



# Public Notice

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U.S. Army Corps  
of Engineers  
Tulsa District

Reply To:

U.S. Army Corps of Engineers  
ATTN: Regulatory Office  
1645 South 101st East Avenue  
Tulsa, Oklahoma 74128-4609

SWT-0-14659  
Public Notice No.

February 20, 2015  
Public Notice Date

April 21, 2015  
Expiration Date

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**PUBLIC NOTICE  
FOR NOTICE OF AVAILABILITY OF ENVIRONMENTAL IMPACT STATEMENT AND  
SECTION 404 PERMIT APPLICATION SUBMITTED TO THE U.S. ARMY CORPS OF  
ENGINEERS**

**SUBJECT:** Notice of application for a Department of the Army permit under Section 404 of the Clean Water Act; Notice of Availability (NOA) of Draft Environmental Impact Statement (EIS); and Notice of Public Meeting for the proposed Lower Bois d'Arc Creek Reservoir (LBCR) project, Fannin County, Texas. The U.S. Army Corps of Engineers, Tulsa District, is evaluating a permit application for the construction of a 10,400-foot long earthen dam that is expected to inundate 16,641 acres along Bois d'Arc Creek. This notice is to inform interested parties of the publishing of the Draft EIS; the location, date, and time of the public meeting; and to solicit comments on the proposed activities.

**DRAFT EIS:** The Corps has prepared a Draft EIS pursuant to the National Environmental Policy Act (NEPA) of 1969, to analyze the direct, indirect, and cumulative effects associated with the proposal. The purpose of the Draft EIS is to provide decision-makers and the public with information pertaining to the Proposed Action and alternatives, and to disclose environmental impacts and identify mitigation measures to reduce impacts. The Draft EIS was prepared in accordance with the NEPA, as amended, and the Corps regulations for NEPA implementation (33 CFR parts 230 and 325, Appendices B and C). The Corps, Tulsa District, Regulatory Office is the lead federal agency responsible for the Draft EIS and information contained in it will serve as the basis for a decision whether to issue a Section 404 permit. It also provides information for federal, state, and local agencies having jurisdictional responsibility for affected resources. The U.S. Environmental Protection Agency Region 6, U.S. Fish and Wildlife Service, U.S. Forest Service, and Texas Department of Parks and Wildlife participated as cooperating agencies in the formulation of the Draft EIS.

Copies of the Draft EIS are available for review at the following locations:

- Bonham Public Library, 305 East 5th Street, Bonham, TX 75418
- Sam Rayburn Library, 800 West Sam Rayburn Drive, Bonham, TX 75418
- Bertha Voyer Memorial Library, 500 6th Street, Honey Grove, TX 75446

- Leonard Public Library, 102 South Main Street, Leonard, TX 75452
- North Texas Municipal Water District headquarters, 505 East Brown Street, Wylie, TX 75098
- U.S. Army Corps of Engineers, Tulsa District, Regulatory Office, 1645 South 101<sup>st</sup> East Avenue, Tulsa, OK 74128-4609

Electronic copies of the Draft EIS may be obtained from the Tulsa Regulatory Office or its website at <http://www.swt.usace.army.mil/Missions/Regulatory/PublicNotices/tabid/4955/Year/2015/Default.aspx>.

**PUBLIC MEETING:** Written comments may also be presented at the public meeting to be held Tuesday, March 24, 2015, at the Fannin County Multi-Purpose Complex, FM 87, 700 Texas 56, Bonham, TX 75418 at 6 p.m.

The public meeting will consist of an open house format to allow the public an opportunity to review information associated with the Draft EIS and ask questions of resource specialists concerning the document. The open house will not include a formal presentation about LBCR or the Draft EIS.

**PERMIT APPLICATION:** In addition to soliciting comments on the Draft EIS, the Corps is also soliciting comments on a pending permit application for a proposed LBCR project. Under its Regulatory Program, the Corps will complete a decision for a Department of the Army permit application for the discharge of dredged and/or fill material for the proposed project following the completion of the Final EIS and Record of Decision.

**AUTHORITY:** This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged and/or fill material in waters of the United States.

**APPLICANT:** North Texas Municipal Water District (NTMWD), 505 East Brown Street, Wylie, TX 75098.

**LOCATION:** The proposed project is located in Fannin County, Texas. The proposed LBCR dam site is located approximately 15 miles northeast of Bonham, Texas, at Latitude 33.712109, Longitude -95.971286.

**PROJECT DESCRIPTION:** The applicant is requesting authorization to excavate and place fill material into Bois d'Arc Creek, a tributary of the Red River. The applicant proposes to construct the dam for the LBCR, which would allow the storage of about 367,609 acre-feet of water. The proposed reservoir would inundate several roads crossing Bois d'Arc Creek within the reservoir's footprint. The realignment of FM 1396 and the construction of a new bridge over the reservoir would occur concurrently with dam construction and prior to impoundment of water within the reservoir. Also, associated with the LBCR would be a raw water intake pump station and electrical substation at the reservoir site, as well as a 90-to 96-inch diameter buried pipeline to transport raw water from the new reservoir approximately 35 miles in a southwesterly direction to a new water treatment plant (WTP) and terminal storage reservoir

(TSR) that would be located west of the City of Leonard, also in Fannin County. Construction of the dam, reservoir, and related project components (road relocation, bridge construction, WTP, TSR, etc.) would take several years in all.

Construction of the reservoir and related facilities would result in direct, permanent impacts to approximately 6,180 acres of wetlands and 651,024 linear feet of streams. Approximately 4,602 acres of forested wetland would be impacted, 1,223 acres of emergent wetland, 49 acres of shrub wetland, and 87 acres of open waters.

At its full conservation elevation of 534 feet mean sea level (msl), the reservoir is expected to cover 16,641 acres and be approximately 70 feet deep at its deepest point. The dam would be constructed as a zoned earthen embankment; approximately 10,400 feet long and would have a maximum height of about 90 feet. The top elevation of the embankment would be 553.5 feet msl. The upstream slope of the embankment would be 3 horizontal to 1 vertical (3:1), and the downstream side slightly less inclined at a slope of 3.5:1. All fill for the embankment is expected to come from required excavations of the spillways and from the reservoir pool area. Soil cement would be placed on the upstream slope and a grass cover would be placed on the downstream slope.

Selected trees and shrubs would be cleared from the LBCR footprint prior to impoundment of water behind the dam. Standing woody material, including dead and living trees and shrubs 5 feet tall or taller, as well as fallen trees 5 feet or more in length with a diameter of 6 inches or greater, would be cleared and removed.

As noted, NTMWD would also construct raw water transmission facilities. These facilities would be part of an overall system of raw water storage, transmission, treatment, and treated water transmission facilities that would ultimately provide water to the growing northern areas of the NTMWDs service area. These proposed facilities include a raw water intake pump station and electrical substation at the reservoir site and approximately 35 miles of 90-to 96-inch diameter raw water pipeline.

The proposed raw water pipeline would generally run from just downstream of the proposed LBCR dam site in a southwesterly direction to just west of Leonard. The proposed pipeline would have a permanent easement width of 50 feet and a temporary easement width of 70 feet. Construction of the proposed pipeline would take place primarily with open-trench construction methods. However, three larger stream crossings (Ward, Honey Grove, and Bullard Creeks) would be tunneled. Once the pipeline is in place, all pre-construction contours would be restored, exposed slopes and streambanks would be stabilized, and disturbed areas would be revegetated.

The TSR is proposed for construction just west of the City of Leonard on an upland site. The TSR site would consist of a north cell and a south cell, with grading limits of approximately 153.5 acres. Both cells would hold approximately 210 million gallons of water, thus providing a total of approximately 2 days of storage during peak water demand periods. The TSR site would be designed in such a way that it can be drained and the flow directed into the Red River Basin.

Raw water transported from the proposed reservoir would be treated at a proposed WTP close to the TSR. The final WTP layout and processes would not be determined until the design phase of the LBCR project. The new WTP would likely be a conventional, modular arrangement treatment facility, similar to the existing WTP IV in Wylie, but with the addition of ozonation facilities.

## **PROJECT PURPOSE AND NEED**

**BASIC PROJECT PURPOSE:** The basic project purpose is water supply.

**OVERALL PROJECT PURPOSE:** The purpose of LBCR is to provide the NTMWD with approximately 126,200 acre-feet/year (AFY) of new reliable municipal water supply annually, which will meet a portion of the applicant's reasonably projected future additional water supply needs.

Up to 175,000 AFY of water would be diverted from the LBCR, with an estimated firm yield of 126,200 AFY, and transported for treatment at the new WTP and eventual delivery to member cities and direct customers in NTMWDs service area, which includes all or portions of Collin, Dallas, Denton, Fannin, Hopkins, Hunt, Kaufman, Rains, and Rockwall Counties in northern Texas.

This project is one among several large projects that NTMWD would have to construct and bring online over the coming decades to meet projected population growth and increasing water demand within its service area northeast of Dallas, Texas.

**MITIGATION:** An aquatic resources mitigation plan has been prepared by the applicant to comply with the federal policy of "no overall net loss of wetlands" and to provide compensatory mitigation, to the extent practicable, for impacts to other waters of the United States that would be impacted by construction of the proposed reservoir. NTMWD has purchased a 14,960-acre parcel of land known as the Riverby Ranch, which borders the Red River. This working ranch is located downstream of the proposed project within both the same watershed (Bois d'Arc Creek) and the same county (Fannin). NTMWD acquired the Riverby Ranch specifically because its biophysical features have the potential to provide appropriate mitigation for the proposed project. Additional mitigation would be provided within the proposed reservoir itself and on Bois d'Arc Creek downstream of the reservoir as a result of an operations plan and flow regime established in consultation with the Texas Commission on Environmental Quality (TCEQ), and stipulated in the Draft Water Right Permit issued by TCEQ to NTMWD.

**ENDANGERED SPECIES:** No Biological Assessment has been prepared because no Federally threatened or endangered species would be affected by the proposed action, as explained in Section 4.7.1.4 of the Draft EIS.

**HISTORIC PROPERTIES:** In compliance with the National Historic Preservation Act of 1966, as amended, the Corps has determined that the described project will have an adverse effect on historic properties (36 CFR 800.3(a)(1)). The Corps entered into a Programmatic Agreement (PA) with the Caddo Nation of Oklahoma, Texas SHPO (Texas Historical

Commission), and NTMWD. The PA sets forth how cultural resources will be addressed and mitigated.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the Proposed Action on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against the reasonably foreseeable detriments. All factors that may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

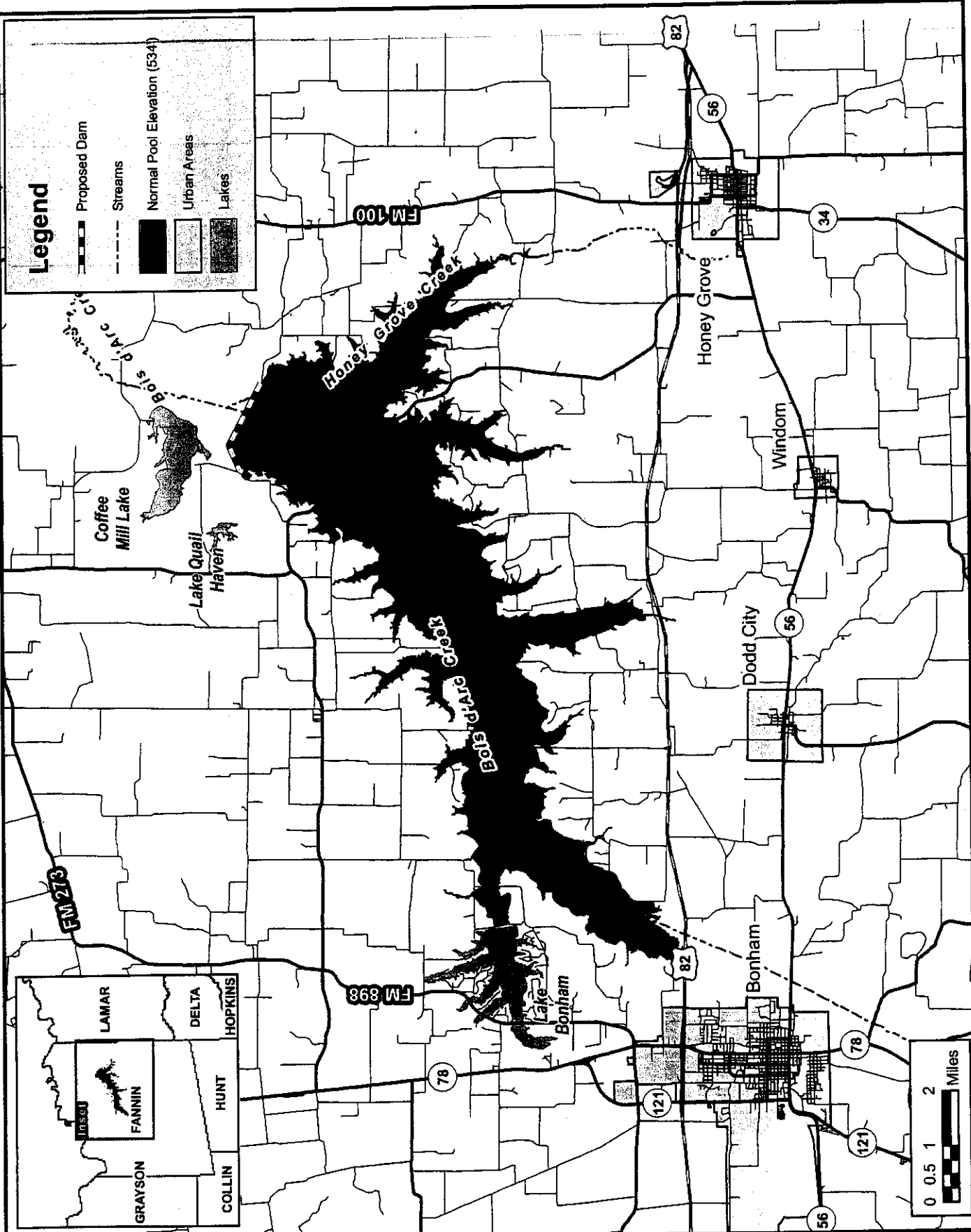
The Corps is soliciting written comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above.

**SUBMITTING COMMENTS:** All written comments on the Draft EIS and replies to the public notice for the Section 404 permit application can be submitted at the public meeting, on a form that will be made available, or submitted to the office listed below on or before April 21, 2015.

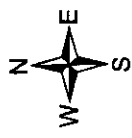
Mr. Andrew Commer  
U.S. Army Corps of Engineers  
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Tulsa, OK 74128-4609  
Fax: 918-669-4306 / Email: [ceswt-ro@usace.army.mil](mailto:ceswt-ro@usace.army.mil)

Andrew R. Commer  
Chief, Regulatory Office

Enclosures



**FN**  
**Freese and Nichols**  
 4055 International Plaza, Suite 200  
 Fort Worth, TX 76109 - 4895  
 Phone - (817) 735 - 7300



North Texas Municipal Water District  
 Proposed Lower Bois d'Arc Creek Reservoir

**General Location Map**

PROJECT NO	NTD06128
FILE	Figure1.mxd
DATE	April 2008
SCALE	1:150,000
DESIGNED	MPV
DRAWN	BME

**1**  
**FIGURE**

**Location of the Public Meeting:** Fannin County Multi-Purpose Complex, FM 87, 700 Texas 56, Bonham, TX 75418

