



April 25, 2011

Judge Ronnie McDonald
Commissioner William Pina
Commissioner Clara Beckett
Commissioner John Klaus
Commissioner Lee Dildy
Bastrop County Commissioners' Court
804 Pecan Street
Bastrop, TX 78602

RE: U.S. Corps of Engineers Public Notice on Permit Application No.: SWF-2010-00506

Dear Judge and Commissioners:

I am writing to request that the Court respond to the subject public notice by requesting that the Corps of Engineers hold a public hearing in Bastrop County to take comments and provide the public and responsible State and local government authorities with needed information. We request that the hearing provide adequate information to make an informed judgment regarding the protective measures being proposed to assure that the environment and water quality of the Colorado River and its tributaries are protected during construction of the project and into the foreseeable future.

The segment of the Colorado River being impacted by the proposed application has the highest water quality standards possible for a body of water in the State of Texas. Stream Segment 1428, extending from Longhorn Dam to just upstream of FM 969 near Utley in Bastrop County, has been designated by the Texas Commission on Environmental Quality (TCEQ) for contact recreation, exceptional aquatic life, and as a public water supply. This segment has habitat characteristics that are outstanding for their natural variability, an exceptional or unusual species assemblage, an abundance of sensitive species, exceptionally high species diversity and richness, and a balanced trophic structure according to this classification standard. The "exceptional aquatic life" designation requires that the segment meet the highest standards for temperature, pH, dissolved oxygen, chlorides, sulfate, total dissolved solids, and bacteria. The Colorado River throughout this segment has been identified by the TPWD as an ecologically significant stream segment due to the presence of the state threatened blue sucker and the stream segment's overall use (TPWD 1999a).

Since this segment has an "exceptional aquatic life" designation, it is our expectation that any construction of the magnitude anticipated by the subject permit application would be subject to "exceptional" habitat and water quality protective measures meeting the most current best management practices. Basically, we are requesting that the project use more natural materials; better stabilization methods (soil "lifts", etc.); use pilot channels (as opposed to concrete "trickle" channels); native and appropriate vegetation; and so forth; essentially a green version of trapezoidal channels.

According to the notice, the project is proposing "to fill the 8.55 acre pond and 5,390 linear feet (0.866 acre) of ephemeral stream that would be permanently adversely affected by the placement of concrete box culverts into the stream with an airport runway overlay and a stormwater detention pond within the project area (Figures 4 through 6 of 6)". In short, the project will pipe a rather large stream in the middle of the project—putting it into seven 10x5 foot box culverts. We are concerned about this loss of riparian habitat and the impact on water quality as well as fish and wildlife habitat.

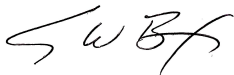
In general we are opposed to putting this creek into a pipe. We believe the project needs to evaluate the size of the drainage area impacted by this action and determine to what extent buffer setbacks are needed and whether an environmental variance should be required prior to putting this creek into a pipe.

The project also proposes a very large retention pond to handle the drainage. While we agree that a retention pond is likely appropriate to control runoff and mitigate water quality issues, assuming it is a "wet pond" (labeled as a "retention pond," on the map), it seems that this will likely create a waterfowl issues by mixing birds and planes in the same flyway. Additionally, we are concerned that a retention pond on a creek of this size and with a large drainage area in erosive soils will likely experience significant problems with sedimentation. The Austin-Bastrop River Corridor Partnership has been monitoring birds and other ecological features along this segment of the river for many years. We would request that the project conduct an evaluation of the Partnership's data and provide an assessment on the potential impacts of the proposed project on the birds and waterfowl in the impacted area.

We believe that the project should conduct a literature review, compile and assess the existing data, determine the potential environmental impacts of the project, provide the highest level of containment of fuel storage vessels, maintenance operations, storm-water runoff management and treatment, and habitat mitigation in keeping with the high standards that have been placed on this river segment. As a member of the Colorado River Watch Network, a volunteer water quality monitoring program operated by the Lower Colorado River Authority, Environmental Stewardship has participated in the collection of water quality data on the Colorado River and its tributaries in Bastrop County. We believe that the proposed project should obtain and evaluate the water quality data that has been compiled by this group over the past 10-15 years, along with the water quality data collected by the LCRA and TCEQ professional staff as a part of the Texas Clean Rivers Program, and document the base-line water quality criteria against which the project's impacts are to be judged. In addition to this data, the significant body of data and information developed by the LCRA-SAWS project should be obtained, reviewed and evaluated.

Based on the results of the above mentioned evaluation, the project should establish, in consultation with the LCRA, and fund a comprehensive and ongoing water quality monitoring program for both groundwater and surface water to guarantee the future protection of this important river segment.

Respectfully submitted



Steve Box
Executive Director
Environmental Stewardship

cc: Ronnie Moore, Bastrop County Engineer
Gayle Wilhelm, Judge's Assistant

Environmental Stewardship is a charitable nonprofit organization whose purposes are to meet current and future needs of the environment and its inhabitants by protecting and enhancing the earth's natural resources; to restore and sustain ecological services using scientific information; and to encourage public stewardship through environmental education and outreach. We are a Texas nonprofit 501(c) (3) public charity headquartered in Bastrop, Texas. For more information visit our website at Environmental-Stewardship.org.