

APPENDIX A

List of commenters

Commenter Number	Name of Commenter
1	William and Diane Ballard
2	William D. Ballard
3	Dominick & Gretchen DeFlorio
4	George Placek
5	Michelle and Kevin McManus
6	Murray Altman-Kaough
7	Peter O. Kircher
8	Robert L. Hayes
9	Carol Gillberg
10	Eric Schroeder
11	Antonio Hernandez and Kathleen Wolfington
12	Michael H. Talbot for Mayor Terry Orr, City of Bastrop
13	Mr. and Mrs. Arthur C. Miller
14	Ariel J Thomann
15	Tom Besson
16	Sonja Eagle and Robert Pipe
17	Suzanne Landiss
18	Robert and Kay Rodriguez
19	Mark Olson
20	LaVerne N. Edwards
21	Jane Osmond
22	Beth Rolingson
23	Eco-Merge
24	Robert Sanders
25	Dorthea B. Stockstill
26	Chris Theophilus
27	Barbara J. Carstens
28	Wilfred Williams
29	Wally and Laurel Bjork
30	Lynn Meyer
31	Martin Theophilus
32	Gary Feltner
33	Kevin and Michelle McManus
34	Shelley Cartier
35	Gretchen McCord
36	Mark and Carol Mannard
37	William and Darlene Pendell
38	Trudy Darman and Harold Darman
39	Lisa White

CESWF-PER-R (Application SWF-2010-00506)

SUBJECT: Department of the Army Environmental Assessment and Statement of Findings for the Above-Numbered Permit Application

Commenter Number	Name of Commenter
40	Michelle Yakovac
41	Elnora McDonald
42	Steve Box
43	Candace Boheme
44	Paul and Pick Houng Wong
45	Glen Harrison
46	Texas Parks and Wildlife
47	Suzanne Zarling, LCRA
48	Ronnie McDonald, Bastrop County Judge
49	Chris and Dinah Van Peski
50	Ronald and Susan O'Neal
51	Will Gullatt
52	Environmental Protection Agency
53	Leroy and Judy Gilbert
54	Ian Nelson
55	Gene Church
56	Texas Commission on Environmental Quality
57	Bill van Benthuyzen
58	Bill G. Graves, Elgin ISD
59	Phil Cook
60	Tommy Hazleton
61	Lorin Vant-Hull

Comments and Responses

Name	Issue and Response
1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 17, 20, 22, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 36, 37, 38, 39, 29, 30, 39, 40, 42, 43, 44 45, 47, 49, 50, 51, 53, 54, 55, 57, 59, 60, 61	<p>Comment 1: Multiple persons were concerned with water quality impacts caused by the discharge of dredged and fill material, construction, and operation of the CTA. Issues raised referenced impacts to surface and subsurface water including the Colorado River, aquifers, the Colorado alluvium, springs, area wells and drinking water. They reference potential pollution, such as jet fuel runoff, toxic chemicals, solvents, degreasers, powdered tire rubber, sewage, storm water, and other waste products that could contaminate the water supply and have a significant impact on the residents and wildlife in the area. Concentration of pollutants caused by the filling of waters of the U.S. was also mentioned.</p> <p>Response 1: See Water Quality Section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>

Name	Issue and Response
<p>2, 9, 11, 12, 16, 22, 30, 35, 37, 39, 43, 44, 45, 47, 49, 51, 53, 61</p>	<p>Comment 2: Several comments were received concerning the discharge of dredged and fill material into the Colorado River, impacts to the river's floodplain, local flooding caused by the CTA project, and/or flooding of the CTA project and maintaining preconstruction flows.</p> <p>Response 2: No discharge of dredged and/or fill material into the Colorado River is planned for this project.</p> <p>The discharge of fills within the floodplain are addressed in and approved by Federal Emergency Management Agency (FEMA) as part of the Conditional Letter of Map Revision (CLOMR) application process. The specific design criteria for the detention pond, concrete culverts, and the grass-lined channels were submitted and approved by FEMA as part of the CLOMR application process. A floodplain study conducted by the applicant indicates post construction flows would not exceed those occurring in pre-construction condition. Further, based on this analysis, it appears that the post-development limits of the 100-year floodplain would decrease by approximately 113.10 acres.</p>
<p>2, 3, 4, 5, 6, 9, 17, 19, 20, 22, 25, 26, 28, 30, 31, 35, 37, 38, 39, 43, 44, 45, 49, 51, 53, 55, 57</p>	<p>Comment 3: Several comments were received concerning impacts to recreation and tourism. These comments noted the river's waters which are frequently used by boaters, fisherman, and for other recreational activities. The Hyatt Lost Pines Resort would be impacted by the airport. McKinney Roughs Nature Park on the banks of the river as well as a few kayaking spots right next to the proposed airport and in the stretch of the river where the proposed airport is planned.</p> <p>Response 3: No substantial impacts to recreation are anticipated from the CTA project. The Colorado River would still be open to kayaking, and for the same reasons provided in Response 1, no long-term adverse water quality impacts are anticipated. Based on our evaluation of information provided by the applicant, it appears that impacts to the nature park and to the resort are expected to be minimal, if any. Also see section on Noise and Land Use Sections of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>

Name	Issue and Response
42	<p>Comment 4: Since this segment [of the Lower Colorado River] 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.</p> <p>Response 4: See Response 1 on water quality. Additionally, because all streams would be eliminated from the project site, opportunities to employ material and construction methods, such as soil lifts and pilot channels, are not compatible with this project.</p>
1, 2, 3, 4, 5, 6, 9, 11, 15, 22, 25, 27, 28, 30, 37, 38, 39, 42, 43, 44, 45, 49, 51, 53, 55, 57, 59, 60	<p>Comment 5: Several commenters are concerned with impacts to threatened and endangered species, fish, wildlife, riparian habitat, habitat fragmentation, and wetlands.</p> <p>Response 5: The proposed project area consists primarily of coastal bermudagrass pastures, with few trees, and is used for the grazing of approximately 400 head of cattle. The southern boundary of the proposed project area is adjacent to the Colorado River. Woody riparian vegetation in the project area is limited to scattered trees adjacent to the Colorado River and trees immediately adjacent to the ephemeral stream (ephemeral stream by definition do not have well developed riparian zones). In addition, there are no wetlands in the proposed project area. Although the project area is well suited for livestock, wildlife habitat in the proposed project area is poor.</p> <p>An ephemeral stream is a stream that has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the ephemeral stream. Runoff from rainfall is the primary source of water for stream flow. The ephemeral streams within the proposed project area have a</p>

Name	Issue and Response
	<p>defined bed, bank, and ordinary high water mark (OHWM) (averaging approximately 7 feet wide) for approximately 5,390 feet. Upstream of the fence line dividing the eastern third of the proposed project area, the stream takes on the characteristics of a grass-lined (bermudagrass) swale for a distance of approximately 2,822 feet. In this area, the stream does not have a defined bed, bank, and OHWM. The total area of streams has an aerial extent of approximately 0.87 acre. There is a cattle stock tank or farm pond on the upstream extent of the swale. The pond is approximately 8.55 acres.</p> <p>Federally threatened and endangered species evaluations were performed as required for submittal with the Application for a Department of the Army Permit. Species included: Houston toad (<i>Bufo houstonensis</i>); whooping crane (<i>Grus americana</i>); and Navasota ladies'-tresses (<i>Spiranthes parksii</i>). The bald eagle (<i>Haliaeetus leucocephalus</i>) was removed from the federal list of threatened and endangered species in 2007, but is protected by the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and the Lacey Act.</p> <p>In conversations regarding federally listed endangered species between the USACE and USFWS, Austin Ecological Field Office, it was agreed that no effect to these species was anticipated from the proposed project.</p> <p>Finally, there is no woody riparian habitat in the project area. No other riparian habitat would be impacted by the proposed project. There is no fish habitat on the proposed project as the cattle tank runs dry too frequently to support fish and the ephemeral streams do not typically contain water. The proposed compensatory mitigation would result in a net gain in aquatic resources in the watershed and the region.</p> <p>Also see the Fish and Wildlife Values Section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>

Name	Issue and Response
<p>3, 4, 5, 6, 7, 9, 11, 15, 49, 25, 26, 31, 32, 33, 36, 39, 40, 42, 47, 49, 50, 57</p>	<p>Comment 6: The Colorado River is a known migratory flyway. The airport runway would end a mere 2,500 feet from the river. Containment ponds proposed at the site would present a hazard not only to birds and wildlife, but would present an aircraft hazard, thereby endangering area residents. A potential conflict is the FAA recommendation that new stormwater management facilities for airports be constructed to drain within 48 hours and not hold standing water that may result in a hazardous wildlife attractant. Where water remains, the FAA recommends construction of wildlife barriers, such as a bird wall, wire grids or netting between the attractant and the area of operation. LCRA recommends a Wildlife Hazard Assessment be performed. There are a lot of concerns regarding the safety of aircraft flying with the abundance of wildlife in the area – particularly large flocks of birds. Having lived in this area for near thirty years I can testify to the thick fogs that often envelope the river valley in this area. Combine this danger with that of airplane collision with large birds on the migration route this project would endanger the citizens of Texas.</p> <p>Response 6: Although the USACE worked in earnest to encourage the applicant to re-design the proposed stormwater pond to incorporate a dry basin, the applicant insisted on maintaining the current design. Due to the USACE limited scope of analysis for this project, combined with the lack of federal funding, the USACE could only strongly encourage, not require such a pond re-design. As such, in an effort to minimize these effects, the applicant proposes to implement standard bird abatement procedures which would become a special condition of any Section 404 permit issued by the USACE. Such procedures are commonly used by airports to dissuade the presence of avian species.</p> <p>Wildlife strikes by aircraft occur en-route and in or near airport environments across the United States and throughout the world. The first aviation related bird strike was reported by Orville Wright in 1905. It is estimated by the FAA that approximately 40 percent of actual wildlife strikes are reported.</p> <p>According to the FAA Wildlife Strike Database, there were</p>

Name	Issue and Response
	<p>858 reported strikes, at ABIA, from Feb 26, 1990 thru June 30, 2010. Typical strikes at ABIA were with: doves, pigeons, hawks, bats, grackles, turkey vultures, etc. There were no reported injuries to persons, as a result of these reported strikes.</p> <p>The Aircraft Owners and Pilots Association (AOPA) states that according to FAA and National Transportation Safety Board (NTSB) data for the period 1976-1990, approximately 99.999998 percent of all "general aviation" departures do not result in a fatality or serious injury to individuals in a building or a residence on the ground.</p>
<p>3, 4, 6, 7, 9, 11, 22, 25, 36, 39, 40, 42, 43, 49, 57</p>	<p>Comment 7: Migrating waterfowl would be negatively impacted by low flying air traffic in the Colorado River watershed.</p> <p>Response 7: See Comment Response 6.</p>
<p>42</p>	<p>Comment 8: We would request that the project conduct an evaluation of the [Austin-Bastrop River Corridor] Partnership's data and talk with Brush Freeman (TPWD) to provide an assessment on the potential impacts of the proposed project on the birds and waterfowl in the impacted area.</p> <p>Response 8: Comment noted. Texas Parks and Wildlife Department (TPWD) commented on the project. No comments from TPWD on impacts to avian species were received. Also see Comment Response 6.</p>
<p>42</p>	<p>Comment 9: 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 along with the "no build" option.</p> <p>Response 9: See Comment Response 2.</p>
<p>61</p>	<p>Comment 10: Parties to the Permit Application (Mr. Carpenter) have previously begun a development in the Manor region, which went bankrupt. Mr. Carpenter also</p>

Name	Issue and Response
	<p>has a fraud conviction against him, which was recently upheld by a second court (in 2009). Consequently, there is reason to be concerned that the development will be initiated, but not completed, leading to a permanent, disrupted, and polluting area of several miles on the banks of the river.</p> <p>Response 10: Comment noted.</p>
47	<p>Comment 11: Replacing a wet-weather stream with impervious lined channels and culverts as proposed will reduce pollutant attenuation, infiltration and base flow to local waterways and the river. Generally, engineered wetlands and water quality wet ponds or other best management practices should be required as mitigation for the loss of these important characteristics. The applicant intends to construct a stormwater detention pond to control flow, but does not discuss whether any treatment processes will filter or attenuate pollutants. Additionally, these generally acceptable best management practices may not be appropriate at this site due to the nature of the proposed business and it is important to understand how these mitigation measures will be met for the life of the project.</p> <p>Response 11: See Responses to Comments 1, 2, 13, 20.</p>
42, 43, 47	<p>Comment 12: As currently proposed, the stormwater detention pond will control only the peak flow and not the volume of flow. Increased runoff volume resulting from impervious cover coupled with peak flow control will result in longer periods of high flow than found in the pre-developed condition. These extended periods of high flow typically contribute to increased streambank erosion in receiving waters. Therefore, the proposed drainage system should include retention of the channel forming discharge (typically the 1-year storm) to control streambank erosion. 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.</p> <p>Response 12: The specific design criteria for the detention pond, concrete culverts, and the grass-lined channels were submitted and approved by FEMA as part of the CLOMR</p>

Name	Issue and Response
	<p>application process. A Floodplain Study was completed and submitted to FEMA as part of the CLOMR approval process. The Floodplain Study reflected the pre-development flows and the CLOMR reflects that those pre-development flows would be maintained and the USACE has determined these conclusions to be reasonable.</p>
56	<p>Comment 13: As a general comment, the TCEQ encourages the use of natural stream channel design rather than complete concrete culverting in stream modification projects.</p> <p>Response 13: Because the ephemeral streams on site are not compatible with the CTA development, appropriate Compensatory Mitigation would be used as indicated in the updated mitigation plan. Elimination of these areas from the entire site is necessary to achieve the stated project purpose. Therefore, an opportunity does not exist to incorporate natural channel design elements into the project.</p>
3, 4, 5, 6, 9, 25, 28, 30, 37, 39, 44, 49, 53, 57	<p>Comment 14: Several comments were received in regards to farmland protection. In addition, the following comment was received. I am also part of a growing group of local farmers in this region who want to pursue organic farming. The land here is very rich and the water is clean and suitable for farming, ranching and this project would ruin my business opportunities and those of all the farmers and ranchers around here. It would also cause extensive disruption to the rice farmers further downstream and pecan orchards that depend on the Colorado River for irrigation of their crops.</p> <p>Response 14: See the Water Quality and Food and Fiber Production/Prime Farmland Sections of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
47	<p>Comment 15: The applicant does not specify what materials will be used to fill the proposed fill sites.</p> <p>Response 15: As described in the Application for a Department of the Army Permit, the material utilized for discharge (fill) would consist of the concrete box culverts</p>

Name	Issue and Response
	<p>and the existing on-site soils. The on-site soils consist of sand, clay, and loam. The concrete box culverts would be either pre-cast and placed by cranes or cast-in-place.</p>
<p>1, 3, 4, 5, 6, 7, 9, 10, 11, 15, 22, 24, 25, 28, 29, 30, 35, 36, 37, 39, 40, 44, 43, 45, 49, 51, 53, 57</p>	<p>Comment 16: Several comments were received regarding the lack of infrastructure and traffic control in the area to support industrial development and surrounding residential neighborhoods. Of particular concern is increased traffic on FM 969 and FM 1204 and the potential need for a bridge crossing the Colorado River. In addition, the potential of increased taxation to pay for the infrastructural improvements was of concern.</p> <p>Response 16: The Capital Area Metropolitan Planning Organization (CAMPO) is the Metropolitan Planning Organization (MPO) for the Bastrop, Caldwell, Hays, Travis, and Williamson Counties in central Texas. The purpose of CAMPO is to coordinate regional transportation planning with counties, cities, and other transportation providers in the region, and to approve the use of federal transportation funds within the region.</p> <p>The CAMPO 2035 Plan (adopted May 24, 2010) includes a future planned roadway improvement to FM 969 from the current geometry to a 4 lane, divided arterial. In addition to the adopted CAMPO 2035 Plan, Bastrop County has an adopted transportation plan.</p> <p>According to the Bastrop County plan, FM 969 should be upgraded to a four lane, divided arterial (consistent with the CAMPO Plan) and FM 1704 should be upgraded to a 4 lane, divided arterial as well. Both FM 969 and FM 1704 are recognized by the County as having a high level of importance for the County and the region.</p> <p>All county taxpayers, including CTA, pay a Road and Bridge Tax. The funds collected by the County are distributed to each County precinct according to the amount of roadways and bridges within the precinct.</p>
<p>4, 5, 7, 8, 9, 11, 14, 24, 25, 36, 38, 39, 40, 43, 49, 50, 57</p>	<p>Comment 17: Several comments were received expressing concerns relative to air quality from exhaust, burnt fuel, and vapors from leaky storage tanks.</p>

Name	Issue and Response
	<p>Response 17: The primary air quality concern for Central Texas is the production of ground level ozone (O3). There are two major emissions types which contribute to O3 formation in Central Texas: Nitrous Oxides (NOX) and Volatile Organic Compounds (VOC). The major producers of NOX and VOC are on-road vehicles, non-road motors, biogenic matter, and point source (e.g., factories, brick yards, etc.). In general, it is widely accepted that reducing the vehicle miles traveled within the region and eliminating emissions blown in from other areas would have the most impact on improving Central Texas' air quality and ensure a continued attainment status of the National Ambient Air Quality Standards.</p> <p>According to the Capital Area Council of Governments (CAPCOG) there are approximately 560,011 daily vehicle work trips in the region (of which Bastrop County generates 19,978).</p> <p>Aircraft operations at general aviation airports do not typically pose a substantial risk of increase in O3. The more likely concern for Bastrop County is an increase in vehicular traffic that would result from the anticipated population growth in the area.</p> <p>During the construction of the proposed CTA, temporary effects on air quality include additional dust generated from construction activities. Efforts would be made to control temporary air quality impacts during construction, including minimizing or eliminating unnecessary idling of construction vehicles and employing a combination of watering, chemical stabilization, and vehicle speed reduction techniques.</p> <p>Indirect effects to air quality may occur to a lesser extent outside the proposed project area during the proposed action and construction. The efforts made to minimize the impacts on site during the proposed action would be effective for the indirect impacts, as they are for the direct impacts.</p> <p>A Spill Prevention Control and Countermeasure plan (SPCC) would be in place for the site and includes provisions for monthly inspections of all tanks, piping,</p>

Name	Issue and Response
	valves, seals, secondary containment and all other associated equipment.
1, 4, 5, 6, 7, 8, 9, 10, 11, 14, 17, 24, 25, 28, 29, 36, 37, 39, 40, 41, 43, 45, 49, 53, 57, 60	<p>Comment 18: Several comments were received concerning noise impacts relative to the CTA. The Hyatt Lost Pines Resort, McKinney Roughs Nature Park, Cedar Creek High School, a church, nearby businesses (including a yoga business) and area residences were commented on relative to these concerns. In particular, quality of life and retirement were primary issues expressed relative to noise impacts.</p> <p>Response 18: Although the project would result in adverse noise effects, general aviation airports do not typically have the noise levels of commercial and military airports. In addition, noise abatement procedures during takeoff and landing make for quieter airport operations. Such procedures consist of a faster takeoff speed and a steeper climb, quickly followed by slowing the engine and reducing the rate of climb, once airborne over a populated area. Once beyond or substantially above the populated area, the engines return to climb settings and normal flight operations are resumed. This lessens the amount of engine noise over the populated area without adversely affecting the flight.</p> <p>Standard noise abatement procedures for arriving and departing aircraft have been developed by aircraft manufacturers and by the National Business Aviation Association. These standard noise abatement procedures are planned to be implemented at CTA.</p> <p>Also, see noise section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
4, 5, 7, 9, 11, 24, 25, 28, 36, 39, 40, 43, 49, 57, 60	<p>Comment 19: Several comments were received relative to light pollution from the CTA.</p> <p>Response 19: The construction of the CTA is anticipated to generate minimal light outside the proposed project site. Most construction is anticipated during regular daylight hours. Best management practices will be employed for any requisite safety lighting to reduce, to the maximum</p>

Name	Issue and Response
	<p>extent practicable, impacts to the regional dark night sky.</p> <p>Airport facilities are illuminated by various types of lighting. These lights can emanate from the airfield (including runway, apron, and navigational lighting) and from landside sources (including buildings, roadways, and parking facilities). Other lighting is located along taxiways and ramps for guidance during periods of low visibility, and to assist aircraft movement on the airfield. Aircraft lighting, such as landing lights, position and navigation lights, beacon lights, and vehicle lighting are other types of light sources on the airfield. There are no Federal statutory or regulatory requirements for adverse effects related to airport-related light emissions or visual effects and no State, regional, or local requirements are applicable to the proposed private action.</p> <p>The proposed action would occur in rural setting along Texas Highway FM 969 at the intersection of Texas Highway FM 1704 approximately 17 miles east of Austin, Texas, 10 miles northeast of Bastrop, Texas, and 10 miles south of Elgin, Texas. The lighting in the area is generally typical of rural agricultural areas near major urban growth centers. Land uses in the vicinity vary from sparsely populated rural residential, ranching, to commercial turf grass operations, film and music production studios, and industrial uses including sand and gravel mining and concrete operations.</p> <p>More than 90% of aircraft operations are expected to occur during daylight hours, and the planned hours of operations for the terminal facilities are 7am -11pm. The limited surrounding residential areas are shielded from airport light emissions, primarily due to the buffer of undeveloped and compatible land uses around the airport, the runway protection zones off the ends of the runway, highways, industrial development, mature trees, and the distance of residential structures from the airport. The various light sources associated with the limited numbers of nighttime aircraft and airfield operations are anticipated to generate minimal light outside of the proposed project site. The Medium Intensity Approach Light System with Runway Alignment Indicator Lights on each end of the runway and the Precision Approach Path Indicator; lighting would be</p>

Name	Issue and Response
	<p>directed upward so no light emission impacts to residential areas would be expected.</p> <p>Landside light sources located at the terminal, hangars, commercial buildings and parking areas, including building security lighting, would consist of common lighting techniques. Light sources would include roof perimeter lights and lighting from the interior of the structures. The future roof perimeter and parapet lights would be shielded and directed down and generally do not spill more than 30 feet away from the source. Energy savings and management technologies will be incorporated into the airfield and landside lighting assets during daytime and nighttime operations and after hours. The terminal building and parking area present the greatest lighting requirements while hangar area lighting is driven by user activity and security needs. The terminal and parking lots are located in a manner that the lighting emissions are shielded by the hangars and commercial buildings and would be observable from the airport perimeter but would not result in an off-airport light emission.</p> <p>Roadway lighting and parking lot lights would consist of amber security lighting or low profile street lights. Such lighting, similar to building light, is directed downward and does not typically spill more than 30-50 feet away from the light source. Therefore light emission impacts as a result of the roadways and parking lots would not be substantial.</p>
47	<p>Comment 20: The information provided in the Permit Application Notice and Section 401 Tier II Water Quality Certification report does not sufficiently address wetland impacts and mitigation. Wetlands are present on the tract on the region of the river oxbow and are not mapped in the report.</p> <p>Response 20: During field investigations and verified by the U.S. Army Corps of Engineers during the site visit on December 15, 2010, there are no existing wetlands in the proposed CTA project area. Additionally, during a site visit on December 20, 2010, the entire area immediately adjacent to the eastern bank of the river oxbow within the proposed CTA project area was walked and there were no wetlands in this area.</p>

Name	Issue and Response
	<p>For compensatory mitigation to waters of the U.S., see the mitigation section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
46	<p>Comment 21: In fast-growing areas ephemeral and headwater streams are often severely and irreversibly altered for development and flood control purposes. On a regional scale, the eradication and channelization of these streams results in a large cumulative impact to the watershed in general. Removing the sinuosity and floodplain access of streams by confining them to underground culverts will increase the volume and flow velocity downstream and potentially cause erosion or flooding in those areas. Water exiting these modified streams has more erosive potential since the water in a channelized stream generally does not have as much suspended sediment in the water column. Burying exacerbates downstream problems by passing contaminants, accelerated flow, and runoff from additional impervious cover further down the watershed.</p> <p>Response 21: See Responses 1, 2, and the mitigation section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
46	<p>Comment 22: TPWD staff is concerned that the proposed stream modifications will result in the irreplaceable loss of stream habitats and functions in this region.</p> <p>Response 22: See Responses 5, 6, and the mitigation section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
1, 2, 4, 5, 6, 7, 9, 10, 20, 24, 25, 36, 39, 40, 43, 49, 57	<p>Comment 23: Multiple comments were received regarding the potential for the loss in property value for residences and businesses.</p> <p>Response 23: A preliminary analysis to determine the loss in value, if any, to properties located in proximity to the proposed CTA in Bastrop County was conducted. The</p>

Name	Issue and Response
	<p>methodology reflects the modern capacity to collect large amounts of data relating to property assessments around any given location.</p> <p>The approach was based on the proposition that homeowners and property owners in the vicinity of the airport would avail themselves of any advantages with regard to the assessments which are pertinent to their particular property. That is to say, if there is a disadvantage to airport proximity of the magnitude of over 25 percent, it would certainly be reflected in the tax assessments for property which is in the vicinity of the airport as opposed to property which is located further away from the airport. The consideration of the airport would either be reflected in the assessment as a Detrimental Condition, or alternatively, would likely be appealed by a prudent owner if not considered by the original assessment. This is based on the simple economic principle that taxpayers want to pay as little tax as possible.</p> <p>The study focused on three airports in Texas which cater to a general aviation constituency, and have similar types of runway and taxiway configurations that are planned for CTA. These airports include David Wayne Hooks Airport, Addison Airport, and Sugar Land Regional Airport. These airports are located in areas which have similar demographics to those which exist in the general Austin-Bastrop region. In the case of residential property, all three locations do not exhibit any substantial difference in the assessment applied to residential housing in each of the three areas based on commonality of characteristics, as a result of proximity to the airport. Variations in assessed values were generally between 3 and 5 percent.</p> <p>In the case of commercial and industrial property, values defined by assessment were, in general, higher for property closer to the airport. In the case of commercial property some of this can be attributed to the large population and customer base which is supported by the economic activity on all three airport environments. This is particularly true for retail property, because people who work at the airport buy things at stores around the airport, and dining at restaurants close to the airport on their lunch hour. Additionally, assessors and appraisers in all three counties</p>

Name	Issue and Response
	<p>do not recognize airport proximity as a detrimental condition for these facilities, nor do they report any noticeable property tax appeal activity based on this concept.</p> <p>Based on this information, the USACE has determined that some property values may be drop by the proposed CTA; however, other property values may rise. Typically, general aviation airports do not impact property values.</p>
5, 25	<p>Comment 24: Our home represents not only the place we plan to spend the rest of our lives but also the place we gather with our families and our eleven grandchildren. The thought of the proposed CTA destroying not only the value of our investment in our home and making it for all practical purposes uninhabitable is devastating. If the development of this proposed airport is allowed to precede, many families, not only those in our neighborhood will suffer an enormous loss of their financial worth and a way of life they have worked to provide for their families.</p> <p>Response 24: See Response to Comment 23. Based on comparisons to other airports with similar demographics, there is no reason to believe that any existing residences would become uninhabitable as a result of this project.</p>
3, 4, 6, 7, 9, 10, 17, 19, 21, 22, 25, 26, 28, 31, 32, 37, 39, 40, 43, 49, 50, 57	<p>Comment 25: Several comments were received concerning the potential economic impacts the proposed project would have on area residences and businesses.</p> <p>Response 25: An Economic Impact Study conducted by The Perryman Group measured the likely economic effects stemming from the construction and development of the proposed CTA and associated facilities, as well as the associated Green Corporate Centers.</p> <ul style="list-style-type: none"> • The total effect of construction of the airport and associated facilities would lead to an additional \$627 million in total spending, \$298 million in output, and 3,818 person-years of employment in the State. • The operation of the airport and related services generate ongoing positive economic effects at

Name	Issue and Response
	<p>maturity including \$878 million in annual total spending, \$398 million in output each year, and 4,730 jobs. Activity would be concentrated in the immediate area, with spillover effects to the region and beyond. Over a typical five-year period, the airport contributes over \$4 billion in cumulative outlays and almost \$2 billion in gross product.</p> <p>The ongoing economic activity associated with this project would, in turn, lead to gains in the direct and indirect tax receipts to local governments and the State.</p>
<p>6, 8, 10, 11, 19, 21, 24, 26, 27, 31, 32, 37, 38, 43, 44, 54</p>	<p>Comment 26: The proposed runway structure would have planes flying a mere 900 ft. above a brand new 2,000 student High School (Cedar Creek High School) the danger that imposes along with the high noise levels and air pollution that it will create make this location unacceptable. Additional commercial traffic would represent an unacceptable safety hazard. Solar panels require space. Where will they be located on the proposed site and how many will there be? Solar panels are also bright and shiny. Will their presence on the CTA property create distractions or safety issues for pilots attempting to approach and depart the airport?</p> <p>Response 26: The arrival and departure patterns would not track over the high school. Currently, certain arrival and departure patterns at Austin Bergstrom International Airport track over the high school. The proposed CTA would be a general aviation airport. The operations of general aviation airports are for purposes other than regularly scheduled commercial passenger and air cargo services. In the event solar panels are installed as part of any future development they would be located and positioned in such a manner to ensure public safety.</p> <p>Also, see Responses to Comments 17 and 18.</p>
<p>3, 4, 6, 7, 9, 13, 25, 30, 35, 36, 37, 38, 39, 40, 41, 44, 49, 53, 54, 57</p>	<p>Comment 27: Multiple comments were received relative to the project's inappropriateness and suitability for a new airport.</p> <p>Response 27: The CTA is only a portion of the overall project, which includes EcoMerge Green Corporate Centers</p>

Name	Issue and Response
	<p>(GCC). GCC and CTA is an economic development, master planned corporate campus, and privately owned general aviation reliever airport. The project offers many benefits that include on-site renewable energy generation, integrated communications services, business services and infrastructure, and an on-site general aviation airport providing services not presently available in the central Texas region. However, the GCC is a separate and complete project and has independent utility from the CTA.</p> <p>Also, see Response to Comment 25 and 26.</p>
<p>10, 11, 19, 21, 22, 38, 43</p>	<p>Comment 28: Comments were received with concerns for historic, cultural, and scenic resources.</p> <p>Response 28: The proposed CTA development was surveyed for the presence of historic and prehistoric sites. Prior to the survey there were no known or recorded sites eligible, or potentially eligible, for listing in the National Register of Historic Places on the property. The cultural resources work included pedestrian survey, shovel-testing, and backhoe trenching. There were no sites or structures of any age located in the permit area. There is a negligible chance of unidentified sites being encountered during construction.</p>
<p>2, 3, 4, 5, 6, 9, 10, 15, 19, 20, 21, 22, 25, 26, 27, 28, 30, 36, 37, 38, 39, 41, 43, 44, 49, 57, 60</p>	<p>Comment 29: Several comments were received stating that the project was not needed, that there are a number of executive and reliever airports already operating in the area, and these airports fill the need. Some of these comments suggested that this project may impact the existing operations of other airports. One comment stated that as a professional pilot he sees no need for the proposed airport, CTA, in Bastrop, Texas. The two fixed based operators at Bergstrom Airport are only working at about 40% of capacity. Also, with exception of the Northeast Corner, the entire east side of Bergstrom Airport could be developed. One must consider the New Executive Airport just north of Bergstrom that will be opening in a couple of months. As far as maintenance is concerned, all major manufacturers have service centers in Dallas, Houston, and San Antonio.</p> <p>Response 29: CTA, LLC is proposing to construct a general aviation reliever airport on an approximately 1,100-</p>

Name	Issue and Response
	<p>acre tract in Bastrop County, Texas. The proposed CTA would be one component in the proposed development by Green Corporate Centers Holdings, Inc. (GCCH). GCCH is headquartered in Austin, Texas, and was formed to develop a privately constructed, approximately 1,000-acre "green" business site with a privately owned and operated general aviation reliever airport as the economic engine at its core.</p> <p>The proposed CTA would serve the Austin metropolitan area, the 15th largest metropolitan population in the U.S. The closing of both Robert Mueller Municipal and Austin Executive Airports in 1999 resulted in the displacement of over 400 general aviation aircraft, along with virtually all associated maintenance, repair, and support businesses, creating the operational need for a general aviation reliever airport in the Austin metropolitan region.</p> <p>ABIA was designed to primarily support commercial passenger and air cargo businesses. Until recently, two supporting general aviation reliever airports existed in the Central Texas region. Neither of the two supporting general aviation airports is conveniently located to Austin, nor are they suitable for supporting Austin's current or future general aviation needs. Multiple prior attempts to secure a site and build a general aviation reliever airport nearer to Austin by the Federal Aviation Administration, the Texas Department of Transportation, and the City of Austin have not succeeded.</p> <p>CTA's proposed 7,200-foot precision approach runway would be capable of supporting all types and classes of general aviation aircraft and would be comparable to executive general aviation operations at Houston's Hobby or Dallas' Addison Airports, and would be available for public use. The CTA would fill Austin's void in general aviation support by providing facilities needed for the growing aviation demand created over the past 11 years. CTA plans to recruit and support a full array of aviation sales, charter, leasing, maintenance, and repair and support businesses.</p> <p>The recently completed Austin Executive Airport (formerly Bird's Nest) opened for business in June of 2011, and helps</p>

Name	Issue and Response
	<p>fill the needs of the general aviation community in Central Texas. The proposed operations of the Austin Executive Airport would be a compliment to the operations of the CTA and Austin Bergstrom International Airport.</p> <p>Based on this information, the USACE has determined the applicant has demonstrated a need for the project.</p>
14, 26, 31, 55	<p>Comment 30: Comments were received concerning increased border security, drug trafficking, and law enforcement problems and issues relative to the CTA.</p> <p>Response 30: There is no reason to believe that this airport would create a larger security risk to the region than any other general aviation airport. The CTA and other people using the airport would be subject to the same federal, state, and local laws and law enforcement as anyone else.</p>
9, 10, 19, 21, 22, 43, 60	<p>Comment 31: Several comments were received concerning "property ownership" and "confiscated" property.</p> <p>Response 31: Under current Texas State Law, no land can be "confiscated" for private economic development. No private property would be "confiscated" by the applicant.</p>
16, 22, 45, 54, 60	<p>Comment 32: We have major concerns for the negative environmental impacts this project would have on our neighborhood and the surrounding area.</p> <p>Response 32: See all comment responses.</p>
1, 3, 4, 5, 6, 9, 19, 25, 26, 27, 28, 30, 31, 32, 36, 37, 38, 39, 41, 42, 43, 50, 51, 54, 55, 57, 60	<p>Comment 33: Multiple comments were received concerning the lack of federal/government regulation and oversight, including local, county, and city oversight relative to private funding for the CTA. Specifically, agencies and authorities mentioned included the EPA, the FAA, "Federal Security," City of Bastrop, and Bastrop County. These concerns included uncontrolled development and safety.</p> <p>Response 33: Under Section 404 of the Clean Water Act the U. S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. USACE responsibility</p>

Name	Issue and Response
	<p>under Section 10 of the Rivers and Harbors Act of 1899 is to regulate any work in, or affecting, navigable waters of the United States. Based on the description of the proposed work, and other information available to us, we have determined this project would involve activities subject to the requirements of Section 404. The USACE based this decision on a preliminary jurisdictional determination that there are waters of the United States within the project site. While the USACE is performing this Environmental Assessment of the proposed CTA to comply with the National Environmental Policy Act (NEPA), its review authority is limited by these laws and associated regulations, court decisions, rules, and legal guidance.</p> <p>In accordance with Section 404, the Applicant has submitted an Application for a Department of the Army Permit. As part of the application process, required environmental evaluations are conducted, and the project is reviewed by the Environmental Protection Agency, the USACE, U.S. Fish and Wildlife Service, Texas Historical Commission, Texas Commission on Environmental Quality, and Texas Parks and Wildlife. The applicant has also applied for and received approval from the Federal Aviation Administration, in an advisory role, for airspace for the proposed CTA. The Applicant has submitted data and a request for a change in the FEMA floodplain for the proposed project, and FEMA has issued a Conditional Letter of Map Revision (CLOMR) Change for this activity.</p> <p>Privately funded airports have limited review by the FAA. No federal agency has the authority to review projects outside of their responsibility; therefore, the FAA could not provide regulatory review of this project even if requested by the applicant.</p> <p>Also, see responses to Comments 1, 2, 5, and 9.</p>
43	<p>Comment 34: At the county's request, the 381 Agreement (a contractual arrangement between Bastrop County and the applicant) stipulates that the proposed CTA will not be required to obtain an Airport Operating Certificate (AOC). This decision by the County exempts the airport from having to adhere to the 14 CFR Part 139 rules which are mandatory with an AOC but otherwise optional.</p>

Name	Issue and Response
	<p>Response 34: CTA has not been granted an exemption to 14 CFR Part 139 (Part 139). Part 139 is not applicable to CTA. Part 139 is only applicable to certain specific airports, not all airports. It is only for airports that have scheduled air carrier operations (such as Southwest Airlines). If air carrier service does not currently exist, or is not planned for a certain date, the standards of Part 139 do not apply to the airport. Part 139 is not applicable to CTA.</p>
<p>9, 16, 35, 37, 38, 42, 43, 48, 50, 51, 55, 59</p>	<p>Comment 35: Several comments requested NEPA analysis of the project and public disclosure of the Environmental Document.</p> <p>Response 35: Under Section 404 of the Clean Water Act the U. S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. USACE responsibility under Section 10 of the Rivers and Harbors Act of 1899 is to regulate any work in, or affecting, navigable waters of the United States. Based on the description of the proposed work, and other information available to us, we have determined this project would involve activities subject to the requirements of Section 404. The USACE based this decision on a preliminary jurisdictional determination that there are waters of the United States within the project site. While the USACE is performing this Environmental Assessment, 404(b)(1) Guidelines Evaluation, Public Interest Review, and Statement of Findings for the proposed CTA, its review authority is limited to these waters and the area surrounding waters of the U.S. This Environmental Assessment document is subject to a Freedom of Information Act (FOIA) request and may be obtained after a permit decision is made.</p> <p>Also, see response to Comment 33.</p>
<p>6</p>	<p>Comment 36: Open containment ponds in a known wildlife area are not in compliance with FAA recommendations.</p> <p>Response 36: See responses to Comments 6, 7, and 33.</p>
<p>9, 28, 30, 36, 39, 40, 49,</p>	<p>Comment 37: Applicant has not solicited any public</p>

Name	Issue and Response
51, 60	<p>comment on this proposed development from the local community.</p> <p>Response 37: In accordance with the Clean Water Act, the Applicant has submitted an Application for a Department of the Army Permit. Part of the application includes a public comment period, during which these comments were received.</p>
56	<p>Comment 38: The applicant proposes to construct an on-channel 26-acre water detention pond for this project. The applicant should consult with the TCEQ Water Rights Permitting and Availability Section to determine if a water rights permit is required for this project.</p> <p>Response 38: This comment was forward to the applicant for action. All TCEQ regulations and requirements would be implemented as necessary.</p>
10, 19, 21, 43	<p>Comment 39: Comments were received stating that the public notice for the project was insufficient to evaluate the project and make comments.</p> <p>Response 39: The public notice was prepared in accordance with the Clean Water Act regulations, rules, and guidance for Department of the Army, Standard Individual Permits. The purpose of the public notice is to inform the public of a proposal for work in which they might be interested. It is also to solicit comments and information to better enable the USACE to make a reasonable decision on factors affecting the public interest. The public notice is not intended to be an analysis of the proposed project.</p>
22	<p>Comment 40: A comment was received relative to navigation.</p> <p>Response 40: As previously discussed, the project would have direct impacts to ephemeral streams and a pond. The proposed project would not have direct impacts to the Colorado River and would not impact navigation.</p>
35	<p>Comment 41: The developer has made multiple unsubstantiated statements and promises. One is that the</p>

Name	Issue and Response
	<p>proposed development would bring over 40,000 jobs to the area...a claim for which the developer has provided no supporting documentation. ...also claimed that various international companies have already signed on to this project, including Toshiba. Again, he has provided nothing to substantiate this claim.</p> <p>Response 41: Comment noted.</p>
11	<p>Comment 42: In reality, it is difficult to capture the full scope of impacts that will result from the applicant's proposed development because little factual information is available to the public, especially with respect to the 4 million plus square feet of commercial development indicated in the application. Further, the paucity of information that does become available is inconsistent and constantly shifting.</p> <p>Response 42: Comment noted.</p>
43	<p>Comment 43: A comment was received on the unclear nature of the flights to be served by the proposed airport... All-cargo operations can land at a non-139-certified airport as long as they are not scheduled charter flights. What this means is that all-cargo operations that are either non-charter or negotiated-charter can land at non-139-certified airports... This raises the specter of the CTA becoming a charter cargo hub which for all practical purposes could transform this venture into a "commercial" facility that would be anything but a "general aviation" airport.</p> <p>Response 43: In the U.S., more than sixty percent of all air cargo is carried in the baggage holds (called "belly cargo") of scheduled passenger airliners, and it would be extremely difficult and inefficient to isolate cargo from passenger operations. All-cargo (i.e. cargo only) operations are not easily separated from passenger-cargo operations. Because belly cargo is carried on passenger aircraft, that operation must remain at the air carrier airports. Separation of all-cargo and belly cargo would force agents and freight forwarders, who deal in both types of operations, to maintain facilities at two or more locations, which would be inefficient and cost prohibitive.</p>

Name	Issue and Response
	<p>Air cargo operations are centered at Austin Bergstrom International Airport (ABIA), where there are handling facilities designed to accommodate that type of traffic. According to the applicant, CTA could not support an economically viable cargo operation. It would not have the infrastructure and plans do not call for any such development.</p>
38	<p>Comment 44: There is vague information regarding the “green” businesses that are proposed to also be in the development.</p> <p>Response 44: Although evaluation of the proposed “green business” development is beyond the scope of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506, the applicant has provided the following details.</p> <p>The proposed CTA project is a single and complete project. CTA is one component of a proposed “green” development by GCCH. Based on information provided by the applicant, the goal of GCCH is to recruit strategic partners to develop, demonstrate, and manufacture products at the equivalent of a “Global Eco-Trade Center” marketplace for the Western Hemisphere. The GCCH has entered into a strategic partnership with Eco-Merge USA, LLC (Eco-Merge) and Tiga Energy Services, Inc. (Tiga) to create a world class development to be called Eco-Merge Green Corporate Centers (Eco-Project).</p> <p>Eco-Merge, which is a consortium led by Dentsu, Inc. of Japan, is presently recruiting strategic partners for the Eco-Project, including many of the world’s leading companies from America, Japan, Korea, India, and China, to bring technology, and research and development demonstrations from their respective countries. These include electric automobile design/manufacturers, alternative energy developers/manufacturers, green building design/material manufacturers, energy technology, conservation management companies, an eco-farming facility, an eco-entertainment district, and communications infrastructure and service businesses. It is intended that the Eco-Project would be a world demonstration showcase for the ecologically-sustainable development of aviation,</p>

Name	Issue and Response
	<p>transportation, commercial, industrial, and residential communities.</p> <p>Tiga is a communications services and consulting firm that provides network security, connectivity, and interoperability solutions to industry. Through their strategic partnership with GCCH, Tiga plans to design a leading-edge communications platform to provide voice, data, and video communication services to the entire development campus. In addition to the planned communications infrastructure for the management of building controls and energy-related systems, GCCH also plans to introduce the world's first IP ("Internet Protocol") based Smart-Micro-Grid™ featuring real-time energy information capture, management and reporting for all energy generation, storage, transmission, and consumption data for the development.</p> <p>The initial group of Eco-Project participants are:</p> <p><u>Toshiba International Corporation</u> – Plans an installation of its leading solar-energy technology to produce nearly 10 megawatts of photovoltaic electric generation, employing advanced storage technology, energy management, and smart-grid interfaces with secure communications technology in partnership with Tiga.</p> <p><u>ecoSolargy, Inc.</u> – eco-Solargy, whose parent company is Tianwei Clean Energy of Chengdu, China, is a globally recognized advanced developer and manufacturer of cost-effective photovoltaic modules to collect solar power, which proposes to construct a 50 megawatt annual capacity manufacturing facility.</p> <p><u>Yerico manufacturing, Inc.</u> – (formerly URI Energy, Inc., of Korea) Yerico is a company which creates and produces LED displays and lights that last longer, are more energy efficient, and contain less carbon dioxide and no mercury or cadmium.</p> <p><u>Akash Ganga Pvt. Ltd.</u> – Akash Ganga of Chennai, India, is a developer and manufacturer of innovative</p>

Name	Issue and Response
	<p>products for extracting pure drinking water from the atmosphere.</p> <p>The CTA and Eco-Merge are also in discussions with several other multinational companies about locating facilities at the Eco-Project.</p>
47	<p>Comment 45: We believe that future phases and contingency plans of the project could also have impacts on waters of the U.S. and should be addressed at this time as a part of the full and complete project.</p> <p>Response 45: The USACE is evaluating the single and complete project with independent utility from all other phases of development. Should other projects that lack independent utility be proposed at a future date, the applicant would need to modify the Section 404 permit.</p>
12	<p>Comment 46: 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 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. 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. The City would like to review the engineering design of the storm water box culverts and channel system.... the proposed 26-acre detention pond and site runoff.... the information submitted to FEMA for the floodplain and the associated LOMR-F and/or CLOMA, if applicable.... the floodplain information related to the Project sent to the City, due to the City's extended EJT.... what affect the box culverts and channels will have on the upstream property owners and Colorado</p>

Name	Issue and Response
	<p>River.... 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. 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.... whether any new floodplains (e.g., 100 or 500 year) have been/will be established with regards to this Project. ...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.) ...an opportunity to see the amount of forest/woods that will be destroyed with this Project and how the mitigation will offset that affect. ...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. ...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. ...information concerning where the Project's wastewater will go and how it will be treated. ...what entity will supply potable water to the Project. ...whether a wetland survey has been performed, and if not whether it will be required and the schedule for performance of the same. ...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. ...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.</p> <p>Response 46: The U.S. Army Corps of Engineers is evaluating the CTA to ensure compliance with Section 404 of the Clean Water Act. The CTA would need to comply with the terms and conditions of the Individual Permit, as well as other state and federal regulations. Information submitted to the USACE by the consultant is subject to the Freedom of Information Act (FOIA) and the city could</p>

Name	Issue and Response
	<p>request all information submitted by the applicant through FOIA. However, the information submitted to the USACE may be no more than the type and amount of information needed to allow the USACE the ability to render a permit decision.</p> <p>Also, see other responses to comments.</p>
43	<p>Comment 47: It appears that neither Mr. Carpenter nor the CTA own the land on which they propose to build this project. Nor is there any indication that the owners of the land support this application.</p> <p>Response 47: Property ownership issues are beyond the scope the 404 permitting process. Comment noted.</p>
30, 38, 39, 40, 50	<p>Comment 48: Applicant has submitted an incomplete application regarding additional planned developments at the site.</p> <p>Response 48: The activity for which the application for a Department of the Army permit was submitted is the proposed construction of the CTA, runway, and associated buildings. The USACE is evaluating the single and complete project with independent utility from all other potential future phases of development. In the event other projects without independent utility from the current project are proposed, the USACE would evaluate the project and may determine the applicant needs to submit a permit modification rather than a separate permit application.</p>
52	<p>Comment 49: Much more information is needed in the Public Notice to evaluate whether the permittee-responsible requirements are being implemented.</p> <p>Response 49: As required by the issuance of a Department of the Army Permit for the proposed project, the Applicant would implement the mitigation plan prior to ground disturbing activities within waters of the U.S.</p>
56	<p>Comment 50: In the response to Item I.D of the Alternative Analysis Checklist, the applicant indicated that there are no other locations and airspace within the Central Texas</p>

Name	Issue and Response
	<p>region that could efficiently provide a suitable site for a general aviation reliever airport. The applicant, therefore, states that no other sites were considered for this project. Practicable alternatives are preliminarily assumed to exist, but the applicant does have the opportunity to clearly demonstrate that no practical alternatives exist. Please have the applicant complete Item I.D of the TCEQ's Alternatives Analysis Checklist as required by Section 401 of the Clean Water Act.</p> <p>Response 50: Alternative locations were addressed and analyzed in accordance with the Section 404(b)(1) guidelines, and it was determined that the current site best serves the needs of the general aviation community in Central Texas in terms of location and air space compatibility. See Alternative Analysis Section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506. The applicant would complete Item I.D of the TCEQ's Alternatives Analysis Checklist.</p>
56	<p>Comment 51: There appear to be discrepancies in the amount of impact and mitigation described in the PN compared to the Tier II Questionnaire/MP, which was submitted by the applicant. Please clarify these discrepancies with the applicant and have the applicant submit a revision of the Tier II Questionnaire and MP if necessary.</p> <p>Response 51: The U.S. Army Corps of Engineers revised the amount of impact found in the public notice and mitigation plan in the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506. Therefore, the Applicant would make the revisions to the Tier II Questionnaire and mitigation plan and resubmit them to the TCEQ.</p>
56	<p>Comment 52: Topographic and satellite imagery maps of the area show additional waters (approximately 9,500 linear feet of tributary) extending north and northeast from the ephemeral stream identified as WAT 4 towards the applicant's property boundary. These tributaries appear to cross FM 969 at two different points. Please clarify whether there are any additional impacts to jurisdictional</p>

Name	Issue and Response
	<p>waters in the north and northeastern part of the property. If the U.S. Army Corps of Engineers has determined that these waters are not jurisdictional, the TCEQ recommends that the applicant mitigate for impact to waters in the state.</p> <p>Response 52: The USACE made a site visit on December 15, 2010, in part to determine the extent of waters of the U.S. Our field determination confirmed the limits of waters of the U.S. as depicted in the applicant's final submittal. Impacts from the proposed project are as stated in the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506. The USACE does not have jurisdiction over other waters and non-waters, such as grass-lined swales, rill erosion, and off-channel ponds dug in uplands.</p>
56	<p>Comment 53: If the applicant's plan is for permittee-responsible mitigation, the MP should include sections on monitoring, site protection instrument, long-term management, adaptive management, and financial assurances.</p> <p>Response 53: The applicant's mitigation plan is to purchase mitigation credits from an USACE approved mitigation bank. No permittee-responsible mitigation would occur.</p>
56	<p>Comment 54: Please have the applicant explain how the functional values of the tributaries and open water proposed to be impacted (including water in the state) will be determined and how the proposed mitigation will adequately compensate for the loss of those aquatic resources.</p> <p>Response 54: The loss of aquatic resources would be compensated by an USACE-approved mitigation plan that would be implemented based on TxRAM. For further information, please see the mitigation section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
56	<p>Comment 55: Please have the applicant indicate how on-site water quality will be maintained during construction and after completion of the project. Please explain how</p>

Name	Issue and Response
	<p>water quality will be protected from any potential fuel spill. The applicant should also consult with the TCEQ Storm Water Team to determine if coverage is necessary under Multi-Sector General Permit for any industrial storm water discharge.</p> <p>Response 55: See Response to Comment 1, and the Teir II Water Quality Questionnaire submitted to TCEQ by the applicant.</p>
56	<p>Comment 56: Please have the applicant clarify how they will ensure adequate hydrology necessary to support long-term sustainability of the mitigation areas.</p> <p>Response 56: Please refer to the mitigation section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
56	<p>Comment 57: Please provide a jurisdictional determination of the applicant's property that has been verified by the Corps.</p> <p>Response 57: The U.S. Army Corps of Engineers performed a jurisdictional determination at the proposed project location on December 15, 2010, and the extent of waters of the U.S. is reflected in the public notice.</p>
46	<p>Comment 58: It is unclear from the Public Notice and the January 2011 Mitigation Plan how the location for the detention pond was selected or whether site conditions would allow the pond to be positioned elsewhere on the property.</p> <p>Response 58: One of the main constraints relative to pond placement related to the site's moderate topographic relief. Additionally the location of the proposed detention pond was placed on the existing drainage course as the optimum location to control post-construction flows to a maximum of pre-construction flows.</p>
46	<p>Comment 59: A portion of the proposed riparian plantings would occur on 4,000 lf of an oxbow of the Colorado River. However, there is no indication in the PN or the MP that this feature has been determined to be jurisdictional. Non-jurisdictional features should not be permitted to</p>

Name	Issue and Response
	<p>compensate for impacts to waters of the U.S.</p> <p>Response 59: The applicant's Mitigation Plan no longer includes mitigation on the oxbow. Please see the mitigation plan section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
46	<p>Comment 60: A Fort Worth District approved functional assessment should be performed to establish baseline conditions and measure progress at the mitigation site(s). The final assessment should indicate a minimum 1:1 ratio of functions lost versus functions gained. The applicant should use an assessment method that considers temporal losses and the risk of project failure in the calculation of total functions gained.</p> <p>Response 60: All components of the above comment would be implemented in the mitigation plan.</p>
46	<p>Comment 61: A success criterion should be set for woody species diversity on Section 5.1 of the MP.</p> <p>Response 61: Please see the mitigation plan section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>
46	<p>Comment 62: In order to ensure that impacts to waters of the U.S. and the State's fish and wildlife resources will be appropriately mitigated; the applicant should address these issues and incorporate changes into the MP prior to permit issuance.</p> <p>Response 62: Please see the mitigation plan section of the Department of the Army Environmental Assessment and Statement of Finding for Application SWF-2010-00506.</p>