

FINDING OF NO SIGNIFICANT IMPACT

LOWER COLORADO RIVER BASIN PHASE I, TEXAS WHARTON COMPONENT

At the request of the Lower Colorado River Authority (LCRA), and under authority of an August 4, 1936, resolution by the Committee on Commerce, Section 4 of the August 26, 1937, River and Harbor Act, and Section 6 of the March 2, 1945 River and Harbor Act the U.S. Army Corps of Engineers (Corps) conducted an Interim Feasibility-Level Report and Integrated Environmental Assessment to identify water and water-related land resource needs of the City of Wharton floodplains within the Lower Colorado River Basin, Texas. This Environmental Assessment was tiered from the Final Programmatic Environmental Impact Assessment for Flood Damage Reduction and Ecosystem Restoration, Lower Colorado River Basin, Colorado River, Texas, August 2005. The LCRA, in cooperation with the City of Wharton and with partial funding by the Texas Water Development Board (TWDB), provided non-Federal sponsor support for the Wharton Component of the Lower Colorado River Phase I, Texas Project.

Alternatives considered while evaluating the flooding problem within the city of Wharton included structural and non-structural alternatives as well as the No Action Alternative. Structural alternatives included combinations of levees, floodwalls, channel modifications and diversion pipe/channels. Non-structural alternatives included buyouts. The Recommended Plan consists of structural features in the form of earthen levees and accompanying sumps, floodwalls, a channel enlargement, storm drain type drainage structures and an open cut ditch. Most of the project features would be implemented in three different drainage areas: Colorado River, Baughman Slough and Caney Creek.

Recommended Plan features associated with the Colorado River would include the construction of 20,310 feet of levees, 19,010 feet of floodwalls and seven sump areas. The seven sumps would occupy 140 acres. Recommended features in Baughman Slough would include 6,610 feet of levees, 380 feet of floodwalls, 4,780 feet of channel modification and two sump areas of approximately 44 acres. Recommended features in Caney Creek would include placement of reinforced concrete pipes and approximately 10,700 feet of open cut ditch.

Implementation of the Recommended Plan would adversely affect approximately 65 acres of riparian/hardwood forests (148 average annual habitat units (AAHU) using 4 species), 129 acres of grassland (193 AAHU using 3 species) and 10 acres of wetlands (12 AAHU using 3 species). Another 171 acres of grasslands would be used for disposal areas. The recommended mitigation plan includes creating forest, shrub, and wetland habitat within the sump areas. All of the grasslands would be reseeded after construction ends unless they are being uses as additional project features such as woodlands. The plan would also create approximately 85 acres (151 AAHU) of forest habitat and 10 acres (16 AAHU) of wetland habitat as is the most cost effective mitigation plan. The U.S. Fish and Wildlife Service has recommended purchasing and preserving existing woodlands as mitigation instead of creating habitat in the sump areas. However, this would be more expensive and Corps regulations require selection of the most cost effective plan.

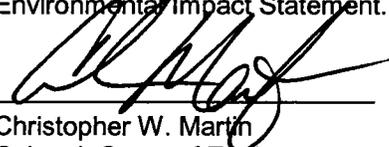
The Recommended Plan has been reviewed in accordance with Section 404 of the Clean Water Act. Approximately 10 acres of Waters of the United States would be impacted and would be mitigated under the recommended mitigation plan. Water Quality Certification was obtained from the Texas Commission on Environmental Quality on October 6, 2006.

Executive Order 11988, Floodplain Management, was considered during the development of the Recommended Plan. There are no practical alternatives to achieve the project purposes of flood damage reduction without placing fill within the floodplain. Excavated material requiring disposal would be placed in approved landfills for the types of materials involved. Excess material excavated from the sumps would be placed on upland pasturelands to be determined during the

detailed design phase. Executive Order 11990, Protection of Wetlands, was also considered and impacts to wetlands would be fully mitigated to ensure no net loss of wetlands. Executive Order 12898, Environmental Justice, was considered during the development of the Recommended Plan. Low income and minority populations do exist in the city of Wharton, but the Recommended Plan would only benefit all residents so there would not be any adverse effects to minority or low income populations.

Cultural resources compliance issues are being coordinated with the Texas State Historic Preservation Office (SHPO). No cultural resources are expected to be impacted as a result of implementation of the project components along the Colorado River; however sump areas and project features along Baughman Slough need to be studied further during detailed design to ensure compliance with environmental laws and regulations. A programmatic agreement (PA) is being negotiated with the SHPO to ensure compliance with Section 106 of the National Historic Preservation Act. The Recommended Plan has been coordinated with the United States Fish and Wildlife Service. The Recommended Plan would not impact Federally-listed threatened or endangered species. Texas Parks and Wildlife Department as concurred with the project determinations.

Based upon review of the information contained in the Environmental Assessment and results of coordination, I have concluded that the recommended plan will not have a significant adverse effect on the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969, as amended. In addition, construction of the project will not constitute a major Federal action of sufficient magnitude to warrant preparation of an Environmental Impact Statement.



Christopher W. Martin
Colonel, Corps of Engineers
District Engineer

10 OCT 2006
Date

FINDING OF NO SIGNIFICANT IMPACT

LOWER COLORADO RIVER BASIN PHASE I, TEXAS ONION CREEK COMPONENT

At the request of the Lower Colorado River Authority (LCRA), and under authority of an May 6, 1998, resolution by the Committee on Transportation and Infrastructure, the U.S. Army Corps of Engineers (Corps) conducted an Interim Feasibility-Level Report and Integrated Environmental Assessment to identify water and water-related land resource needs of the Onion and Williamson Creek floodplains within the Lower Colorado River Basin, Texas. The LCRA, in cooperation with the City of Austin, Travis County, the City of Sunset Valley, and with partial funding by the Texas Water Development Board (TWDB), provided non-Federal Sponsor support for the Onion Creek component of the Lower Colorado River Basin Phase I, Texas Project.

In order to evaluate a wide array of alternatives over a broad study area, areas of interest were identified based on historical reoccurring flood events. The areas identified for detailed investigation include the Timber Creek, Onion Creek Forest/Yarrabee Bend, Bluff Springs Road/Perkins Valley, Onion Creek Subdivision, Bear/Onion Confluence, and Williamson Creek. Structural, non-structural, combined multi-purpose and No Action alternatives were evaluated for the areas of interest. Structural alternatives evaluated included diversions, channel modifications, bench cutting, flood walls and levees. Non-structural alternatives included buyouts and raising structures in place. Ecosystem restoration alternatives included acquisition of property and native tree/shrub/grassland planting. In addition, recreation facilities would be added to some of the lands acquired for other project purposes. Combined multi-purpose alternatives provided combinations of the other alternatives.

No action is proposed in the Bluff Springs Road/Perkins Valley, Onion Creek Subdivision and Bear/Onion Confluence areas of interest because of the lack of sufficient economic justification to support Federal interest. The Recommended Plan for the Timber Creek and Onion Creek Forest/Yarrabee Bend areas of interest provides for the acquisition and removal of 81 and 410 residential structures, respectively in the 4% annual chance of exceedance (ACE) floodplain; permanent closure of several streets or parts thereof; restoration of 16 and 190 acres of land to riparian woodlands; and installation of recreation features such as picnic shelters, hiking trails, restrooms, and supporting infrastructure. Williamson Creek was deferred from action at this time and is not included for implementation as part of this FONSI.

The recommended plan has been reviewed in accordance with Section 404 of the Clean Water Act. The Recommended Plan in Timber Creek and Onion Creek Forest/Yarrabee Bend would consist of buyouts and would not affect Waters of the United States.

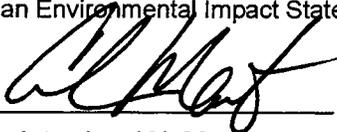
Executive Order 11988, Floodplain Management, was considered during the development of the Recommended Plan. Materials removed from the project during construction would be placed in approved landfills for the types of materials involved. Executive Order 11990, Protection of Wetlands, was also considered and no impacts would occur to wetlands as a result of implementation of the Recommended Plan. Executive Order 12898, Environmental Justice, was also considered during the development of the Recommended Plan. Low income and minority populations exist in the Timber Creek area of interest and would be affected by the Recommended Plan; however no other viable alternatives were identified that would solve the flooding problem exist. Relocation assistance would be provided to the displaced residents to aid them in finding alternate living arrangements.

Cultural resources compliance issues are undergoing consultation with the Texas State Historic Preservation Office (SHPO). No cultural resources would be impacted as a result of implementation of the Recommended Plan in the Timber Creek and Onion Creek

Forest/Yarrabee Bend areas of interest. Since excavation of a bench is proposed along the banks of Williamson Creek, deep test trenching is needed for cultural resource analysis. Since the proposed project area is located in residential backyards, the test trenching has been delayed until detailed design so that trenching only occurs in actual construction areas. A programmatic agreement (PA) is being negotiated with the SHPO to ensure compliance with Section 106 of the National Historic Preservation Act.

The Recommended Plan has been coordinated with the United States Fish and Wildlife Service and they have concurred that the recommended project is not likely to affect Federally-listed threatened or endangered species.

An Environmental Assessment has been completed for the Recommended Plan and its alternatives. Based upon review of the information contained in the Environmental Assessment and results of coordination, I have concluded that the recommended plan will not have a significant adverse effect on the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969, as amended. In addition, construction of the project will not constitute a major Federal action of sufficient magnitude to warrant preparation of an Environmental Impact Statement.



Christopher W. Martin
Colonel, Corps of Engineers
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