobley:

We live in the Saratoga Subdivision and are concerned about your finding of "No Significant Impact" from the 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville.

While we recognize some benefits to developing the park behind our home into a marina with hotel, we ask that the safety of our residents and standard of living of our homeowners are carefully assessed and not negatively impacted. We need your help to ensure we minimize negative impact to our home and subdivision.

From our personal perspective, following are the items our family respectively requests:

- We would like to ensure the hotel location is located considerably away from the Saratoga Subdivision, and suggest that it be located far to the right of the park entrance (current entrance as you drive in). We do not want to have hotel guests loitering into our yards, and do not want to dilute the value of our homes by blocking lake views. We also need to minimize the noise pollution by having the development as far away from our subdivision as possible.
- Minimize the height of any structures (towel, boat storage, etc.) not to negatively impact the views from our homes.
- For a development of this size, we need additional, upgraded roads to handle the park traffic without impacting the quiet subdivision we currently enjoy. In addition to park traffic, we suggest extending Stonebrook Parkway around our marina, hotel, restaurant, etc. (again). This would help with the following neighborhood considerations, and streamline the drive for park visitors.
- Protecting the safety of our residents by rerouting general traffic to avoid drunk drivers, speeding in our residential neighborhood, trash thrown into resident's yards, and backup into our subdivision for people waiting to enter the park.
 - Heavy construction vehicles;
 - Dirt haulers from dredging; and
 - Fuel trucks for the marina's gasoline facilities.

Our homeowners association president, Mark Varol, will submit a letter respectfully requesting a public hearing to voice the concerns of the residents in our subdivision, and provide detail on our collective subdivision's concerns and requests.

We strongly suggest that the Corps of Engineers work with the city of The Colony, the city of Frisco, the city of Denton County Commissioners to publish a master plan in order to successfully develop the park and minimize the negative impacts to the environment which we are pleased to call home.

Sincerely,

Donna & Mark Brand
Donna Brand and Mark Brand

Saratoga Homeowners

Page 1 of 2

Page: 41

Author: mzdodmnhw
Subject: Highlight
Date: 7/1/2007 2:00:11 PM -05:00
I will answer in this forum have been addressed in previous comments.

62

Dale Cheatham
City Manager, City of The Colony
6900 Main St
The Colony, TX 75056

John Lefleber
Planning and Development Director, City of Frisco, TX
6191 Frisco Square Blvd., Suite C201
Frisco, TX 75034

Ron Marchant
Commissioner, Denton County, Precinct 2
1029 W. Rosemeade Parkway
Carrollton, Texas 75007-6251

Pam Nelson
Community Services Director, City of The Colony
5191 N. Colony Blvd
The Colony, TX 75056

George Praelery
City Manager, Frisco, TX
6101 Frisco Square Blvd
Frisco, Texas 75034

Cynthia White
Commissioner, Denton County, Precinct 1
110 W. Hickory Street
Denton, Texas 76201-4159

This page contains no comments

WYNNWOOD HAVEN HOMEOWNERS ASSOCIATION

May 10, 2007

Mr. Brandon Mobley
Corps of Engineers
CESW-1-PER-EE
P. O. Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Mobley:

Subject: 2007 Environmental Assessment for Hidden Cove Park/Marina on Lake Lewisville, Denton County, Texas.

We thank you for calling to give us information as to where we could go to find the results of this assessment. We informed our community and conducted a survey as to what our community feelings would be. We have numerous concerns as to how this study fails to address issues that affect those living closest to the proposed marina.

BACKGROUND:

Currently, residents of Wynnwood Haven are experiencing excessive noise coming from Hidden Cove Park especially on the weekends. The park is under the jurisdiction of the City of the Colony and has not established any noise regulations whatsoever. The noise blurs all day and late into the evenings, without respect for those residents in Saratoga and Wynnwood Haven communities. The Wynnwood Haven Community directly across from the proposed site is especially vulnerable to noise as it travels unhindered across the water. If Dallas can regulate Love Field noise, The Colony has done nothing to regulate noise in Hidden Cove Park. Residents of Wynnwood Haven have made numerous calls to the Colony Police Department over the past complaining about the noise from Hidden Cove to no avail.

ENVIRONMENTAL IMPACT TO HIDDEN COVE

Hidden Cove is unique. This cove is one of the best fishing covers on Lake Lewisville. We have residents who have record catches in Hidden Cove on the exact location being proposed. The placement of 800 plus boats in this cove will significantly disrupt and reduce the fishing environment in the cove. The PCB pollution from boats will be very damaging to this environment. The cove will effectively become a stagnant pond. To decide the cove means the current bottom environment will be destroyed and fishing will be severely disrupted in the cove area. We have included a copy of the Corps original Lake Lewisville master plan clearly indicating that Hidden Cove is designated to be used for Wildlife Management.

RECEIVED
MAY 10 2007

M. Feller
5/12
Ph. E. M.

Author: M2PERBWM
Date: 7/11/2007 2:13:25 PM -0500
To the contrary, the marina structures provide shelter for fish and are favorite fishing locations to the point of causing conflict between marina operators and fishermen. Exhaust from boat engines is not known to release PCBs into the environment.

Author: M2PERBWM
Subject: Highlight
Date: 6/14/2007 8:54:48 AM -0500

Author: M2PERBWM
Subject: Highlight
Date: 6/14/2007 8:54:48 AM -0500
Hidden Cove Park are designated for wildlife management and are not included in the proposed action.

RELOCATION OF SLIPS:

We have questions concerning the relocation of additional slips to Hidden Cove from previous plan. The addition of more boats will significantly increase high levels of PCB's causing an impact of the Corps designated "wildlife management area". We point out that both the Saratoga Community and Wynarwood Haven Community have a major disagreement with this Corps study as to the dominating wind direction. The wind direction 75% of the year in Hidden Cove is from the South. For the Corps to site wind direction as a motive to make these drastic changes to increase slips means the Corps is making a decision based on wrong intelligence. There were no weapons of mass destruction. Wind direction has been from the South for the eleven years I have lived directly across from the proposed marina.

REQUEST FOR STUDY OF TOTAL IMPACT TO SURROUNDING COMMUNITIES

There seems to be no coordinated study as to the impact of this marina on the surrounding communities especially in regards to entrance traffic. The marina is under the jurisdiction of The Colony, the entrance roads are in Fissoo and the City of Hackberry E.T.I. Those living next to this development get the traffic, noise, pollution and the loss of a tranquil natural cove abundant with fish and wildlife.

UNSAFE LAKE LEVELS:

Another concern is safety of boaters using and residents immediately around this marina. The level of the lake has fluctuated dramatically over recent years. Should the lake level be allowed to drop to recent lows after the marina is built, many of the proposed slips will be aground. Vessels attempting to navigate out of the marina will be in danger of running aground on the shallow bottom rising to Buccanener Point in Wynarwood Haven. Building the marina on the original N.W. site would eliminate this problem as the water deepens to the northwest. We acknowledge there have been droughts; however, lakes to the north managed by the Corps do not appear to have the extreme ups and downs as seems to occur on Lake Lewisville.

Equal Treatment for All:

Our community is one of the oldest on Lake Lewisville. Our concern is for fair treatment. For example, this marina will not be under the same shoreline moving regulations the corps wants individual residents living next to and directly across the cove to adhere too.

This page contains no comments

REQUESTED ACTION.....

NOISE IMPACT STUDY REQUESTED:

The assessment did not include a noise impact study. The Colony currently has no noise regulations on the existing park. Those communities immediately adjacent to the park are currently experiencing park noise levels have no avenue for relief. The loud speakers blasting are heard throughout the community of Wynnwood as well as the Saratoga community. Lake noise pollution is as much a form of pollution as expanded Turnus from boats into the water.

FISHING IMPACT STUDY REQUESTED:

To dredge Hidden Cove will significantly remove existing bottom food sources for one of the best fishing areas on Lake Lewisville. To dredge this cove will destroy this fishing haven.

FREEDOM OF INFORMATION REQUEST:

We request information as to why the location was moved from the northwest location to this plan, why more ships were added to this location compared to the original plan. What benefits are expected to be produce by moving to the new south location. The existing channel is smaller at the new location.

UNSAFE LAKE LEVELS...Request to make Lake Lewisville a constant level lake.

Lake levels in the Hidden Cove area, as experienced by residents living next to the park, are extreme at times. The control of water flow from Lake Lewisville will need to be better regulated to help maintain a constant level to accommodate this plan. When the lake level drops the channel becomes very narrow and unsafe for boating. The addition of 800 plus boats in this narrow Hidden Cove area will create an unsafe environment.

SUMMARY:

We respectfully request a public hearing be held to allow communities to speak.

Secretary

Ralph Johnson

President

Wynnwood Haven Homeowners Association
10628 Buccanneer Point
Frisco, Texas 75034

Author: M2PERBWM

Subject: Highlight

Date: 7/11/2007 2:16:22 PM -05'00'

See previous response concerning noise

Author: M2PERBWM

Subject: Highlight

Date: 7/11/2007 2:19:37 PM -05'00'

The area proposed for dredging is relatively flat and free of almost any structure that would be of value to fish for spawning, escape cover, or feeding. The marina structure will almost certainly provide better fish habitat than the area proposed for dredging.

Author: M2PERBWM

Subject: Highlight

Date: 7/11/2007 2:19:51 PM -05'00'

already addressed

Author: M2PERBWM

Subject: Highlight

Date: 7/11/2007 2:20:17 PM -05'00'

Beyond the scope of this EA

RON MERCHANT
COMMISSIONER, DENTON COUNTY, PRECINCT 2
1029 W. ROSEMADE PARKWAY
CARROLLTON, TEXAS 75007-6251

GEORGE PUREFOY
CITY MANAGER
CITY OF FRISCO
6101 FRISCO SQUARE BVD.
FRISCO, TEXAS 75034

DALE CHEATHAM
CITY MANAGER
CITY OF THE COLONY
6800 MAIN
FRISCO, TEXAS 75056

JOHN LETTELLER
DIRECTOR, PLANNING AND DEVELOPMENT
CITY OF FRISCO
6101 FRISCO SQUARE BLYD., SUITE C301
FRISCO, TEXAS 75034

KEITH HELMS
PARK DEVELOPMENT MANAGER
CITY OF THE COLONY
6800 MAIN
FRISCO, TEXAS 75056

WILLIAM FICKEL JR.
CHIEF, PLANNING, ENVIRONMENTAL AND REGULATORY DIVISION
U. S. ARMY CORPS OF ENGINEERS
819 TAYLOR STREET
P.O. BOX 17300
FORT WORTH, TEXAS 76102

MICHAEL BURGESS M.C.
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

SENATOR JOHN CORNYN
UNITED STATES SENATE
WASHINGTON, D.C.

This page contains no comments

SAVANNE A. MCENTIRE
3333 Hanover Drive
Dallas, Texas 75225

May 23, 2007

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

Re: Environmental Assessment/Hidden Cove Park/Marina
Lewisville Lake, Denton County, Texas

Dear Mr. Mobley:

This letter constitutes formal written comment in response to the Notice of Availability, Environmental Assessment/Hidden Cove Park/Marina, Lewisville Lake, Denton County, Texas, dated April 11, 2007. It is my understanding that the United States Corps of Engineers (USACE) proposes to issue a FONSI in connection with increasing the allocation of slips for the Hidden Cove Park Marina, as well as adjusting the location of this marina. My comments are directed to both of these aspects of the draft Environmental Assessment (EA) and the draft FONSI.

VESSEL ALLOCATION

The EA evaluates an increase in total vessel allocations from 380 slips to 860 vessels. As you know, Lake Lewisville is divided into three zones and the proposed marina is located in Zone C. The total capacity of Zone C was first analyzed by Geo-Marina, Inc., in its Final Report, Water-Related Recreation Use Study on Lewisville Lake ("WRRUS"), dated December 1998. Clearly, boat capacity assumes a variety of issues, including lake safety. Other issues also are implicated. Geo-Marina advised USACE that "additional boats on the lake could detrimentally affect the optimum carrying capacity of the lake, existing marine operator profits, resource protection, user enjoyment and safety." [See, Exhibit D, Final Report, WRRUS, pages 5-3].

There does not appear to be any analysis in the current EA of how the proposed marina (with additional vessel allocations) might impact the economics of the Cottonwood Creek Marina which was constructed and placed into operation since the Programmatic Environmental Assessment ("PEA"), increasing the number of slips in closer proximity to Cottonwood Creek Marina may have adverse economic impacts. The current EA does not appear to address this issue.

Author: m2adndm

Subject: Highlight

Date: 7/3/2007 11:14:59 PM -0500

In reviewing the findings for the WRRUS the USACE, in cooperation with the majority of the 12 incorporated municipalities bordering Lewisville Lake, as well as Denton County and the North Central Texas Council of Governments, all of which participated in the WRRUS, established a Water Related Development Policy for future actions at Lewisville Lake (Exhibit 13 of the 1999 PEA). This policy established a lake-wide carrying capacity of 1,112 vessels for Lewisville Lake. While not an absolute limit, the USACE manages water-related development at Lewisville Lake so that the number of boats present on the lake during peak use period will not be likely to exceed 1,112 vessels. The policy established vessel limits for the three boating use zones, (Zones A, B, and C). Zone A, the congested southern zone, is managed at the minimum resource protection level. Zone B is managed at the maximum resource protection level, and Zone C is managed at the median resource protection level.

Author: m2adndm

Subject: Highlight

Date: 7/3/2007 11:44:43 PM -0500

The Lewisville Lake Future Water-Related Development Policy, Exhibit 13 to the 1999 PEA, addressed the issue of competition among marinas in the following statement, "Risk and responsibility for timing development to keep from exceeding demand ultimately rests with the operators, developers, and financiers who have the most exact understanding of changing market conditions." Those entities who participated in preparing the WRRUS and 1999 PEA, including the Town of Little Elm and The Colony, preferred this approach to governing competition and economics of marina operation to an approach where the USACE would dictate the timing of development.

May 23, 2007
Page 2

LOCATION

USACE identifies its "Proposed Action" in the draft EA as follows: The Proposed Action would move the location of a Proposed Marina from the northwest shore of Hidden Cove Park to the southeast shore of the Park. The EA then directs the reader to Appendix A, Exhibit 2 and 3. Exhibits 2 and 3 are site maps which purport to identify the location of the "No Modification Alternative" on the northwest shore.

Of equal importance, Section 2.1 of the EA describes the "No Modification Alternative" to be the maintenance of "... the originally proposed location of the marina and original activities list of recreational facilities on the northwest shore of Hidden Cove Park." However, the location described as the "No Modification Alternative" was rejected by the USACE as a part of the February 2002 settlement referenced below. The "No Modification Alternative" is not an accurate term to describe the current location for the Project and should be corrected.

On or about February 2002, USACE, together with the Town of Little Elm, and others, entered into a Settlement Agreement and Releases which addressed several issues regarding marina development in Zone C that includes Hidden Cove Park. At that time, USACE determined that the preferred location for the Hidden Cove Marina was not on the northwest shore. Rather, USACE stated that it had "determined and continues to believe that the only locations suitable for marina development at Hidden Cove Park are on the southern shore line of the peninsula as identified as Option 3 on the attached Exhibit E." [See: page 6, Settlement Agreement and Releases, February 2002]. Option 3, as identified on Exhibit E, is on the southern shoreline, not the northwest shoreline. Option 2 and Option 1 are on the northwestern shoreline. Importantly, USACE had already determined that the "No Modification Alternative" was not a preferred alternative. These determinations are not reflected in the current EA. Also, the current EA does not discuss the viability of a marina at the location originally denominated as Option 3 and whether the new proposed location would reduce various adverse impacts in comparison to Option 3.

Thank you for the opportunity to provide this comment.

Sincerely,



Sawnee A. McEntire

SAMWIGT

cc:

Frederick W. Addison III
Marsch Hartel Kopf & Herr, P.C.
3800 Lincoln Plaza
500 N. Akard Street
Dallas, Texas 75201-6859

Page: 48
Author: m2edrdmhw
Subject: Hightight
Date: 7/12/07 2:27:21 PM -0500
I see previous response on marina locations.

Comments received during 10 December 2007 to 25 December 2007 review



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

REPLY TO
ATTENTION OF:

December 10, 2007

NOTICE OF AVAILABILITY

**ENVIRONMENTAL ASSESSMENT
HIDDEN COVE PARK/MARINA
LEWISVILLE LAKE, DENTON COUNTY, TEXAS**

Description. Interested parties are hereby notified that the District Engineer, Fort Worth District, U.S. Army Corps of Engineers (USACE), has prepared an Environmental Assessment (EA) and a draft Finding of No Significant Impact (FONSI) regarding the proposed action described below and affecting federal land under lease to The City of The Colony (The Colony) for park and recreation purposes at Lewisville Lake, Texas.

Statutory Authority. This notice is being issued to all interested parties in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality (CEQ) Code of Federal Regulations (40 CFR parts 1500-1508).

Background. An earlier version of the EA and draft FONSI for the proposed action were prepared in accordance with the requirements of NEPA and were made available for public comment on April 11, 2007. Public comments received on that EA, as well as changes in the proposed action desired by The Colony, has resulted in the need to revise the earlier EA and to make it available for additional public comment. The purpose of the EA is to identify and evaluate the environmental aspects of implementing the proposed action in accordance with NEPA.

Proposed Action. The Colony has leased Hidden Cove Park at Lewisville Lake from the USACE since 1995 for park and recreation purposes. In 1999, The Colony proposed numerous potential modifications to Hidden Cove Park which were addressed by the USACE in a Programmatic Environmental Assessment (PEA). Additional modifications regarding a proposed marina in Hidden Cove Park were addressed in a supplement to the PEA in 2000. In the EA circulated for public comment on April 11, 2007, The Colony proposed changes to decisions made in the earlier documents. Principal among these changes were a shift of 510 vessel allocations from Wynnewood Park to Hidden Cove Park, thus increasing the total vessel allocations in Hidden Cove Park from 350 to 860, and decreasing the vessel allocations in Wynnewood Park from 840 to 330. In addition to this shift in vessel allocation, the physical location of the proposed marina was proposed to be moved from the northwestern shore of Hidden Cove Park to the southeastern shore of Hidden Cove Park. Other major modifications proposed included increasing the size and scope of the lodge/hotel conference center from 75 rooms to 250 rooms and increasing the dry storage area for boats and recreational vehicles from 60 open spaces to 248 covered spaces and 300 open spaces. At the conclusion of the public comment period on May 23, 2007, the USACE determined that the marina location approved in the 2000 supplemental EA had been incorrectly described as being located on the northwestern shore of Hidden Cove Park. The correct location should have been described as being on the southwestern shore of Hidden Cove Park. In addition to this error,

The Colony decided to change the proposed action by reducing the vessel allocation from 860 down to 350 which is the vessel allocation approved for Hidden Cove Park in the 2000 supplement to the 1999 PEA. In addition to reducing the vessel allocation to 350, The Colony also withdrew all plans for a 300-slip, dry-stacked boat storage facility. With the exception of these three changes, the proposed action remains as described in the EA circulated for comment in April 2007. Three alternatives are considered in the EA including the preferred alternative, no modification to the PEA and 2000 supplement, and the no action alternative.

Public Hearing. A public hearing has not been scheduled for this proposed action. Prior to the close of the comment period, any person may make a written request for a public hearing, setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his decision. If a public hearing is warranted, all known interested parties will be notified of the time, date, and location of such a hearing.

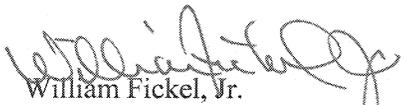
Public Review. Pursuant to the regulations implementing the procedural provisions of the National Environmental Policy Act of 1969 as amended in 1975 (40 Code of Federal Regulations [CFR], Parts 1500 through 1508), the U.S. Department of the Army gives notice that it has prepared the required environmental documentation for the Hidden Cove Park/Marina project, Lewisville Lake, Texas. This document is available for review on the Fort Worth District Website www.swf.usace.army.mil or at the following addresses:

Elm Fork Project Office
1801 N. Mill St.
Lewisville, Texas 75057
469-645-9100

Parks & Recreation Admin.
5151 North Colony Blvd.
The Colony, Texas 75056
972-625-1106

The Colony Public Library
6800 Main Street
The Colony, Texas 75056
972-625-1900

Comment Period. The comment period for this action is 15 days from the date of this Public Notice. Please address any comments to Mr. Brandon Mobley, CESWF-PER-EE, Post Office Box 17300, Fort Worth, Texas 76102-0300. Copies of the EA and draft FONSI may be requested in writing at the above address or by telephone at (817) 886-1714.


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



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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

December 21, 2007

21420-2008-FA-0051

Colonel Christopher W. Martin
District Engineer
U.S. Army Corps of Engineers
(Attn: Mr. Brandon Mobley, CESWF-PER-EE)
P.O. Box 17300
Fort Worth, Texas 76102-0300

Dear Colonel W. Martin:

The U.S. Fish and Wildlife Service (Service) has reviewed the U.S. Army Corps of Engineers (Corps) December 2007 Environmental Assessment (EA), and Draft Finding of No Significant Impact (FONSI) for the Hidden Cove Park/Marina at Lewisville Lake, Denton County, Texas. This letter contains our review comments under the National Environmental Policy Act (NEPA) of 1969, as amended.

The Corps has conducted an assessment of the proposed changes to the original 1999 Programmatic Environmental Assessment (PEA) at the Lewisville Lake associated with modifying the marina and recreational sites located at Hidden Cove Park leased by the City of The Colony. City of The Colony proposes to reduce their vessel allocation proposal of 860 to 350 as approved in the 2000 supplement to the 1999 PEA. The City also withdrew their proposal of a 300-slip, dry-stacked boat storage facility. This EA also contains a correction of the location of the marina approved in the 2000 supplemental EA. Except for these three changes, the project as proposed City of The Colony in the April 2007 EA remains the same. Due to these changes, the amount of habitat mitigation required has been reduced from 77.45 acres to 70.95 acres.

Considering the information provided to us, we concur with the mitigation plans, EA impacts analysis, and draft FONSI conclusions and support the proposed 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 Carol S. Hale 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

cc: Jennifer Key, TPWD, Austin, Texas
Executive Director, TPWD, Austin, Texas



January 15, 2008

COMMISSIONERS

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SAN ANTONIO

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FORT WORTH

ROBERT L. COOK
EXECUTIVE DIRECTOR

Brandon Mobley
CESWF-PER-EE
P.O. Box 17300
Fort Worth, TX 76102-0300

RE: Revised Draft Finding of No Significant Impact (FONSI) and Environmental Assessment (EA) for Hidden Cove Park/Marina, Lewisville Lake (Denton County)

Dear Mr. Mobley:

The U.S. Army Corps of Engineers (USACE) has conducted a revised draft FONSI and EA for modifications to the draft FONSI and EA that were sent out for public comment on April 11, 2007, regarding the project referenced above. This and the April 11, 2007, draft FONSI and EA both contain modifications to the originally proposed actions of the August 1999 Programmatic Environmental Assessment. Based on public comments received and because of changes in the proposed actions desired by the Colony, the revised draft FONSI and EA were necessary.

The current proposed actions would be the same as those in the April 2007 document except for two changes: 1) relocate the marina from the southwest shore to the southeast shore of Hidden Cove Park (whereas in the April 2007 EA, the original location was incorrectly stated as being on the northwest shore), and 2) reduce the proposed vessel allocation from 860 to the originally proposed amount of 350 vessels. The December 10, 2007, Notice of Availability states that the Colony also withdrew the proposal for a 300 slip dry boat storage, but the December 2007 Draft FONSI and EA do not reflect the withdrawal.

The modified proposal calls for a reduction in dredged material from 90,000 cubic yards to 50,000 cubic yards, and a reduction in dredged area from 9.1 acres to 6.9 acres.

Review of the proposed project indicates minimal impact to fish and wildlife resources including rare, threatened, and endangered species and their habitat. TPWD finds no objections to the FONSI and draft EA, though offers the following comments as provided in our previous correspondence of May 2, 2007:



Take a kid
hunting or fishing



Visit a state park
or historic site

Dredging

A site visit by TPWD Wetlands and Permitting Program staff revealed that the shore near the new marina location shows signs of some erosion, presumably from wave action.

Recommendation. The proposed marina may protect part of the shore from wave action, but the dredging should be designed so that bottom slopes will be stable and not cause shoreline loss from sloughing.

Comment. If sloughing begins to impact the shore, it is likely that TPWD would see a future proposal to bulkhead the shore. Bulk-heading the shore would be an adverse impact that is avoidable through proper dredging design.

Aquatic Planting

Through investigation, the upper cove proposed for aquatic mitigation plantings contained stands of buttonbush, smartweed, various sedges, and a few cattails. Numerous annuals were present, most likely from lake fluctuation that alternately dries and wets the upper cove reaches. The bottom was very gently sloped so that small vertical changes in water depth result in major horizontal movement of the water's edge. Therefore, a dry summer could expose and scorch much of the aquatic vegetation that is planted for mitigation.

Recommendation. The aquatic mitigation plan should take this into account and should probably include facultative (FAC) shrubs, trees and forbs; those that can tolerate drying and submergence or that can persist and re-emerge from roots.

Native Grasslands

This project is situated in the ecotone between the Cross Timbers and Prairies and Blackland Prairie Ecoregions, which have historically supported native grass communities. Such grasslands support grassland birds, migrant songbirds, wintering raptors, and other grassland wildlife. Native tallgrass prairie communities have become rare in Texas due to habitat fragmentation and loss as a result of development, conversion to non-native pastures, and woody encroachment. Populations of many grassland birds are following a decline attributed to loss of grassland habitat.

Brandon Mobley
Page 3
January 15, 2008

The EA did not differentiate the areas of upland mitigation that would receive tree and shrub planting versus the upland areas that would receive native herbaceous planting.

Recommendation. Where feasible, TPWD suggests that the majority of upland mitigation involve native grassland restoration/planting to serve as habitat for grassland species and to provide a demonstration site to educate the public on the native grassland ecosystem. Such areas should be supplemented with a management plan to minimize future woody encroachment.

Please contact me at (903) 675-4447 if you have any questions or need additional assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Karen B. Hardin", with a horizontal line extending to the right.

Karen B. Hardin
Wildlife Habitat Assessment Program
Wildlife Division

kbh/12859(12379)

Victoria A. Saulnier, Esq.
2117 Golden Spurs Trail
Frisco, Texas 75034
469-362-0160
vicki.saulnier@gmail.com

December 21, 2007

Brandon Mobley, CESWF-PER-EE
P.O. Box 17300
Fort Worth, Texas 76102-0300

RE: Additional Comments to Environmental Assessment (EA) dated December 2007 regarding proposed project for the City of the Colony at Lewisville Lake, Hidden Cove Park

Dear Mr. Mobley:

Please accept my additional comments to supplement my letter to you date May 8, 2007, and my renewed request for public hearing on the expanded development proposal by The Colony.

Request for Public Hearing:

A public hearing is necessitated to allow elected officials, area government agencies, local residents, and persons interested in Hidden Cove Park and Lewisville Lake to better understand the proposed development; the Proposed Action Alternative advocated by USACE. A hearing and presentation of the Proposed Action will collect the most relevant and current public comments and set the expectations of the surrounding community.

For instance, a public hearing will help to:

1. divulge the location of the several proposed facilities, ie. ship store and fuel sales, dockside restaurant, boat repair facility, which are not disclosed on the Proposed Action maps attached to the EA. This will aid the public in knowing where potential fuel spills will occur and how much closer noisy activities will be to the Saratoga neighborhood under the Proposed Action. At one informal meeting, The Colony was amenable to placing the dockside restaurant/bar and courtesy slips at the west end of the wet slip marina.
2. understand the revised scope of the Proposed Action Alternative. The appended maps reflect the prior 560 wet slip proposal in the Proposed Action Alternative and apparently were not revised to reflect the wet slip reduction to 350. The public should have an opportunity to inspect the revised maps and have a legitimate opportunity to comment on them.

3. explain why the USACE believes that moving the marina to the southeast provides more protection from wave activity than in the original southwest location. A public hearing will also end the curiosity as to why everyone, including the proponent, thought the original approved location in the No Modification Alternative was in the northwest.

The location of Hidden Cove Park is unique, in that there is no centralized governmental authority that controls the Park and immediate surrounding area. Many entities are involved in servicing and patrolling the area, and it is incumbent upon the Corps of Engineers to solicit and assess the impacts identified by these entities and individuals. The limited, outdated media reports, further highlight the lack of any recent public discourse on the Proposed Action plan

Comments on Draft Environmental Assessment date December 2007:

I applaud The Colony for abandoning the 300 dry stack storage facility, the additional 210 wet slips, and the helipad. I appreciate that they listened to some of the public's concerns. It would seem that with the elimination of these from the Proposed Action, there would be a commiserate reduction in the 300 parking spaces serving "marina proper." This explanation was not provided in the Draft EA.

Even with the reduction in vessels/boat storage and wet slips, the Proposed Plan adds several new and intense elements; fuel sales, dredging, heavy machinery, increased hotel rooms, restaurants, and unrestricted retail facilities. Because nearly 9 years have elapsed since the original EA was written, the more extensive Proposed Action was not anticipated or disclosed. In addition, it does not appear that the site of the No Modification Alternative was ever seriously contemplated by the proponent. As such, new studies, including an Environmental Impact Statement should be required to assess the potential adverse impacts on aesthetics, noise, air quality, water quality, traffic and release of hazardous substances. Only then will the potential affects be disclosed, and give the USACE a benchmark to institute controls and mitigation measures that will protect the natural and human environment.

Thank you for your consideration.

Sincerely,



Vicki Saulnier

January 14, 2008

Mr. Brandon Mobley
U.S. Army Corps of Engineers
CESWF-PER-EE
P O Box 17300
Fort Worth, Texas 76102-0330

Dear Mr. Mobley:

I am requesting this letter be accepted after the Comment Period deadline due to the fact I did not received the Draft Environmental Assessment for Hidden Cove Park/Marina dated December 2007 (DEA 12/2007) nor U.S. Army Corps of Engineers (USACE) Summary of Comments regarding my May 9, 2007 letter until the week of January 8, 2008 (note some of the USACE responses were made January 8th). I also would like to go on the record and state I have not received anything from the USACE via mail regarding The Hidden Cove Park/Marina. All the information I have reviewed was either pulled from the internet or I called the USACE and had it emailed to me. As an adjacent land owner I find this unacceptable.

A number of my comments and concerns from my previous letter have been address but there are a few major items that still need further investigation and adjustment after recently reading the DEA 12/2007.

The issues are traffic, enforcement, noise, design considerations, and a growth management plan. The dilemma of increased traffic can not be overlooked and needs immediate attention before the new proposed activities can be allowed to begin. That goes for enforcement as well. Enforcement needs to be stepped up. To turn a blind eye to the deficiencies in roadways and law enforcement is not acceptable. To this date there has not been a comprehensives plan with the level of detail that is normally expected out of developers that takes into account ways to decrease the noise, deal with congestion, and regulate activity. I ask for traffic, enforcement, noise, design, and growth to be addressed.

Sincerely,

Kevin M. Bird
5970 Diamond Spurs Trail
Frisco, Texas 75034

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1. Traffic Study

In the DEA 12/2007 traffic counts into the park have been provided. Existing conditions generated a five year average of 85,554 vehicles per year. How many additional vehicles will the proposed action create? What will peak hours traffic volumes look like?

I again request a Traffic Study. I restate a study would determine if the current road capacity and design could handle the increase in density, the noise levels from vehicles, safety concerns with vehicles using the existing roads, and the need for law enforcement. The study should address each phase's build-out. The roads that will be affected are FM 423 a Texas State road, Stonebrook Boulevard, a City of Frisco road, Rose Lane, a City of Hackberry road and Hackberry Creek Road a Denton County road.

Your response was "no comments were received" related to traffic from TXDOT, Frisco, Hackberry, or Denton County. Just because other responsible parties do not comment does not justify the USACE turning their back to a potential problem without at least a simple study conducted? No response from these governments emphasis the situation that has manifested; that is everyone including The Colony points their finger that this someone else's problem.

Here are my immediate concerns:

- There are times with the present conditions that vehicles back up in front of residential driveways waiting to enter the park. What happens when the proposed actions increases traffic to the park? How far will traffic back up and for how long?
- Hackberry Creek Road fronts 17 residences and four side streets with the current condition a two lane county designed asphalt ditch drained road. What is the acceptable design for this road with the proposed action? Who should pay for its upgrade and maintenance when the park is the major contributor to its deterioration? Keep in mind most of these vehicular tips are cars and trucks pulling boats and campers along with large RVs. Lastly, regarding Hackberry Road, I find it odd that Denton County did not make any comments. Our neighborhood along with the developer that owns the property to the north of Hackberry Creek Road have had many conversations about the current problems on Hackberry Creek Road and the potential of realigning the road to avoid the

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residential homes. In addition, at our neighborhood's request there have been county sheriffs patrolling the area to enforce speed limits and stop signs that are grossly ignore by the users of the park.

- The current road way to the park goes from a four lane boulevard to a two lane street back to a four lane boulevard then to a two lane country road. The change in the lanes is confusing and drastic (along with the speed limits). The increase of those pulling boats and campers by the proposed action (even at the level of Phase 1A) will increase the gravity of these conditions.
- The condition of FM 423 and Stonebrook Boulevard without a traffic light is dangerous at best. There is no question if the proposed action is granted and with the initial Phase 1A this intersection will elevate in status from dangerous to deadly. Someone should be responsible for installing the traffic light that has been contemplated. In fact, there has been a warrant study done for this intersection. Has the USACE reviewed the warranty study and made allowances for it? I personally have talked with the City of Frisco Engineering Department and they said they would look into the park's proposed action. I don't understand why they would not have commented on the previous EA since they required the traffic light warranty study from Pulte, the abutting residential developer, and also requires them to increase the two lanes to four at a certain build out level.

Maybe like me these agencies did not receive the proper information to comment on. I find it perplexing, no one commented on the large increase of traffic that would have been caused by the previous proposed action which had an even larger impact on the road segments to the park than this DEA 12/2007. The City of Frisco and Denton County have had dialog with our residence regarding these traffic related issues for the past two years and a no response from them does seem to add up. I request the USACE contact these entities directly and get comments from them even if they reply no comment. Not receiving comments in this circumstance can not be considered the same as if they had no comment. This is too serious an issue for everyone not to weigh in on.

I lastly would like to comment on the USACE weak response to my letter regarding traffic, quote "We believe that the current language in the EA (DEA 12/2007) adequately discloses that increase traffic into and out of Hidden Cove Park would occur, but that

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these impacts are not significant in view of the overall traffic situation in the area”. It is written in paragraph 4.12 of the DEA 12/2007 that the infrastructure would be impacted and more traffic would have an effect on the surrounding residence. This is a strong statement made in the DEA 12/2007 with a lot of repercussion. Due to the severity of the impact and the enormity of the affect, I don’t consider something “adequately mentioned” if it is only soured once in a 70 page document. Nor do I feel it has been properly addressed. The proposed action is increasing the uses of this park from what was approved by the 1999 PEA and what the infrastructure (in this case roads) were designed for. The USACE must require someone to determine: what type of impact, what the affects are, and how significant is the projected traffic going to be. What is considered “not significant”, one person dying or ten people being killed? Or is “not significant”, a young child being struck by a vehicle and paralyzed for life? It is one thing to indicate that surroundings will be affected and impacted but do nothing but react after something significant does happen, where it is a much more responsible and respectable thing to be proactive when all the indicators point towards a problem. With the USACE allowing the proposed action they become accountable and so I ask that they require more consideration to this topic of traffic with requiring first a traffic study and then open dialog with The City of Frisco, Denton County, City of Hackberry and The Colony and address the issues the report reveals.

2. Inconsistencies in the Environmental Assessment

2.1 Parking

It shows 146 parking spaces under 3.0 Existing Environment which was stated to be incorrect and that the correct number is 50 spaces. Why hasn’t this been corrected? If you go out there today there are more than 50 parking spaces being utilized at the boat ramp parking lot.

2.2 Theater

A indoor-outdoor theater is indicated, but is still not listed in the Proposed Action or listed in Table 1. If a theater is proposed, design criteria needs to be set. This vague description of an indoor-outdoor theater will be interpreted long after those involved in the DEA 12/2007 have moved on. For example if this is a 200 seat venue where are the parking spaces for such an activity provided? How are traffic measures taken? If the DEA 12/2007 does not state capacity but implies the use of a theater with an

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indefinable scope how can the Impacts and Cumulative Impacts get addressed? Due to the fact the indoor-outdoor theater does not show up as a proposed action and is only mentioned in DEA 12/2007's Introduction and again briefly under Noise, paragraph 4.7, it should be removed from the DEA 12/2007 completely. It was noted the indoor-outdoor theater may result in increased noise. Why is the USACE tip toeing around the issue by stating it "may" when it will? If an indoor-outdoor theater is so desired by the applicant due to it's concerning impact a new EA should be issued showing the theater as a proposed action and defining its use of operation.

2.3 Appendix B

Appendix B is not the Proposed Jurisdictional Determination and Dredging Exhibits but rather Site Photographs and Dredging. I request a copy of the Jurisdictional Determination.

3. Reduce Proposed Vessel Count

The WRRUS median resource protection for Zone C is 289 vessels. The EAWRRD allocated those vessels; 84 vessels to Marina in Wynnewood, 84 vessels to Marina in Cottonwood, and 60 vessels (350 slips & 25 ramp parking) to Marina in Hidden Cove Park. If the Marinas stays the same then to maintain the median resource protection level and not be a significant impact the Marina in Hidden Cove must not increase to more than 121 vessels. What is proposed is 350 slips (35 vessels), and keeping the existing ramp along with the existing parking lot (146 spaces equates to 146 vessels). The proposed vessel count is over the median resource protection. If the parking is reduced to 50 spaces it will need to be stated that the current conditions will need to be limited to 50 spaces.

With rentals of jet skis and boats counting toward vessels, has a currently survey been done to determine how many additional vessels are being offered in Zone C by rental shops? Rentals at Hidden Cove Park will need to have a cap in order to not go over the median resource protection for Zone C. It was stated this was going to be made clear in the DEA 12/2007 but rentals were not mentioned.

What do kayaks, canoes, or paddle boats rentals count towards?

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4. Noise

The greatest attenuator of noise is distance. All the additional proposed action elements are located adjacent to each other (hotel, theater, two restaurants, boat ramp, courtesy slips, gas sales and beaches). I ask that the marina be pushed further away from the other proposed action elements and the nearby neighborhoods. This will also allow for enough distance between project elements to attenuate project generated noise levels to the extent that noise levels from the project's elements would not significantly combine with other project related noise levels while keeping an increased distance from the neighborhoods.

At least move the restaurant and courtesy slips to the west side of the docks to help create distance from the neighborhood to the east.

The USACE states they have experienced very few complaints on noise at other marinas, how does one file a complaint? Who addresses the complaint? How does the complaint get recorded?

5. Mitigation

The plan is said to offset losses to wildlife habitat how was the most beneficial area determined? Why is Upland Planting Mitigation Area determined to be more beneficial along a park roadway (the eastern most area) than along the shore line? Has there been annual reporting done on the existing Mitigation Areas, if so I request the latest report?

6. Potential Hazardous and Toxic Waste Concerns

The docks are in front of the beaches (as shown in the rendering not identified in any exhibit) and will be directly affected by boat spillage and floating debris due to the winds blowing into the shore line. How is this being addressed? Can the docks in relationship with the beaches be better located?

7. Readjust/Realign the Marina Dock Layout

The current dock design positions numerous highly used activates in one area. Moving the docks to the West will relieved congestion while creating more distance from the residential neighborhoods. The following actives are the cause of the congestion:

- At the current time, boats line up and circle around the boat ramp waiting for their turn to be trailered out of the water. With the current design of the dock location

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- there is not enough space to effectively and safely load up and pull a boat out of the water using the boat ramp. The docks should be shifted west!
- The courtesy docks are at the far east end of the proposed dock design. This will logically add to the congestion around the boat ramp. Courtesy docks will have the most concentration of in and out boat traffic they should be moved to the west end!
 - The dockside restaurant is located with the courtesy dock at the far east end of the proposed dock design adding to vessel traffic, it too should be moved to the west side of the docks!
 - The Ship Store with gas sales is also at the far east end of the proposed dock design. This provided service will have a direct impact on vessel traffic patterns.

The USACE's statement "that moving some activities to the west is a viable suggestion" shows awareness but gives no contribution to a resolve. Is it not during this process to identify potential problems and find amendable solutions? Why are the courtesy docks, a restaurant, and gas sales all on the same side as the boat ramp, which is existing?

8. Level of Service

The USACE response to this section was "The City of the Colony will ensure public safety and law enforcement". Again I am at a loss, the roads leading into the park are not owned by The Colony so they feel no responsibility (nor do they have any) to enforce any laws in route. When there has been an accident it is Little Elm, Frisco, or Denton County that respond. The Colony has all but washed their hands of any responsibility. If they could as the USACE suggest ensure public safety and law enforcement what is their response time to a call for help? Why can't the applicant be responsible for providing the additional staff and life safety equipment that will meet the level of service required? There can be no canned answers when it comes to life safety issues I want to see regulations established and plans that address these issues.

9. Growth Management Plan

Little comment from the USACE was given on this topic. Does the USACE have nothing to do with the development plan? I would think it would be a large factor in how a report like the DEA 12/2007 would be considered. There is very little detailed given throughout the DEA 12/2007 along with the exhibits. If The City of the Colony is responsible for more comprehensive development plans I am not aware of there

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existence. What I have been given by The City of the Colony and told has been approved by city council were a few sheets dated January 2007. These individual sheets seem unclear and the information crowded onto the plan. Why are there not multiple plans regarding Site Planning, Uses, Density, Infrastructure Design and Capacities, Public Safety, Beautification, Design standards, and Maintenance and Operation Requirements?

10. Request a Public Hearing

It has been indicated that there is nothing that warrants a significant impact nor requires a public hearing. This does not stop me from requesting one for the Hidden Cove Park/Marina. In light of all the different cities including the state and county involved in this quickly changing rural area a public hearing will allow all parties to come together to discuss and address issues. Having the chance to write out my concerns does not substitute the actual dialog required to fully discuss the issues with all the related parties as these issues are very dynamic and complex. I strongly believe all parties must get together on these issues because one agency like USACE can not answer everything but the USACE can require all the parties involve get together by way of a public hearing.

From: Pam Nelson [pam@tcpard.com]
Sent: Tuesday, January 29, 2008 4:21 PM
To: Mobley, Brandon W SWF
Cc: Dale Cheatham; Marcel Bosworth; MacAllister, Tim L SWF; Cox, Douglas L SWF
Subject: RE: Hidden Cove Revision
Brandon-

Yes, we concur with removal of those items from the current Hidden Cove EA, and will bring them forward for separate approval in the future as amenities associated with the marina/resort in accordance with the 1999 PEA development guidelines.

Thank you for your assistance in finalizing the document for approval. We'll look forward to receiving the FONSI in the next few days.

Pam Nelson
Community Services Director
City of The Colony
972-625-1106 x 558
pam@tcpard.com

From: Mobley, Brandon W SWF [mailto:Brandon.W.Mobley@usace.army.mil]
Sent: Tuesday, January 29, 2008 4:04 PM
To: Pam Nelson
Subject: Hidden Cove Revision

Pam,

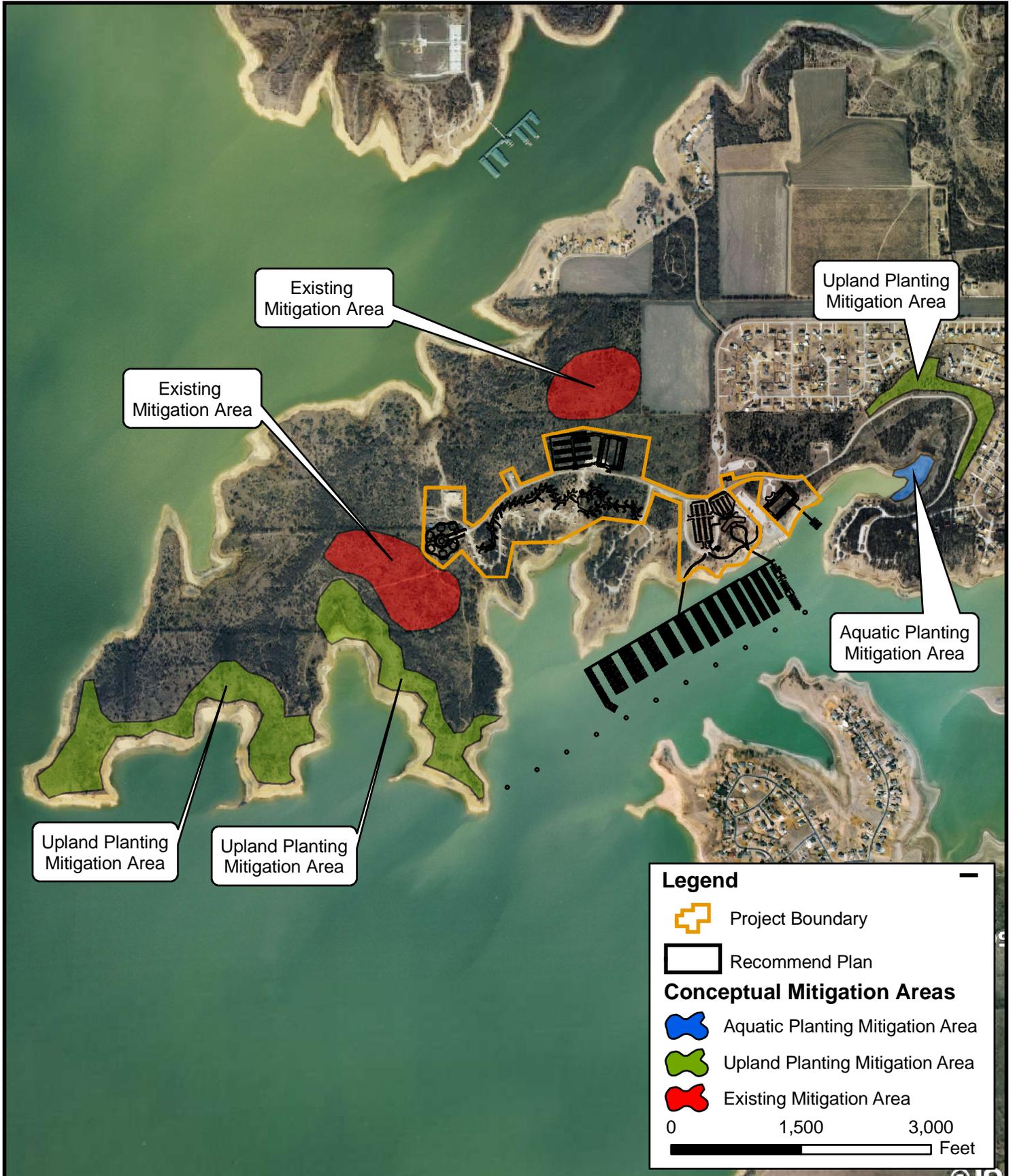
Per our telephone conversation, I wanted to get concurrence from you on the removal of language referring to the model airplane course, miniature golf course, pioneer village, nature center and the indoor-outdoor theater features listed in the Hidden Cove EA.

Thanks,

Brandon

APPENDIX D

Mitigation Concept Plan Exhibit



Appendix E

Hidden Cove Attendance Numbers

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTAL
1997	5327	7329	13650	20437	27391	25498	25592	20522	16391	11239	6710	3959	184045
1998	5471	9251	15386	21056	26226	26355	25683	13482	12534	11081	7245	4305	178075
1999	5429	5369	14053	20563	22694	14858	18634	22435	15978	12313	8334	4820	165480
2000	5610	8757	13248	17416	7966	8722	18768	15134	13223	11396	7985	4043	132268
2001	4169	8208	15239	12849	19776	21403	19497	15243	12632	9639	7875	4001	150531
2002	4158	8250	11435	19359	20906	22768	25438	21417	17157	12859	7207	4851	175805
2003	5471	7843	12649	18706	26996	25015	23121	15379	15292	11337	5838	5418	173065
2004	5345	6986	15221	18613	26226	28084	29820	24138	23440	13188	9888	9215	210164
2005	8365	10073	15064	21354	28397	28812	27981	17889	16671	15915	9142	7315	206978
2006	5943	7529	11361	16902	23562	23825	19933	15050	14371	16877	7347	6941	169641
2007	6237	6986	15589	12733	26383	26167	25221	23489	20605	19334	10122	8061	200927
2008	8169	9135	15236	22180	34311	26275	24336	15848	15694	17322	12418	9681	210605
2009	9391	10581	15470	23506	28914	23611	24910	16209	17136	20626	14196	9261	213811
2000	7837	9250	15075	23631	22407	15876	18862	12579	15078	17202	10276	8300	176373
2001	7522	7945	14095	23923	25781	23100	20052	15129	18698	15064	11183	8593	191085
2002	7651	8789	15190	16982	28630	25090	25858	18960	21847	14287	12478	13503	209265
2003	8285	7994	19037	26044	31829	28361	30004	21981	19513	16106	10714	13784	233652
2004	8456	9513	15832	26961	34780	24469	32337	22649	22971	17679	11145	8937	235729
2005	9583	9181	16702	26632	28935	28612	30902	15953	17955	13780	10504	7508	216247
2006	7420	6164	10563	27199	23293	18848	21592	12250	15320	13213	10836	7837	174535
2007	6533	6955	15952	24679	22544	23702	21142	17855					139362

Multiplier of 2.5 is used
 ex. June 2007 - vehicle count → 9480