



Engineering Department

Donald M. Rao
Director of Engineering

Clark R. Slacum, P.E.
Engineering Superintendent

March 30, 2012

Mr. Doug Canant, P.E., R.P.L.S., C.F.M.
Jefferson County Drainage District No. 6
P.O. Box 20078
Beaumont, Texas 77720

Re: Lawhon Detention Basin Project

Doug,

I have reviewed the plans for the Lawhon Detention Basin and see that the project will have a positive benefit, in that it lowers the BFE and reduces the floodplain. I also know that the BFE currently on the FIRM is too high, mainly due to diversion projects that have been completed in the area, and the high ground where the spoil is planned to be deposited is above the actual floodplain.

As Floodplain Administrator for Jefferson County, Texas, I am in full support of this project.

Yours truly,

Don Rao
Floodplain Administrator
Jefferson County, Texas



Environmental Services, Inc.

21 February 2012

Kate Zultner
Consistency Review Coordinator
Texas General Land Office
P. O. Box 12873
Austin, Texas 78711-2873

**RE: Proposed Jefferson County Drainage District No. 6 Project:
Bayou Din Detention Basin
Beaumont, Jefferson County, Texas
HJN 090038 EA**

Dear Ms. Zultner:

Jefferson County Drainage District No. 6 (DD6) implements and maintains drainage projects throughout the Districts' 486 square mile area located in Jefferson County and includes the cities of Beaumont, Bevil Oaks, China and Nome, Texas. DD6 also works with other jurisdictions to identify flood-prone areas to encourage inclusion of flood-damage avoidance measures in land development. DD6 has applied to the Federal Emergency Management Agency (FEMA) for grant funding to assist with the construction and implementation of a 41-acre detention basin. The federal funding process requires compliance with the National Environmental Policy Act (NEPA). This coordination letter is being provided for your agency's response in conformance with NEPA procedures.

The proposed Bayou Din detention basin area is located northeast of the intersection of Trahan Road and Lawhon Road in Beaumont, Jefferson County, Texas. The proposed improvement consists of creating a 41-acre detention basin to capture storm water and provide general flood protection during flood events.

Appendix 1 contains maps depicting the location of the proposed 41-acre detention basin, an aerial view of the project area, and the project area on the FEMA floodplain map (Appendix 1). Note that the project area is located within the FEMA floodplain. The detention basin area includes patches of heavily wooded and herbaceous areas. The dominant species observed include: bermudagrass (*Cynodon dactylon*), St. Augustine grass (*Stenotaphrum secundatum*), little bluestem (*Schizachyrium scoparium*), Chinese tallow (*Triadica sebifera*), hackberry (*Celtis laevigata*), yaupon holly (*Ilex vomitoria*), and trumpet creeper (*Campsis radicans*). Wooded areas are dominated by Chinese tallow. Land use of the surrounding areas includes rural residential to the south and west and agricultural fields to the north and east. The

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1507 South IH 35 ★ Austin, Texas 78741 ★ 512.328.2430 ★ Fax 512.328.1804 ★ www.horizon-esi.com
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project has been designed to avoid impacts to wetlands and waters of the US. On-site photographs are provided in Appendix 2.

Please review the attached figures and information concerning the proposed project to determine if the project is consistent with your agency's environmental regulations or policies. Please respond by letter at your earliest convenience. Your prompt attention to this matter would be greatly appreciated, as your signed concurrence letter is necessary to complete the application for grant funding from FEMA.

Please call me should you have any questions concerning this project or if I can be of any further assistance.

Sincerely,
For Horizon Environmental Services, Inc.



C. Lee Sherrod
Vice President



March 7, 2012

C. Lee Sherrod
Vice President
Horizon Environmental Services, Inc.
1507 South IH 35
Austin, TX 78741

**Re: Proposed Jefferson County Drainage District No. 6 Project:
Bayou Din Detention Basin
Beaumont, Jefferson County, Texas
HJN 090038 EA**

Dear Mr. Sherrod:

Based on information provided to the Texas Coastal Management Program on the above project, it has been determined that it will likely not have adverse impacts on coastal natural resource areas (CNRAs) in the coastal zone. However, siting and construction should avoid and minimize impacts to CNRAs. If a U. S. Army Corps of Engineers permit is required, it will be subject to consistency review under the Texas Coastal Management Program.

If you have any questions or concerns, please contact me at (512) 475-1552 or at andrea.finch@glo.texas.gov

Sincerely,

Andrea Finch
Consistency Review Coordinator
Texas General Land Office



Environmental Services, Inc.

21 February 2012

Tangela Nieman
Intergovernmental Relations Division
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, Texas 78753

**RE: Proposed Jefferson County Drainage District No. 6 Project:
Bayou Din Detention Basin
Beaumont, Jefferson County, Texas
HJN 090038 EA**

Dear Ms. Nieman:

Jefferson County Drainage District No. 6 (DD6) implements and maintains drainage projects throughout the Districts' 486 square mile area located in Jefferson County and includes the cities of Beaumont, Bevil Oaks, China and Nome, Texas. DD6 also works with other jurisdictions to identify flood-prone areas, to encourage inclusion of flood-damage avoidance measures in land development. DD6 has applied to the Federal Emergency Management Agency (FEMA) for grant funding to assist with the construction and implementation of a 41-acre detention basin. The federal funding process requires compliance with the National Environmental Policy Act (NEPA). This coordination letter is being provided for your agency's response in conformance with NEPA procedures. This consultation letter is provided to your office to elicit your comments on the proposed project as it pertains to resources under the purview of your agency. More specifically, we are requesting your review and comments regarding effects to air quality and conformance with the Clean Air Act.

The proposed 41-acre detention basin project location is described as being situated northeast of the intersection of Trahan Road and Lawhon Road in Beaumont, Jefferson County, Texas. The proposed improvements consist of the construction of a detention basin that is approximately 41 acres in size. The proposed improvement will benefit the entire drainage area and capture storm water and provide general flood protection during flood events.

Minimal and temporary diesel emissions and fugitive dust emissions from equipment during construction are possible. Once construction is complete there will be no motorized equipment associated with this project. Best management practices for temporary erosion and sedimentation control will be implemented during project construction. Appendix 1 contains maps depicting the location of the proposed 41.95-acre detention pond, an aerial view of the project area, and the project area on the FEMA floodplain map (Appendix 1).

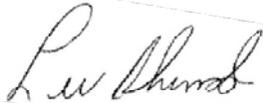
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Please review the attached figures and information concerning the proposed project to determine if the project is consistent with your agency's environmental regulations or policies. Please respond by letter at your earliest convenience. Your prompt attention to this matter would be greatly appreciated, as your correspondence is necessary to fulfill the NEPA review requirements of the grant application by FEMA.

Please call me should you have any questions concerning this project or if I can be of any further assistance.

Sincerely,
For Horizon Environmental Services, Inc.



Lee Sherrod
Vice President

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

March 2, 2012

Mr. Lee Sherrod
Horizon Environmental Services, Inc
1507 South IH 35
Austin, TX 78741

Re: TCEQ Grant and Texas Review and Comment System (TRACS) #2012-113, City of Beaumont, Bevil Oaks, China and Nome, Jefferson County - Proposed Jefferson County Drainage District No. 6 project: HJN 090038EA

Dear Mr. Sherrod:

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 project is located in Jefferson County, which is currently classified as a maintenance ozone area. Therefore, General Conformity rules apply.

The two criteria pollutants of concern as precursors to ozone formation are volatile organic compounds (VOCs) and nitrogen oxides (NO_x). An increase of 100 tons per year for VOCs or NO_x, resulting from the proposed project, could trigger general conformity analysis. However, the emissions from the proposed project are expected to be well below the 100 tons per year significance level. Therefore, a General Conformity analysis will not be required.

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 contact Ms. Janie Roman at (512) 239-0604 or janie.roman@tceq.texas.gov.

Sincerely,

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

Jim Harrison, Director
Intergovernmental Relations Division

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • www.tceq.state.tx.us

How is our customer service? www.tceq.state.tx.us/goto/customersurvey

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Environmental Services, Inc.

21 February 2012

Michael Segner, CFM
NFIP State Coordinator
Texas Water Development Board
P. O. Box 13231
Austin, Texas 78711-3231

**RE: Proposed Jefferson County Drainage District No. 6 Project:
Bayou Din Detention Basin
Beaumont, Jefferson County, Texas
HJN 090038 EA**

Dear Mr. Segner:

Jefferson County Drainage District No. 6 (DD6) implements and maintains drainage projects throughout the Districts' 486 square mile area located in Jefferson County and includes the cities of Beaumont, Bevil Oaks, China and Nome, Texas. DD6 also works with other jurisdictions to identify flood-prone areas to encourage inclusion of flood-damage avoidance measures in land development. DD6 has applied to the Federal Emergency Management Agency (FEMA) for grant funding to assist with the construction and implementation of a 41-acre detention basin. The federal funding process requires compliance with the National Environmental Policy Act (NEPA). This coordination letter is being provided for your agency's' response in conformance with NEPA procedures.

Appendix 1 contains maps depicting the location of the proposed 41-acre detention basin, an aerial view of the project area, and the project area on the FEMA floodplain map (Appendix 1). Note that the project area is located within the FEMA floodplain. The detention basin area includes patches of heavily wooded and herbaceous areas. The dominant species observed include: bermudagrass (*Cynodon dactylon*), St. Augustine grass (*Stenotaphrum secundatum*), little bluestem (*Schizachyrium scoparium*), Chinese tallow (*Triadica sebifera*), hackberry (*Celtis laevigata*), yaupon holly (*Ilex vomitoria*), and trumpet creeper (*Campsis radicans*). Wooded areas are dominated by Chinese tallow. Land use of the surrounding areas includes rural residential to the south and west and agricultural fields to the north and east. The project has been designed to avoid impacts to wetlands and waters of the US. On-site photographs are provided in Appendix 2.

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Please review the attached figures and information concerning the proposed project to determine if the project is consistent with your agency's environmental regulations or policies. Please respond by letter at your earliest convenience. Your prompt attention to this matter would be greatly appreciated, as your signed concurrence letter is necessary to complete the application for a Flood Mitigation Assistance Program Grant with the FEMA.

Please call me should you have any questions concerning this project or if I can be of any further assistance.

Sincerely,
For Horizon Environmental Services, Inc.



C. Lee Sherrod
Vice President

Texas Water Development Board

P.O. Box 13231, 1700 N. Congress Ave.
Austin, TX 78711-3231, www.twdb.texas.gov
Phone (512) 463-7847, Fax (512) 475-2053

March 21, 2012

C. Lee Sherrod
Vice President
Horizon Environmental Services, Inc.
1507 South IH 35
Austin, TX 78741

Re: Proposed Jefferson County Drainage District No. 6 Project:
Bayou Din Detention Basin
Beaumont, Jefferson County, Texas
HJN 090038 EA

Dear Mr. Sherrod:

This is in response to your letter of February 21, 2012, concerning the referenced project. After a review of the information you provided for an Application for Approval of Reclamation Project, our findings indicate that as a participant in the National Flood Insurance Program (NFIP), that Jefferson County has approval authority for projects within their jurisdiction. Please ensure that you coordinate with the community for any specific details concerning development within the Special Flood Hazard Area.

Thank you for bringing this matter to our attention.

Sincerely,



Michael Segner, CFM
NFIP State Coordinator

Our Mission	:	Board Members		
To provide leadership, planning, financial assistance, information, and education for the conservation and responsible development of water for Texas	:	Edward G. Vaughan, Chairman Joe M. Crutcher, Vice Chairman Melanie Callahan, Executive Administrator	Thomas Weir Labatt III, Member Lewis H. McMahan, Member	Billy R. Bradford Jr., Member Monte Cluck, Member

TPWD_EOR_request_20120201

From: Chris Carrell [Chris.Carrell@horizon-esi.com]
Sent: Wednesday, February 01, 2012 11:13 AM
To: Texas Natural Diversity Database
Subject: EOR request
Attachments: TXNDD Information Request -- GPO.doc; 090038A03pdi.pdf

EOR request form is attached.

Thank you,

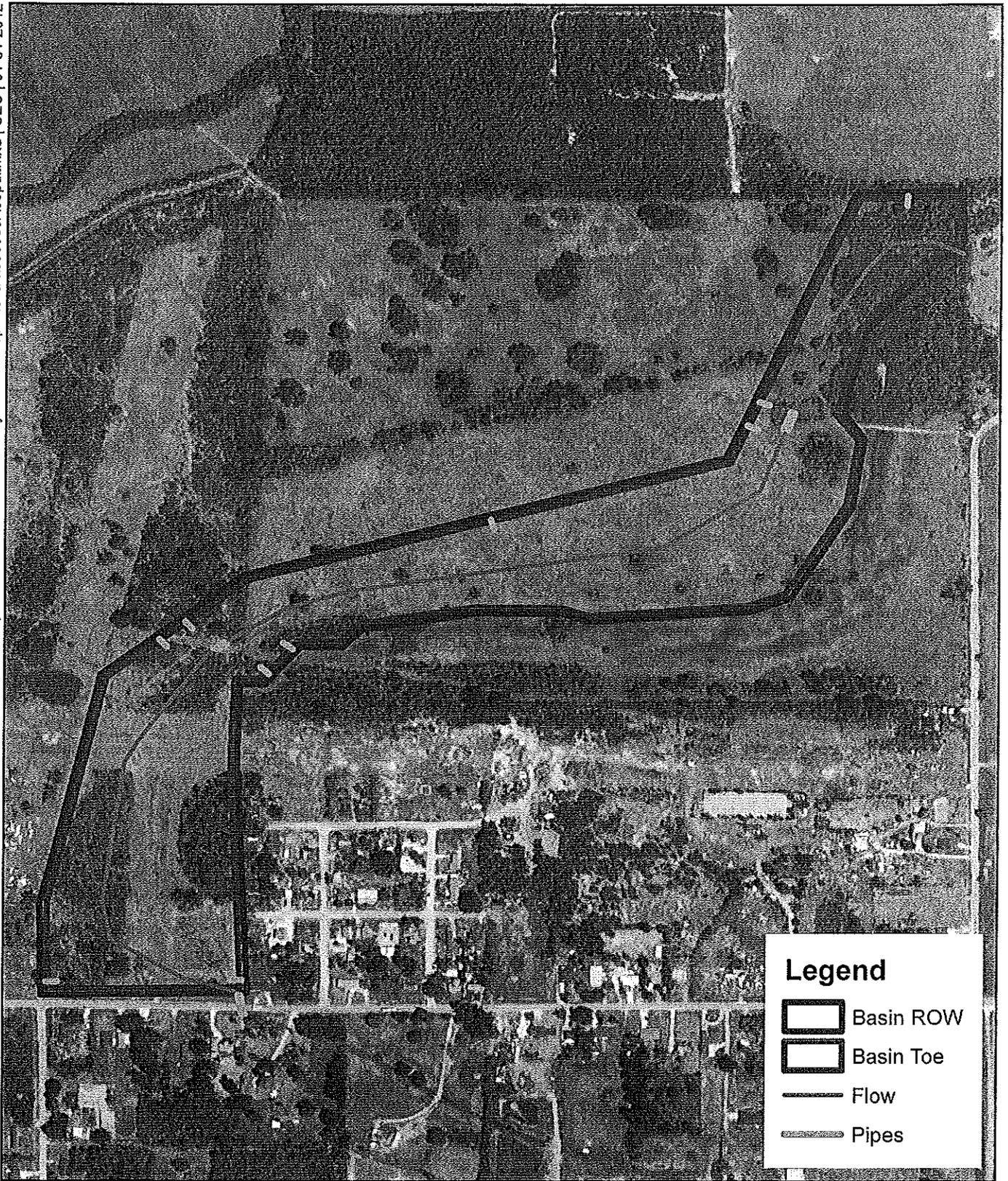
Christopher Carrell
Environmental Specialist
Horizon Environmental Services, INC.
1507 South IH 35
Austin, TX 78741
Office: (512)328-2430 ext. 111
Cell: (512)415-8536
Fax: (512)328-1804
chris_carrell@horizon-esi.com
www.horizon-esi.com

Where is the location of your project?

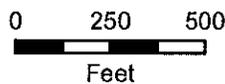
USGS quadrangle name and County Name: Project location quad, China, Jefferson County, Texas; Surrounding quads, Beaumont West, Fannett West, and Fannett East, Jefferson County, Texas.

If able, please provide the scope/type of project.

This project will construct a 41.95 acre detention basin northeast of the intersection of Lawton Road and Trahan Road, Beaumont, Jefferson County, Texas (see attached map).



MAP SOURCE: USDA, 2010.



Legend

-  Basin ROW
-  Basin Toe
-  Flow
-  Pipes

FIGURE 3

PROPOSED DRAINAGE IMPROVEMENTS
BAYOU DIN EA
JCDD #6
BEAUMONT, JEFFERSON COUNTY, TEXAS

Occurrence List for Quads Surrounding Request Area

<u>Scientific Name:</u>	<u>Common Name:</u>	<u>Occurrence Number:</u>	<u>State Status:</u>	<u>Federal Status:</u>	<u>Eo Id:</u>
<i>Bat roost</i>		9			4767
<i>Cemophora coccinea copei</i>	Northern Scarlet Snake	4	T		6095
<i>Corynorhinus rafinesquii</i>	Rafinesque's Big-eared Bat	5	T		817
<i>Corynorhinus rafinesquii</i>	Rafinesque's Big-eared Bat	9	T		1360
<i>Juncus spp. series</i>	Rush-sedge Series	1			7055
<i>Myotis austroriparius</i>	Southeastern Myotis Bat	4			6929
<i>Nerodia clarkii</i>	Gulf Saltmarsh Snake	3			6471
<i>Phlox nivalis ssp. texensis</i>	Texas trailing phlox	16	E	LE	6762
<i>Physostegia longisepala</i>	long-sepaled false dragon-head	20			6960
<i>Pinus palustris/schizachyrium scoparium series</i>	Longleaf Pine/little Bluestem Series	17			8104
<i>Pinus taeda-quercus alba-quercus falcata series</i>	Loblolly Pine-white Oak-southern Red Oak Series	12			6456
<i>Quercus nigra-quercus phellos series</i>	Water Oak-willow Oak Series	48			910
<i>Quercus prinus-quercus phellos series</i>	Swamp Chestnut Oak-willow Oak Series	2			184
<i>Rookery</i>		165			6978
<i>Rookery</i>		177			2971
<i>Rookery</i>		178			6977
<i>Rookery</i>		412			2471
<i>Rookery</i>		548			655
<i>Rookery</i>		573			410
<i>Spartina patens series</i>	Marshhay Cordgrass Series	3			4242

Element Occurrence Record

Scientific Name: Quercus prinus-quercus phellos series

Occurrence #: 2

Eo Id: 184

Common Name: Swamp Chestnut Oak-willow Oak Series

Track Status: Track all extant and selected historical EOs

TX Protection Status:

Global Rank: G3

State Rank: S3

Federal Status:

Location Information:

Watershed:

12020007 - Pine Island Bayou

County Name:

State:

Mapsheet:

Hardin

TX

30094-A3, China

Jefferson

TX

30094-A4, Nome

30094-B4, Sour Lake

30094-B3, Bevil Oaks

Directions:

BIG PINE ISLAND BAYOU, FROM HIGHWAY 326 CROSSING EAST TO CONFLUENCE WITH LITTLE PINE ISLAND BAYOU

Survey Information:

First Observation:

Survey Date:

Last Observation:

Eo Type:

Eo Rank:

Eo Rank Date:

Observed Area: 5,000.00

Comments:

General Description: SWAMP CHESTNUT OAK-WILLOW OAK-OVERCUP OAK-LOBLOLLY PINE-ASH WITH SOME CYPRESS-TUPELO INCLUSIONS

Comments: BASED ON JIM NEAL'S USF& WS BOTTOMLAND HARDWOODS REPORT

Protection

Comments:

Management

Comments:

Data:

EO Data: NECHES RIVER SYSTEM

Managed Area:

Managed Area Name

Element Occurrence Record

Reference:

Citation:

USF& WS, U. S. DEPARTMENT OF THE INTERIOR. 1985-05. TEXAS BOTTOMLAND HARDWOOD PRESERVATION PROGRAM: FINAL CONCEPT PLAN. USF& WS, ALBUQUERQUE, NM.

Specimen:



Environmental Services, Inc.

21 February 2012

Ms. Catherine Yeargan
US Fish and Wildlife Service
Ecological Services Field Office – Clear Lake
17629 El Camino Real, Suite 211
Houston, Texas 77058-3051

**RE: Proposed Jefferson County Drainage District No. 6 Project:
Bayou Din Detention Basin
Beaumont, Jefferson County, Texas
HJN 090038 EA**

Dear Ms. Yeargan:

Jefferson County Drainage District No. 6 (DD6) implements and maintains drainage projects throughout the Districts' 486 square mile area located in Jefferson County and includes the cities of Beaumont, Bevil Oaks, China and Nome, Texas. DD6 also works with other jurisdictions to identify flood-prone areas, to encourage inclusion of flood-damage avoidance measures in land development. DD6 has applied to the Federal Emergency Management Agency (FEMA) for grant funding to assist with the construction and implementation of a 41.95-acre detention basin. The federal funding process requires compliance with the National Environmental Policy Act (NEPA). This coordination letter is being provided for your agency's response in conformance with NEPA procedures.

The proposed 41-acre detention pond project location is described as being situated northeast of the intersection of Trahan Road and Lawhon Road in Beaumont, Jefferson County, Texas. The proposed improvements consist of the construction of a detention pond that is approximately 41 acres in size. The proposed improvement will benefit the entire drainage area and capture storm water and provide general flood protection during flood events.

Appendix 1 contains maps depicting the location of the proposed 41-acre detention basin, an aerial view of the project area, and the project area on the FEMA floodplain map (Appendix 1). Note that the project area is located within the FEMA floodplain. The detention basin area includes patches of heavily wooded and herbaceous areas. The dominant species observed include: bermudagrass (*Cynodon dactylon*), St. Augustine grass (*Stenotaphrum secundatum*), little bluestem (*Schizachyrium scoparium*), Chinese tallow (*Triadica sebifera*), hackberry (*Celtis laevigata*), yaupon holly (*Ilex vomitoria*), and trumpet creeper (*Campsis radicans*). Wooded areas are dominated by Chinese tallow. Land use of the surrounding areas includes rural residential to the south and west and agricultural fields to the north and east. The project has been designed to avoid impacts to wetlands and waters of the US. On-site photographs are provided in Appendix 2.

Federally listed threatened or endangered (T/E) species known to occur in Jefferson County include bald eagle (*Haliaeetus leucocephalus*) (delisted, but monitored), piping plover (*Charadrius melodus*), green sea turtle (*Chelonia mydas*), Atlantic hawksbill sea turtle (*Eretmochelys imbricata*), Kemp's ridley sea turtle (*Lepidochelys kempii*), leatherback sea turtle

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(*Dermochelys coriacea*), and loggerhead sea turtle (*Caretta caretta*) (USFWS, 2011). Additionally, the USFWS lists the following migratory bird species as being of potential occurrence in many or all Texas counties: Eskimo curlew (*Numenius borealis*), interior least tern (*Sterna antillarum athalossos*), and whooping crane (*Grus americana*).

Horizon observed no federally listed T/E species or potential habitats on or within the immediate vicinity of the project area. We believe that a "No Effect" finding is appropriate for this project. We understand that the Service does not reply in writing to No Effect determinations. Therefore, we are requesting herein whether your office has any additional information on the potential occurrence of listed T/E species in the project vicinity that we should consider in making a findings recommendation to FEMA.

This correspondence is required as part of the NEPA review process. Your prompt attention to this matter would be greatly appreciated, as your response is important in completing the application for grant funding from FEMA.

Please call me should you have any questions concerning this project or if I can be of any further assistance.

Sincerely,
For Horizon Environmental Services, Inc.



C. Lee Sherrod
Vice President

References:

(USFWS) Endangered Species List web site, <http://ifw2es.fws.gov/EndangeredSpecies/Lists/ListSpecies.cfm>. Accessed 12 August 2011.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Division of Ecological Services
17629 El Camino Real #211
Houston, Texas 77058-3051



November 2010

Thank you for your request for threatened and endangered species information in the Clear Lake Ecological Services Field Office's area of responsibility. According to Section 7(a)(2) of the Endangered Species Act and the implementing regulations, it is the responsibility of each Federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any federally listed species.

Please note that while a Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment, the Federal agency must notify the U.S. Fish and Wildlife Service (Service) in writing of such designation. The Federal agency shall also independently review and evaluate the scope and contents of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

A county by county listing of federally listed threatened and endangered species that occur within this office's work area can be found at <http://www.fws.gov/southwest/es/EndangeredSpecies/lists/default.cfm>. You should use the county by county listing and other current species information to determine whether suitable habitat for a listed species is present at your project site. If suitable habitat is present, a qualified individual should conduct surveys to determine whether a listed species is present.

After completing a habitat evaluation and/or any necessary surveys, you should evaluate the project for potential effects to listed species and make one of the following determinations:

- **No effect** – the proposed action will not affect federally listed species or critical habitat (i.e., suitable habitat for the species occurring in the project county is not present in or adjacent to the action area). No coordination or contact with the Service is necessary. 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 affect** – the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. The Federal agency or the designated non-Federal representative should seek written concurrence from the Service that adverse effects have been eliminated. Be sure to include all of the information and documentation used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.



- **Is likely to adversely affect** – 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 affect” the listed species. An “is likely to adversely affect” determination requires the Federal action agency to initiate formal Section 7 consultation with this office.

Regardless of your determination, the Service recommends that you maintain a complete record of the evaluation, 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 to assist you with further information on definitions, process, and fulfilling Endangered Species Act requirements for your projects at <http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.htm>.

If we can further assist you in understanding a federal agency’s obligations under the Endangered Species Act, please contact Donna Anderson, Moni Belton, Kelsey Gocke, David Hoth, Charrish Stevens, or Arturo Vale at 281/286-8282.

Sincerely,



Edith Erling
Field Supervisor, Clear Lake Field Office