

April 21, 2011

**Via Email and
Overnight FedEx and**

Mr. Frederick Land
Regulatory Branch, CESWF-PER-R
US Army Corps of Engineers
Fort Worth District
Federal Building, Room 3A37
819 Taylor Street
Post Office Box 17300
Fort Worth, Texas 76102-0300



**Via Hand Delivery and
U.S. First Class Mail**

Mr. John Trevino
Texas Commission on Environmental Quality
401 Coordinator, MSC-150
P.O. Box 13087
Austin, Texas 78711-3087

Re: Joint US Corp and TCEQ Permit Application No. SWF-2010-00506
Applicant: CTA, LLC – Central Texas Airport

Dear Sirs or Madams:

The City of Bastrop, Texas ("City") recently learned of a Joint Public Notice from the US Army Corp of Engineers, Fort Worth Division ("Corp") and the Texas Commission on Environmental Quality ("TCEQ") related to an application by CTA, LLC, ("CTA") for both a Section 404 and Section 401 Clean Water Act Permits, ("Permits") pertaining to the proposed construction of the Central Texas Airport project ("Project"), located between the intersection of FM Road 969 and FM Road 1704, Bastrop County, Texas. 78621.

Note that neither the Corp nor the TCEQ provided the City with notice of the Permit Application or notice that comments were being accepted, rather, the City inadvertently learned of this matter. **Therefore, the City respectfully requests that the City of Bastrop be added to the list of affected and/or interested parties for all future activities and notices related to the Permits for this Project.**

The City is an affected party and has standing to provide this written comment in response to the Joint Public Notice, issued on March 25, 2011 for, at a minimum, the following reasons:

- (1) The City is a Home-Rule municipality organized and operating under a Home Rule Charter and the Constitution of the State of Texas, and accordingly is charged with responsibility for overseeing activities in both its corporate limits and its extraterritorial jurisdiction ("ETJ"). The Project for which these permits are sought is located within the City's ETJ, and thus, the City has certain authority and responsibility over the Project.
- (2) The City is located on the Colorado River approximately 8.5 miles downstream from the Project, and therefore, the affects of the Project and the permits on the Colorado will affect the City, directly and indirectly.
- (3) Citizens within the City's ETJ have expressed significant interest and concern to the City's governing body, over the potential environmental and other impacts of the Project on their property and lives, and have enjoined the City to participate in the processes, including those such as Clean Water Act permitting, related to the Project, and to guard their interests to the best of our ability.

I have attached for your reference a map which depicts the extraterritorial jurisdiction ("ETJ") of the City, with relationship to the Project. [See, enclosure] While a project that is 8.5 miles away from a municipality is not often located within the ETJ of a city, the circumstances in Bastrop are very different because, in the 1980s, many Bastrop County residents voluntarily asked that the City include their land in our ETJ, specifically to afford them a "voice" and some level of involvement and protection in cases such as the one at hand. This is a responsibility that the City has and continues to take seriously.

Background:

CTA has submitted an application for a Department of the Army Permit under Section 404 of the Clean Water Act ("CWA") and for the water quality certification under Section 401 of the CWA to discharge dredged and fill material into waters of the United States. The application number is SWF-2010-00506 ("Application") and Public Notice inviting public comment and input was issued on March 25, 2011.

From the Application, the City understands that CTA proposes to discharge approximately 46,000 cubic yards of dredged and fill material into approximately 9.42 acres of waterway of the U.S., including 5,390 linear feet of ephemeral stream, associated with the construction of the airport located between the intersection of FM 969 and FM 1704 and the Colorado River, Elgin, Bastrop County, Texas, approximately two miles east of Webberville, Texas.

The Colorado River, in this location, is navigable water under Section 10 of the Rivers and Harbors Act of 1899. Two ephemeral streams and one pond, located on site, flow to the Colorado River. The pond is a series of three in-line ponds, which are within the 100-year flood plain of the Colorado River. The 5,390 linear feet of ephemeral streams (0.87 acre) and pond (8.55 acres) total the 9.42 acres of waters of the U.S. within the Project site.

The Project will consist of a 7,200-foot long by 100-foot wide airport runway; a 7,200-foot long by 50-foot wide taxiway; seven 10-foot by 5-foot by 3,330-foot long reinforced concrete box culverts to convey storm water runoff; a 26-acre storm water detention pond; onsite storm water collection facilities; an entrance road along the west boundary of the site approximately 9,000 feet long; thoroughfare roadway traversing the eastern property approximately 9,000 feet long; onsite wet and dry facilities; and phased construction of approximately 4,440,000 square feet of airport hangers, airport support buildings, and office buildings.

In order to construct the airport facilities so that they are located entirely outside of the floodplain, a portion of the floodplain would need to be filled. After construction, culverts and open channels would drain the property and flow to a proposed 26-acre detention pond to maintain pre-development flows on the Project area.

City's Comments on Permits/Application:

With regards to the Application and information contained within the Application, the City of Bastrop provides the following comments and concerns:

1. As an overarching matter, the City has not been provided any detailed information related to the Application and Permits sought, and with the information in hand, is not able to discern, with any confidence, the basic technical information related to the Project. (E.g., The exact channel size is not apparent.) Thus, the City has been disadvantaged in reviewing the information provided and in its preparation of these comments. Accordingly, the City requests larger and more detailed drawings of the submitted Project information, an adequate opportunity to study and evaluate those documents, and if necessary, an opportunity to supplement this comment if it determines as a result of those documents that details have been made available that it did not have for this submission.
2. With the discharge of approximately 46,000 cubic yards of dredged and fill material, the City requests to see the engineering study associated with

the discharge of the material into the floodplain as it relates to base flood elevations ("BFE") both existing and proposed.

3. As a downstream governmental entity, providing water and wastewater services to its citizens, the City has concerns about the affect of the Project, e.g., pond filling and flooding.
4. The City would like to review the engineering design of the storm water box culverts and channel system.
5. The City would like to review the proposed 26-acre detention pond and onsite runoff.
6. The City would like to review the information submitted to FEMA for the floodplain and the associated LOMR-F and/or CLOMA, if applicable.
7. The City would also like the floodplain information related to the Project sent to the City, due to the City's extended ETJ.
8. The City requests information regarding what affect the box culverts and channels will have on the upstream property owners and Colorado River.
9. With the Project crossing the floodplain, the City is concerned about a larger flood event and its affect on the surrounding property owners, who reside in the City's jurisdiction.
10. The City requests information concerning how a larger flood event would be directed around the improvements and/or what would be done if the flood event "topped" the runway.
11. The City requests information as to whether any new floodplains (e.g., 100 or 500 year) have been/will be established with regards to this Project.
12. The City requests a more in-depth explanation of the mitigation plan/effort for the Project with regards to the removal of the ponds, potential flood impact. (Including affects, if any, on the City as a downstream entity.)
13. Concerning the environment, the City requests an opportunity to see the amount of forest/woods that will be destroyed with this Project and how the mitigation will offset that affect.

14. The City requests to see the emergency plan that will be in effect for any aviation fuel spill and what affect a spill (and the plan to address same) will have on the on-site stream, ponds, and Colorado River.
15. With regards to the amount of impervious cover proposed for the Project, the City requests information concerning how the routine petroleum products and other contaminates that are the unpreventable off-shoot of an aviation operation, such as that envisioned by the Project, will be controlled, to prevent its entry into on-site streams, soils and ultimately, into the Colorado River.
16. With the large development of airport hangars, airport support buildings and office buildings, the City requests information concerning where the Project's wastewater will go and how it will be treated.
17. The City requests information concerning what entity will supply potable water to the Project.
18. The City requests information as to whether a wetland survey has been performed, and if not whether it will be required and the schedule for performance of same.
19. The City requests information concerning what effect the Project and the noise appurtenant to an airport operation will have on the fish and wildlife and human life; how that will be assessed and mitigated.
20. The City requests information concerning what other outside utilities, such as telephone, telecommunication services, waste-handling, etc. will be provided for this Project, by what providers, and what impact construction related to those utilities will have on the environment.

Overall, as is evident from the information sought and concerns noted above, the City of Bastrop has numerous environmental and floodplain concerns pertaining to the Project, the Application, and the Permits and, therefore, respectfully requests that the Corp and/or the TCEQ conduct a public hearing so that the City, and other interested and affected governmental entities, individuals property owners in the area of the Project and any other interested or affected parties, may have an adequate opportunity to fully evaluate CTA's request for the Permits and may provide input to the Corp and/or TCEQ reflecting their views, questions and concerns.

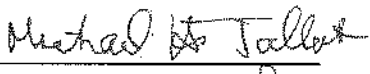
Should you determine that you need any additional information or documentation concerning this submission or the requests and comments provided herein,

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please contact Mr. Michael H. Talbot, City Manager of Bastrop, Texas at (512)332-8800. He will be able to provide you any supplemental information you request.

Very truly yours,

CITY OF BASTROP



for

Mayor Terry Orr
On Behalf of the City Council

cc: Mr. Tommy Mason,
General Manager LCRA (w/enclosure)