



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P. O. BOX 1229
GALVESTON, TEXAS 77553-1229

May 7, 2010

Environmental Section

Mr. Javier Mendez
City Administrator
City of Primera
22893 Stuart Place Road
Primera, TX 78552

Dear Mr. Mendez:

This is in response to your March 29, 2010 letter requesting determination of consistency with Galveston District environmental concerns, as well as existing and planned federal projects, for proposed drainage improvements to the North Main Drain of Cameron County Drainage District #5, under the Texas Hazard Mitigation Grant Program. The proposed project is located in the Town of Combes, Cameron County, Texas.

Based on our review of your project plans, we have determined that the proposed project is consistent with our environmental policies, as well as existing and planned federal projects.

We appreciate the opportunity to review and comment upon the proposed project, and trust that this response facilitates your planning and implementation process. If you have any questions, please contact Mr. George Dabney at 409-766-6345.

Sincerely,

Carolyn Murphy
Chief, Environmental Section

*Received
5/12/10
PJK*

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 13, 2010

Mr. Javier Mendez
City Administrator, City of Primera
22893 Stuart Place Road
Primera, TX 78552

Re: TCEQ Grant and Texas Review and Comment System (TRACS) #2010-225, Town of Combes, Cameron County - Drainage improvements to the North Main Drain under the jurisdiction of Cameron County Drainage District #5

Dear Mr. Mendez:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above-referenced project and offers following comments:

A review of the project for General Conformity impact in accordance with 40 CFR Part 93 and Title 30, Texas Administrative Code § 101.30 indicates that the proposed action is located in the Town of Combes, Cameron County, which is currently unclassified or in attainment of the National Ambient Air Quality Standards for all six criteria air pollutants. Therefore, General Conformity does not apply.

Although any demolition, construction, rehabilitation or repair project will produce dust and particulate emissions, these actions should pose no significant impact upon air quality standards. Any minimal dust and particulate emissions should be easily controlled by the construction contractors using standard dust mitigation techniques.

We do not anticipate significant long term environmental impacts from this project as long as construction and waste disposal activities associated with it are completed in accordance with applicable local, state, and federal environmental permits and regulations. We recommend that the applicant take necessary steps to insure that best management practices are utilized to control runoff from construction sites to prevent detrimental impact to surface and ground water.

Thank you for the opportunity to review this project. If you have any questions, please call Ms. Tangela Niemann at (512) 239-3786.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Harrison".

Jim Harrison, Director
Intergovernmental Relations Division

4/16/10
Rec'd
J. Niemann

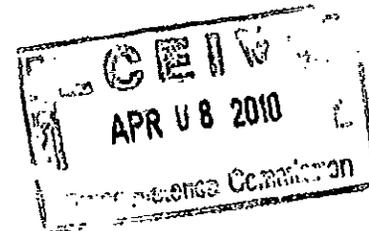


CITY OF PRIMERA
 22893 STUART PLACE ROAD
 PRIMERA, TEXAS 78552
 PHONE # (956) 423-9654
 FAX # (956) 423-2166



March 29, 2010

F. Lawrence Oaks
 Director
 Texas Historical Commission
 Attn: Mark Denton & Adrienne Campbell
 Archeology Review
 History Review
 P.O. Box 12276
 Austin, Texas 78711-2276



RE: FEMA Hazard Mitigation Grant Program

Dear Mr. Oaks:

The City of Primera has applied to the Texas Division of Emergency Management for a Hazard Mitigation Assistance grant. The HMA program requires a letter from the State Historic Preservation Officer regarding cultural resources (archeological and historical) in the project area and the project's likely effects on those resources. The approximate date of initiation of activities on this project is approximately 6 months from the date of this letter.

This project is located in the Town of Combes, Cameron County, Texas and is described as drainage improvements to the North Main Drain under the jurisdiction of Cameron County Drainage District #5. The intent of this project is to reduce injury, loss of life, and loss of property resulting from the frequent floods this area receives and the extended amount of time it takes for flood waters to recede. Maps and photographs of the proposed project area are enclosed for your use. If you have any questions or comments, please do not hesitate to contact me at (956) 423-2166 or jmendez@cityofprimera.com.

**NO HISTORIC
 PROPERTIES AFFECTED
 PROJECT MAY PROCEED**

by [Signature]
 for Mark Wolfe
 State Historic Preservation Officer
 Date 4 May 2010

Sincerely,

[Signature]

Javier Mendez
 City Administrator, City of Primera

Enclosure

cc: Megan Leitsinger
 Hazard Mitigation Division
 Texas Division of Emergency Management

Technical Contact:
 Alan Moore, PE
 General Manager, CCDD#5
 (956)423-6411
alan@hidcc1.org

EOE: Equal Opportunity Employer

*Received
 5/10/10
 PJE*



1208 W. Magnolia Avenue, Fort Worth, TX 76104
Ph: 817/923-6455 • Fax: 817/923-6456

July 25, 2011

Mr. Jimmy Arterberry, Tribal Historic Preservation Officer
Comanche Nation Historic Preservation Office
#6 SW 'D' Avenue, Suite A
Lawton, Oklahoma 73507

Dear Mr. Arterberry:

Region VI of the Federal Emergency Management Agency (FEMA) has requested that ERG send the letter of consultation to you as part of the Environmental Assessment process.

The City of Primera, Cameron County, Texas, through the Texas Division of Emergency Management, Texas Department of Public Safety, has applied for funds under the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) (404) for improving flood protection through completion of drainage improvements along the North Main Drain, in accordance with the Presidential Disaster Declaration FEMA-DR-1791-TX-295.

Region VI of the Federal Emergency Management Agency (FEMA), an agency within the Department of Homeland Security (DHS), is overseeing the preparation of a Draft Environmental Assessment (EA) pursuant to Section 102 of the National Environmental Policy Act of 1969 (NEPA), and its implementing regulations, 40 CFR Parts 1500-1508, for the proposed redirection, realignment and extension of the Wilson Tract Main, the Primera Lateral, and the Young Lateral to relieve the bottleneck by providing an additional channel under US 77 and the railroad tracks.

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, in conducting these investigations, we wish to consult with the appropriate federally recognized Native American tribes who historically used this region or continue to use the area. We welcome your comments on this undertaking and look forward to hearing from you.

The proposed project would consist of a series of culvert and channel improvements. The proposed project would involve the construction of three 10 ft. X 10 ft. concrete box culverts at four roadway crossings and one railroad crossing. Furthermore, 1,300 linear feet (LF) of a relief drainage channel is proposed to be modified and 4,400 LF of new relief drainage channel is proposed for construction (1.03 miles). The total area of impact, including buffer areas is 20.58 acres.

The enclosed maps illustrate the proposed project location and the proposed action (See Figures 1 and 2). On March 29, 2010 the City of Primera, Texas provided maps and data regarding the proposed project area to the Texas State Historic Preservation Officer (SHPO). Upon their review of the project area and data presented, the SHPO concluded on May 4, 2010 that "No Historic Properties Affected Project May Proceed" (See Attachment 3).

Should you require additional information or have any questions, please contact Ms. Dorothy Weir at 940-383-7250. Thank you for your assistance with this project.

Again, we welcome your comments on this undertaking and look forward to hearing any concerns you may have regarding known sacred sites or other traditional cultural properties within the proposed project area.

Sincerely,

A handwritten signature in cursive script that reads "Patience E. Patterson".

Patience E. Patterson, RPA
Senior Archaeologist and
NEPA Specialist



1208 W. Magnolia Avenue, Fort Worth, TX 76104
Ph: 817/923-6455 • Fax: 817/923-6456

July 25, 2011

The Honorable Ronald "Dawes" Twohatchet, Chairman
ATTN: Jame Lynn Eskew, Acting NAGPRA Coordinator
Kiowa Tribe of Oklahoma
100 Kiowa Way, Hwy 9 West
Carnegie, OK 73015

Dear Chairman Twohatchet:

Region VI of the Federal Emergency Management Agency (FEMA) has requested that ERG send the letter of consultation to you as part of the Environmental Assessment process.

The City of Primera, Cameron County, Texas, through the Texas Division of Emergency Management, Texas Department of Public Safety, has applied for funds under the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) (404) for improving flood protection through completion of drainage improvements along the North Main Drain, in accordance with the Presidential Disaster Declaration FEMA-DR-1791-TX-295.

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The proposed project would consist of a series of culvert and channel improvements. The proposed project would involve the construction of three 10 ft. X 10 ft. concrete box culverts at four roadway crossings and one railroad crossing. Furthermore, 1,300 linear feet (LF) of a relief drainage channel is proposed to be modified and 4,400 LF of new relief drainage channel is proposed for construction

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Patience E. Patterson, RPA
Senior Archaeologist and
NEPA Specialist



1208 W. Magnolia Avenue, Fort Worth, TX 76104
Ph: 817/923-6455 • Fax: 817/923-6456

July 25, 2011

Ms. Holly Houghten, Tribal Historic Preservation Officer (THPO)
Mescalero Apache Tribe
101 Central Avenue
Mescalero, New Mexico 88340

Dear Ms. Houghten:

Region VI of the Federal Emergency Management Agency (FEMA) has requested that ERG send the letter of consultation to you as part of the Environmental Assessment process.

The City of Primera, Cameron County, Texas, through the Texas Division of Emergency Management, Texas Department of Public Safety, has applied for funds under the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) (404) for improving flood protection through completion of drainage improvements along the North Main Drain, in accordance with the Presidential Disaster Declaration FEMA-DR-1791-TX-295.

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Should you require additional information or have any questions, please contact Ms. Dorothy Weir at 940-383-7250. Thank you for your assistance with this project.

Again, we welcome your comments on this undertaking and look forward to hearing any concerns you may have regarding known sacred sites or other traditional cultural properties within the proposed project area.

Sincerely,

A handwritten signature in cursive script that reads "Patience E. Patterson". The signature is written in black ink and is positioned above the printed name.

Patience E. Patterson, RPA
Senior Archaeologist and
NEPA Specialist



Life's better outside.™

May 5, 2010

Javier Mendez
City of Primera, City Administrator
22893 Stuart Place Road
Primera, TX 78552

Commissioners

Peter M. Holt
Chairman
San Antonio

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Houston

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Dan Allen Hughes, Jr.
Beaumont

Margaret Martin
Boerne

S. Reed Morian
Houston

Lee M. Bass
Chairman-Emeritus
Fort Worth

Carter P. Smith
Executive Director

RE: Proposed North Main Drain drainage improvement, City of Primera, Cameron County, Texas

Dear Mr. Mendez:

This letter is in response to your request for coordination with Texas Parks and Wildlife Department (TPWD) regarding the proposed drainage improvement project referenced above. The City of Primera has applied for a Hazard Mitigation Grant through the Texas Division of Emergency Management to improve floodwater conveyance that is impeded downstream of the North Main Drain and Primera Hand Lateral confluence. Four action alternatives and the "no action" alternative were considered for the project. The preferred alternative would install concrete box culverts (three 10-foot x 10-foot) in five locations, construct a new earthen channel from Rio Rancho Road to the Union Pacific Railroad (UPRR), and construct a new earthen channel from the UPRR to US 77-Business in Combes, Texas.

Texas Parks & Wildlife Department staff reviewed the information provided and has comments and recommendations concerning the following:

- Vegetation impacts
- Wildlife and protected species

Vegetation impacts

The majority of the proposed project would occur in or adjacent with previously disturbed areas that include agricultural land and residential developments. Woody vegetation that provide cover and forage for wildlife can occur in drainages and railroad right-of-ways (ROW) where construction activities would occur to complete the proposed project.

Recommendation: Construction for the project is anticipated to begin in September 2010. In order to comply with the Migratory Bird Treaty Act (MBTA) which states that it is unlawful to intentionally or unintentionally take, capture or kill migratory birds, TPWD recommends completing vegetation clearing before March 2011. If clearing cannot be completed by March, TPWD recommends either scheduling additional clearing

3/14/10
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5/7/10
PJR

Mr. Mendez
Page 2 of 3
May 5, 2010

outside of the March to August migratory bird nesting season or conducting nest surveys by a qualified biologist prior to clearing if clearing must occur during the nesting season. Because the protection provided by the MBTA extends to migratory birds, including resident migrants, their eggs and nests, TPWD recommends that if active nests are observed, they should be avoided until the young have fledged or the nest is abandoned.

Photographs provided with the project information indicated palm trees may occur in the area that could be affected by project activities. Several bat species, including the state threatened Southern yellow bat (*Lasiurus ega*), roost under dead palm fronds. Young bats that are not yet able to fly may occur under palm fronds from April through July and can be negatively impacted if palm trees are removed (or trimmed) between April and July.

Recommendation: TPWD recommends avoiding the removal of palm trees from the project area or scheduling their removal to occur outside of the April to July period.

Wildlife and protected species

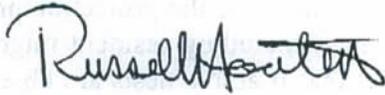
Encountering rare species other than the protected birds and bats mentioned above is unlikely given the developed nature of the project area and lack of suitable habitat. However, two occurrences of a rare natural plant community, Texas Ebony-Snake-eyes Series (*Pithecellobium flexicaule-Phaulothamnus spinescens*), are within one mile to the north of the project area and provide suitable habitat for many species of wildlife including rare species. Some of those species, birds in particular, may migrate daily from these protected areas to the North Main Drain for water.

Recommendation: Contractors should be made aware of the possibility of encountering wildlife in the project area during construction and should be instructed to avoid negatively impacting any wildlife encountered. Wildlife should be permitted to leave the work area on its own.

Please contact me at (361) 825-3240 if you have any questions or we may be of further assistance.

Mr. Mendez
Page 3 of 3
May 5, 2010

Sincerely,



Russell Hooten
Wildlife Habitat Assessment Program
Wildlife Division

/rh 15004



CITY OF PRIMERA

22893 STUART PLACE ROAD
PRIMERA, TEXAS 78552
PHONE # (956) 423-9654
FAX # (956) 423-2166



June 28, 2011

USF&WS
Ecological Services Field Supervisor
6300 Ocean Drive
Corpus Christi, Texas 78412

RE: FEMA Hazard Mitigation Grant Program

Dear Sir/Madam,

The City of Primera, Texas has applied to the Texas Division of Emergency Management for a Hazard Mitigation Assistance grant. The HMA program requires a letter from the U.S. Fish and Wildlife Service regarding impacts to endangered and threatened species and critical habitat as well as fish and wildlife conservation issues.

The projects are located near Combes, Cameron County, Texas. The intent of this project is to extend an existing drainage ditch by installing a crossing under US Highway 77 south of Woodrow Street and to extend the ditch to the west tying in to an existing ditch network to provide much needed drainage relief to the Combes area. Maps and photographs of the proposed area are enclosed for your use. If you have any questions or comments, please do not hesitate to contact me at 956-423-9654 or Alan Moore with Cameron County Drainage District #5 at 956-423-6411 or ccdd5@hotmail.com. Your prompt response would be greatly appreciated.

Sincerely,

A handwritten signature in blue ink that reads "Javier Mendez".

Javier Mendez
City Administrator

Enclosure

Cc: Texas Division of Emergency Management
Alan Moore, PE, CCDD#5



United States Department of the Interior
FISH AND WILDLIFE SERVICE
Ecological Services - LRGV Sub Office
Phone: (956) 784-7560 Fax: (956) 787-0547
3325 Green Jay Road
Alamo, TX 78516
July 14, 2011

Javler Mendez, City Administrator
City of Primera
22893 Stuart Place Road
Primera, TX 78552

Re: Consultation No.: 21410-2011-TA-0396

Dear Mr. Mendez:

This responds to your letter received in our office regarding your request that the U.S. Fish and Wildlife Service (Service) review and provide information on the proposed possible extensions to drainage ditches as part of the application for Hazard Mitigation Assistance (HMA) grant from FEMA. The proposed project is the extension of an existing drainage ditch by installing a crossing under US Hwy 77 south of Woodrow Street, and extending it to the west to tie it to an existing ditch network to provide drainage relief to the neighboring town of Combes.

Under Section 7(a)(2) of the Endangered Species Act (ESA), the federal action agency, the Federal Emergency Management Agency (FEMA) is responsible for determining the effects of these actions on listed species or critical habitat (50 CFR § 402.14 [a]) and is ultimately responsible for section 7 obligations. Non-federal representatives (i.e. consultants, state agencies, county or local officials) may request and receive species lists, prepare environmental documents, biological assessments, and provide information for formal consultations. However, the Service requires the action agency to designate the non-federal representative in writing. Non-federal representatives should provide supporting information to the federal action agency for their evaluation. After evaluating the potential for effect, one of the following determinations is made by the federal action agency.

No effect – the action agency determines its proposed action will not affect federally listed species or critical habitat. No section 7 consultation is necessary and the Service believes the agency has complied with Section 7(a)(2) of the ESA by making the determination. However, if the project changes or additional information on the distribution of listed or proposed species becomes available the project should be reanalyzed for effects not previously considered.

Is not likely to adversely effect – the action agency determines their project may affect listed species and or critical habitat, however, the effects are expected to be discountable, or insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. The action agency should seek written concurrence from the Service that adverse effects have been eliminated. If agreement cannot be reached the agency is advised to initiate formal consultation.

Is likely to adversely effect – the action agency determines adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also is likely to cause some adverse effects to individuals of that species, then the proposed action "is likely to adversely effect" the listed species. An "is likely to adversely effect" determination requires formal section 7 consultation.

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7/19/11
PJA*

The Service recommends the action agency maintain a complete record of evaluation for all determinations, including steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related articles. The Service's Consultation Handbook is available online <http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.htm> for further information on definitions and process.

Section 7

Section 7 of the Endangered Species Act of 1973, as amended (ESA) requires that all Federal agencies consult with the Service to ensure that actions authorized, funded or carried out by such agencies do not jeopardize the continued existence of any listed threatened or endangered species or adversely modify or destroy critical habitat of such species. *It is the responsibility of the Federal action agency to determine if the proposed project may affect threatened or endangered species.* If a "may affect" determination is made, the Federal agency shall initiate the formal section 7 consultation process by writing to: Field Supervisor, U.S. Fish and Wildlife Service; c/o TAMU-CC, Unit 5837; 6300 Ocean Drive; Corpus Christi, Texas 78412-5837. If no effect is evident, no further consultation is needed; however, we would appreciate the opportunity to review the criteria used to arrive at that determination.

The Service recommends the action agency and/or non-federal representative maintain a complete record that identifies steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related articles. The Service's Consultation Handbook is available at <http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.htm> for further information on definitions and process.

Federally Listed Species

We have enclosed an updated list of federally listed or proposed threatened and endangered species that have been documented or are known to occur in Cameron County, Texas. Species information may be obtained at <http://ifw2es.fws.gov/endangeredspecies/lists/>. The species information should help you determine if suitable habitat for these listed species exists in any of the proposed project areas or if project activities may affect species on-site, off-site, and/or result in "take" of a federally listed species.

"Take" is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. In addition to the direct take of an individual animal, habitat destruction or modification can be considered take, regardless of whether it has been formally designated as critical habitat, if it would result in the death or injury of wildlife by removing essential habitat components or impairing essential behavior patterns, including breeding, feeding, or sheltering.

State Listed Species

The State of Texas protects certain species. Please contact the Texas Parks and Wildlife Department (Endangered Resources Branch), Fountain Park Plaza Building, Suite 100, 3000 South IH-35, Austin, Texas 78704 (telephone 512/912-7011) for information concerning fish, wildlife, and plants of State concern or visit their website at <http://www.tpwd.state.tx.us/nature/endang/animals/mammals/>.

Migratory Birds

The Migratory Bird Treaty Act implements various treaties and conventions for the protection of migratory birds. Under the Act, taking, killing or possessing migratory birds is unlawful. Many may nest in trees, brush areas or other suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests or eggs. If project activities must be conducted during this time, we recommend surveying for nest prior to commencing work. If a nest is found, and if possible, the Service recommends a buffer of vegetation (\geq 25 ft) remain around the nest until young have fledged or the nest is abandoned. List of migratory birds may be viewed at <http://migratorybirds.fws.gov/intrnltr/mbta/proposedbirdlist.pdf>

Wetlands

Wetlands and riparian zones provide valuable fish and wildlife habitat as well as contribute to flood control, water quality enhancement, and groundwater recharge. Wetland and riparian vegetation provide food and cover for wildlife, stabilize banks and decrease soil erosion. These areas are inherently dynamic and very sensitive to changes caused by such activities as overgrazing, logging, major construction, or earth disturbance. Executive Order 11990 asserts that each agency shall provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial value of wetlands in carrying out the agency's responsibilities. Construction activities near riparian zones should be carefully designed to minimize impacts. If vegetation clearing is needed in these riparian areas, they should be re-vegetated with native wetland and riparian vegetation to prevent erosion or loss of habitat. We recommend minimizing the area of soil scarification and initiating incremental re-establishment of herbaceous vegetation at the proposed work sites. Denuded and/or disturbed areas should be re-vegetated with a mixture of native legumes and grasses. Species commonly used for soil stabilization are listed in the Texas Department of Agriculture's (TDA) Native Tree and Plant Directory, available from TDA at P.O. Box 12847, Austin, Texas 78711. The Service also urges taking precautions to ensure sediment loading does not occur to any receiving streams in the proposed project area. To prevent and/or minimize soil erosion and compaction associated with construction activities, avoid any unnecessary clearing of vegetation, and follow established rights-of-way whenever possible. All machinery and petroleum products should be stored outside the floodplain and/or wetland area during construction to prevent possible contamination of water and soils. No permanent structures should be placed in the 100-year floodplain.

If your project will involve filling, dredging, or trenching of a wetland or riparian area it may require a Section 404 permit from the U.S. Army Corps of Engineers (COE). For permitting requirements please contact the U.S. Corps of Engineers, District Engineer, P.O. Box 1229, Galveston, TX 77553-1229, (409) 766-3002.

Beneficial Landscaping

In accordance with Executive Order 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping, where possible, any landscaping associated with project plans should be limited to seeding and replanting with native species. A mixture of grasses and forbs appropriate to address potential erosion problems and long-term cover should be planted when seed is reasonably available. Although Bermuda grass is listed in seed mixtures, this species and other introduced species should be avoided as much as possible. The Service also recommends the use of native trees, shrubs and herbaceous species that are adaptable, drought tolerant and conserve water.

Service Response

Please note that the Service strives to respond to requests for project review within 30 days of receipt, however, this time period is not mandated by regulation. Responses may be delayed due to workload and lack of staff. Failure to meet the 30-day timeframe does not constitute a concurrence from the Service that the proposed project will not have impacts to threatened and endangered species.

For continued compliance under the Endangered Species Act, the Service recommends further consultation on any project-related impacts not described herein. After the requested information has been completed and received, the Service will further review the project. If project plans change, portions of the project were not evaluated, or differ from the described above, please notify us. If we can be of further assistance, please contact Brunilda Fuentes-Capozello (956-784-7631), or Ernesto Reyes, Jr. on this letterhead.

Sincerely,



Ernesto Reyes, Jr.
Fish & Wildlife Biologist

For
Allan M. Strand
Field Supervisor

cc: Field Supervisor, U.S. Fish and Wildlife Service, Corpus Christi, TX

Enclosures

References

Banks, R. C. 1979. Human-related mortality of birds in the United States. U. S. Fish and Wildlife Service, Spec. Sci. Rep.-- Wildl. 215.

Federally Listed as Threatened and Endangered Species of Texas
February 3, 2011

This list also represents species that may be found in counties throughout the state. It is recommended that the field station responsible for a project area be contacted if additional information is needed.

DISCLAIMER

This Cameron County list is based on information available to the U.S. Fish and Wildlife Service at the time of preparation, date on page 1. This list is subject to change, without notice, as new biological information is gathered and should not be used as the sole source for identifying species that may be impacted by a project.

Cameron County

Brown pelican	(DM)	<i>Pelecanus occidentalis</i>
Green sea turtle	(T)	<i>Chelonia mydas</i>
Gulf Coast jaguarundi	(E)	<i>Herpailurus yagouaroundi cacomilli</i>
Hawksbill sea turtle	(E w/CHI)	<i>Eretmochelys imbricata</i>
Kemp's Ridley sea turtle	(E)	<i>Lepidochelys kempi</i>
Leatherback sea turtle	(E w/CHI)	<i>Dermochelys coriacea</i>
Loggerhead sea turtle	(T)	<i>Caretta caretta</i>
Northern aplomado falcon	(E)	<i>Falco femoralis septentrionalis</i>
Ocelot	(E)	<i>Leopardus pardalis</i>
Piping plover	(T w/CH)	<i>Charadrius melodus</i>
South Texas ambrosia	(E)	<i>Ambrosia cheiranthifolia</i>
Texas ayenia	(E)	<i>Ayenia limitaris</i>
West Indian manatee	(E)	<i>Trichechus manatus</i>
Mountain Plover	(P/T)	<i>Charadrius montanus</i>

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Statewide or areawide migrants are not included by county, except where they breed or occur in concentrations. The whooping crane is an exception; an attempt is made to include all confirmed sightings on this list.

- E = Species in danger of extinction throughout all or a significant portion of its range.
T = Species which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.
DM = Delisted, monitoring for 5 years
C = Species for which the Service has on file enough substantial information to warrant listing as threatened or endangered.
CH = Critical Habitat (in Texas unless annotated I)
P/ = Proposed ...
P/E = Species proposed to be listed as endangered.
P/T = Species proposed to be listed as threatened.
G = with special rule
I = CH designated (or proposed) outside Texas
~ = protection restricted to populations found in the Ainterior@ of the United States. In Texas, the least tern receives full protection, except within 50 miles (80 km) of the Gulf Coast.



1208 W. Magnolia Avenue, Fort Worth, TX 76104
Ph: 817/923-6455 • Fax: 817/923-6456

July 15, 2011

NRCS Field Office
1390 W. Express 83
San Benito, TX

To Whom it May Concern:

The City of Primera, Cameron County, Texas together with the Federal Emergency Management Agency are proposing to construct a new drainage channel, referred to as the Wilson Tract Diversion, near Combes, Cameron County, Texas. I am submitting pertinent documentation for that project and request an assessment from the NRCS under the Farmland Protection Policy Act (FPPA). A Farmland Conversion Impact Rating Form (AD-106) is attached, along with the project description, associated figures, general soils map, list of prime farmland (from Web Soil Survey), and a cross-section of the proposed drainage ditch.

Please contact myself or Paddie Patterson at 817-923-6455 if you have any comments, questions, or if you require any additional information.

Sincerely,

Linda Ashe
Environmental Research Group, LLC

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request 15 July 2011			
Name of Project Wilson Tract Diversion Channel		Federal Agency Involved FEMA			
Proposed Land Use Drainage Channel		County and State Cameron County, Texas			
PART II (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %			
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS			
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		20.43			
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site		20.58			
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide Important or Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)					
PART VI (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Site Assessment (From Part VI above or local site assessment)		160			
TOTAL POINTS (Total of above 2 lines)		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

United States Department of Agriculture



Natural Resources Conservation Service

101 S. Main Street
Temple, TX 76501-6624
Phone: 254-742-9861
FAX: 254-742-9859

August 25, 2011

Environmental Research Group, LLC
1208 W. Magnolia Avenue
Fort Worth, Texas 76104

Attention: Linda Ashe

Subject: LNU-Farmland Protection
Wilson Tract Diversion Channel
Cameron County, Texas

We have reviewed the information provided concerning the proposed construction of a new drainage channel near Combes, in Cameron County, Texas, as outlined in your letter dated July 15, 2011. This review is part of the National Environmental Policy Act (NEPA) evaluation for FEMA. We have evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA).

The FPPA excludes from the definition of "Farmland" areas that are already converted to urban uses. Urban land would include areas that have over 30 structures per 40 acres. The diversion channel project is in an area that has become urbanized as per the definition in the FPPA. We have completed a Farmland Conversion Impact Rating (form AD-1006) indicating the exemption for this project. We urge you to use accepted erosion control methods during construction.

We are enclosing the completed form. Thank you for the resource materials you submitted to evaluate this project. If you have any questions please call me at (254)-742-9861, Fax (254)-742-9859.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Kiniry".

Laurie N. Kiniry
Soil Scientist

Attachment

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request 15 July 2011				
Name of Project Wilson Tract Diversion Channel		Federal Agency Involved FEMA				
Proposed Land Use Drainage Channel		County and State Cameron County, Texas				
PART II (To be completed by NRCS)		Date Request Received By NRCS 7/15/11		Person Completing Form: L. Kiniry		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Acres Irrigated	Average Farm Size	
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %				
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS 8/25/2011				
PART III (To be completed by Federal Agency)		Alternative Site Rating				
A. Total Acres To Be Converted Directly		Site A	Site B	Site C	Site D	
B. Total Acres To Be Converted Indirectly		20.43				
C. Total Acres In Site		20.58				
PART IV (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland						
B. Total Acres Statewide Important or Local Important Farmland						
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted						
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value						
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
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1. Area In Non-urban Use		(15)				
2. Perimeter In Non-urban Use		(10)				
3. Percent Of Site Being Farmed		(20)				
4. Protection Provided By State and Local Government		(20)				
5. Distance From Urban Built-up Area		(15)				
6. Distance To Urban Support Services		(15)				
7. Size Of Present Farm Unit Compared To Average		(10)				
8. Creation Of Non-farmable Farmland		(10)				
9. Availability Of Farm Support Services		(5)				
10. On-Farm Investments		(20)				
11. Effects Of Conversion On Farm Support Services		(10)				
12. Compatibility With Existing Agricultural Use		(10)				
TOTAL SITE ASSESSMENT POINTS		160				
PART VII (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100				
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TOTAL POINTS (Total of above 2 lines)		260				
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Reason For Selection:						
Name of Federal agency representative completing this form:					Date:	

(See Instructions on reverse side)