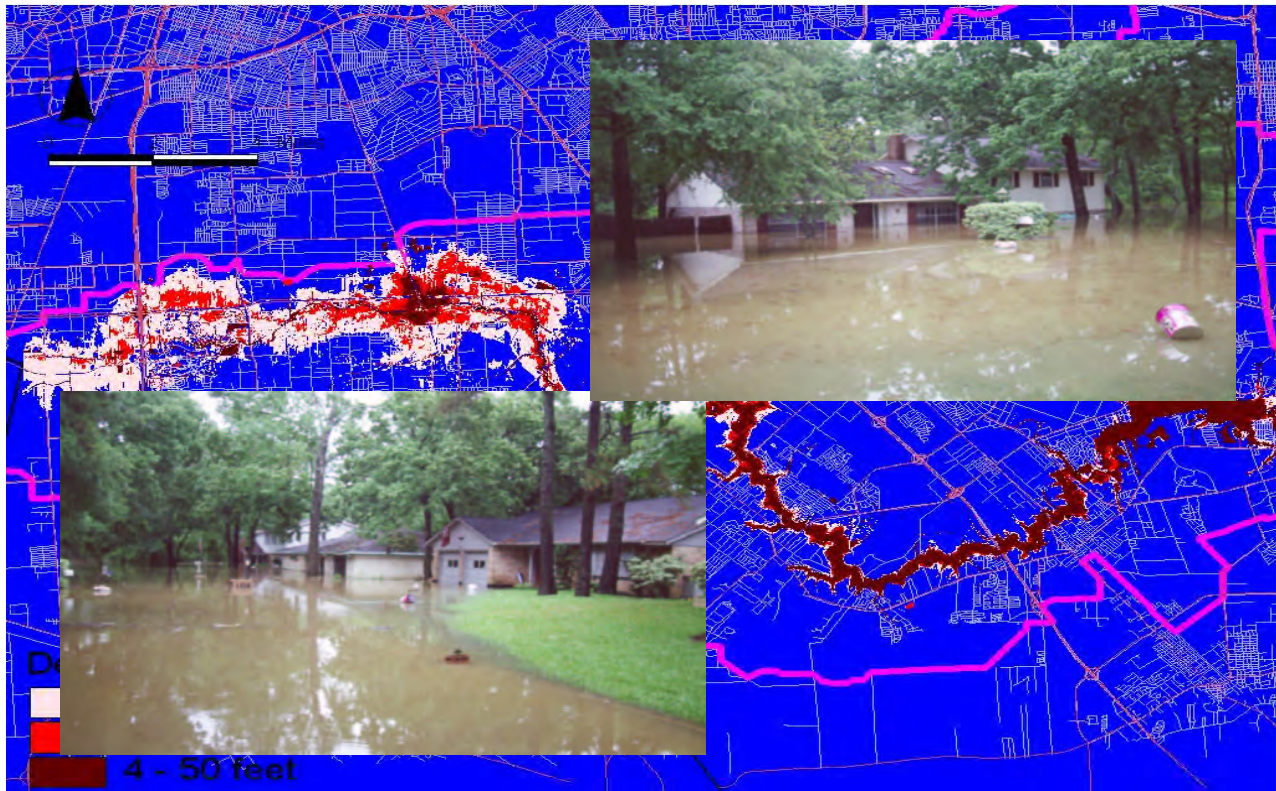




U.S. Army Corps
of Engineers

Galveston District
Southwestern Division

**Final
Supplemental Environmental Impact Statement
for the
Clear Creek General Reevaluation Study
Brazoria, Fort Bend, Galveston,
and Harris Counties, Texas**



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October 2012

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Appendix A

Public Involvement

MA 01760, Phone: (508) 233-4184 or E-mail: Jeffrey.Ditullio@natick.army.mil.

SUPPLEMENTARY INFORMATION: Any licenses granted shall comply with 35 U.S.C. 209 and 37 CFR Part 404.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. E8-14236 Filed 6-23-08; 8:45 am]

BILLING CODE 3710-08-P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Spring Bayou, Louisiana, Ecosystem Restoration Feasibility Study

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DOD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers, Vicksburg District, in conjunction with the Avoyelles Parish Police Jury, the non-Federal sponsor, is undertaking studies to investigate the feasibility of restoring the Spring Bayou area ecosystem.

DATES: Initiate EIS, June 30, 2008.

ADDRESSES: Correspondence may be sent to Mr. Larry Marcy, U.S. Army Engineer District, Vicksburg, CEMVK-PP-PQ, 4155 Clay Street, Vicksburg, MS 39183-3435.

FOR FURTHER INFORMATION CONTACT: Mr. Larry Marcy at U.S. Army Corps of Engineers, Vicksburg District, telephone (601) 631-5965, fax (601) 631-5115, or e-mail at larry.e.marcy@usace.army.mil.

SUPPLEMENTARY INFORMATION:

Proposed Action. A feasibility level study will identify and evaluate alternatives to restore the Spring Bayou area ecosystem, Avoyelles Parish, Louisiana. The ecosystem is being degraded by water pollution, sedimentation, and growth of nuisance aquatic weeds. An opportunity exists to restore previously existing hydrology by diverting freshwater from the Red River into the Spring Bayou area to improve water quality, fishery production, and wetland habitat.

Alternatives. Alternative locations for water diversion from the Red River will be identified and evaluated, as well as investigating alternatives to control sediment entering the Spring Bayou area from Chatlin Lake Canal. Combinations of alternatives involving water diversion, sediment control or removal, modification or replacement of existing water control structures, and nuisance aquatic weed control will be developed and evaluated in cooperation with state

and Federal agencies, local government, Native American tribes, and the public.

Scoping. Scoping is the process for determining the range of the alternatives and significant issues to be addressed in the Environmental Impact Statement (EIS). For this analysis, a letter will be sent to all parties believed to have an interest in the analysis, requesting their input on alternatives and issues to be evaluated. The letter will also notify interested parties of the public scoping meeting that will be held in the local area. A notice will be sent to the local news media. All interested parties are invited to comment at this time, and anyone interested in the study should request to be included on the mailing list.

A public scoping meeting will be held July 29, 2008, beginning at 7 p.m. at the Marksville Fire Department, 512 North Main Street, Marksville, Louisiana.

Significant Issues. The tentative list of resources and issues to be evaluated in the EIS includes aquatic resources, recreational fisheries, wildlife resources, water quality, air quality, threatened or endangered species, recreation resources, and cultural resources. Tentative socioeconomic items to be evaluated in the EIS include business and industrial activity, tax revenues, community and regional growth, community cohesion, and navigation.

Environmental Consultation and Review. The U.S. Fish and Wildlife Service (FWS) will be asked to assist in the documentation of existing conditions, impact analysis of alternatives, and overall study review through the Fish and Wildlife Coordination Act (FWCA) consultation procedures. The FWS would provide an FWCA report to be incorporated into the EIS. The draft EIS or a Notice of Availability will be distributed to all interested agencies, organizations, and individuals.

Estimated Date of Availability. The earliest that the draft EIS is expected to be available is May 2010.

Dated: June 10, 2008.

Douglas J. Kamien,

Chief, Planning, Programs, and Project Management Division.

[FR Doc. E8-14240 Filed 6-23-08; 8:45 am]

BILLING CODE 3710-PU-P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement for the Clear Creek General Reevaluation Study, Brazoria, Fort Bend, Galveston and Harris Counties, TX

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The Clear Creek watershed drains portions of Fort Bend, Harris, Galveston, and Brazoria counties, Texas, including portions of Houston and the smaller towns of League City, Friendswood and Pearland, among others. The watershed also forms part of the boundary between Harris County to the north and Galveston and Brazoria counties to the south. Clear Creek flows into the west side of upper Galveston Bay through Clear Lake. The Draft Environmental Impact Statement (DEIS) will evaluate several flood detention and conveyance features to reduce flooding of homes and businesses in the Clear Creek Watershed. The study will focus on environmental and social conditions currently present and those likely to be affected by the proposed changes in the watershed. The flood-control project includes construction of several miles of high flow channel adjacent to the existing channel, while preserving the existing channel and floodplain forest. Detention of flood waters would also be provided in some areas where the high flow channel diverges from the low flow channel and in off-line detention areas adjacent to the creek. All flood control measures on Clear Creek occur upstream of the Dixie Farm Road crossing. The proposed project also includes widening three tributaries to Clear Creek, Mud Gully, Turkey Creek, and Mary's Creek, for improved conveyance of flood flows, with detention basins constructed adjacent to Mary's Creek and between Clear Creek and Mud Gully.

ADDRESSES: U.S. Army Corps of Engineers, Galveston District, P.O. Box 1229, Galveston, TX 77553-1229.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Heinly, (409) 766-3992, Planning Lead, Planning Section, Planning, Environmental and Regulatory Division; or Ms. Andrea Catanzaro, (409) 766-6346, Environmental Lead, Environmental Section, Planning, Environmental and Regulatory Division.

SUPPLEMENTARY INFORMATION:

(1) *Background.* Flooding along Clear Creek has caused problems for over 30

years. Floodwaters in 1973, 1976, 1979, 1989, and 1994 substantially damaged residences along the creek. Heavy rains from Tropical Storm Allison in 2001 resulted in severe flooding along Clear Creek and prompted the buyout of approximately 300 flood-prone homes. However, flooding is not only a problem associated severe rain events, but has become increasingly more frequent along Clear Creek, even with moderate amounts of rainfall. Local authorities have made limited channel improvements to address specific flood concerns, but those efforts have contributed little to resolving the current large-scale flooding problem. The Clear Creek Federal flood control project was authorized by Congress in the Flood Control Act of 1968 (Pub. L. 91-611, Section 221). The authorized project extended 31 miles from Clear Lake to the Fort Bend County line. Plans included deepening, widening, and realigning the creek channel. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. In 1982 the Phase I General Design Memorandum, including the Final Environmental Impact Statement, was signed by the U.S. Army Corps of Engineers (USACE) Southwest Division Engineer, thus authorizing the detailed design. Due to concerns regarding its design, the project's non-Federal sponsors, Galveston County and Harris County Flood Control District, with input from the public and governmental entities, requested reevaluation of the design. In 1997, the sponsors requested the USACE adopt changes to the plans. The changes requested by the non-Federal sponsors were beyond the discretionary authority of the USACE Southwest Division Commander to approve. As a result, in February 1999, the USACE decided a general reevaluation study would be needed. In April 1999, the non-Federal sponsors agreed to accept the USACE recommendation to conduct the general reevaluation study. The general reevaluation study reconsidered the previously authorized project as well as non-Federal sponsor-proposed alternatives and other alternatives that were deemed reasonable. Brazoria County Drainage District #4 joined the non-Federal sponsors in this effort by June 1999.

(2) *Alternatives.* The construction alternatives that will be evaluated are: (1) Constructing 15.2 miles of 130 ft to 240 ft wide high flow channel in two

separate sections of Clear Creek. (2) Detention of 485 acre feet of flood water in the high flow channel of Clear Creek where it diverges from the low flow channel. (3) Detention of 1,750 acre feet of flood water in a 160 acre basin adjacent to Clear Creek. (4) Construction of a grass-lined channel on 2.4 miles of Turkey Creek to its confluence with Clear Creek. (5) Construction of a concrete-lined channel for 0.8 mile of Mud Gully in the reach which is located between the northbound and southbound lanes of Beamer Rd. (6) Detention of 1,515 acre feet of flood water in a 120 acre basin between Clear Creek and Mud Gully. (7) Construction of a 2.1 mile grass-lined channel on Mary's Creek. (8) Detention of 857 acre feet of flood water in two detention basins totaling 120 acres along Mary's Creek.

(3) *Scoping.* Scoping meetings were held on March 15, 2001 at the Friendswood High School in Friendswood, TX, on March 15, 2001 in Friendswood, TX, on May 3, 2001 in League City, TX, and on May 9, 2001 in Pearland, TX. The scoping process involved Federal, State and local agencies, and other interested persons and organizations. Comments were received for 30 days following each scoping meeting. Comments will be considered during preparation of the EIS. At this time, there are no plans for an additional scoping effort.

(4) *Coordination.* Further coordination with environmental agencies will be conducted under the National Environmental Policy Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the Clean Water Act, the Clean Air Act, the National Historic Preservation Act, the Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat), and the Coastal Zone Management Act under the Texas Coastal Management Program.

(5) *DEIS Preparation.* It is estimated that the DEIS will be available to the public for review and comment in March 2009.

Richard Medina,

Chief, Planning and Environmental Branch.

[FR Doc. E8-14239 Filed 6-23-08; 8:45 am]

BILLING CODE 3710-52-P

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The IC Clearance Official, Regulatory Information Management

Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before August 25, 2008.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The IC Clearance Official, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: June 18, 2008.

Angela C. Arrington,

IC Clearance Official, Regulatory Information Management Services, Office of Management.

Federal Student Aid

Type of Review: Revision.

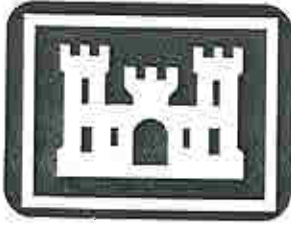
Title: Federal Family Education Loan, Direct Loan, and Perkins Loan Discharge Applications.

Frequency: On Occasion.

Affected Public: Individuals or household.

Appendix A-1

March 15, 2001, Public Scoping Meeting Transcript and Summary



US Army Corps of Engineers Galveston District

March 15, 2001

Contacts: Phyllis Bledsoe, Chief, Public Affairs (409.766.3005)
Donald R. Allen, Project Manager (409.766.3051)

Army Corps of Engineers Holds Clear Creek Public Meeting

Friendswood, Texas. March 15, 2001—The U. S. Army Corps of Engineers, Galveston District is holding a public scoping meeting on March 15, 2001 at the Friendswood High School Auditorium at 702 Greenbriar in Friendswood. The purpose of the meeting is to accept oral and written citizen comments regarding flood damage reduction options for Clear Creek.

An “open house” is being held in the foyer of the auditorium from 5:00 PM to 6:45 PM, and the official scoping meeting begins at 7:00 PM. At the open house, displays will be available for public viewing and technical staff representing the Clear Creek Study Team will be available to answer questions and talk with residents.

The U. S. Army Corps of Engineers, Galveston District, is engaged in a complete re-evaluation of flood damage reduction measures for Clear Creek. This entirely new study will re-evaluate options for a federally funded flood damage reduction plan developed many years ago. The original plan included deepening and widening Clear Creek to reduce serious flooding problems that have affected some area residents for over thirty years.

The latest information and technology is being used in the study, including new aerial photography, new topographic survey data, new aerial photogrammetry, new hydrographic surveys, new hydraulic and hydrologic information, new sociological and demographic data, new baseline environmental data, and a new project economic evaluation. Eco-friendly flood control solutions are being strongly considered by the Clear Creek Study Team as project planning progresses.

The National Environmental Policy Act (NEPA) requires that the U. S. Army Corps of Engineers conduct a scoping meeting for any major federal project. The purpose of the scoping meeting is to hear specific concerns and issues that should be considered as the project is studied and evaluated.

Representatives of the following organizations are local sponsors of the Clear Creek Study: The Harris County Flood Control District, Galveston County, and Brazoria County Drainage District Number Four.

Colonel Nicholas Buechler will moderate the meeting on behalf of the U. S. Army Corps of Engineers and Galveston County Judge James D. Yarbrough will welcome meeting attendees to Galveston County. Senior officials from

the Harris County Flood Control District, including Executive Director Art Storey and Director Mike Talbott and, will attend the meeting, as will officials representing Brazoria County Drainage District Number Four, including Commissioner Jeff Brennan.

The U. S. Army Corps of Engineers and the local sponsors for the Clear Creek Study are conducting a significant public outreach program. Two newsletters detailing facts on the Clear Creek Study were distributed to citizens and public officials in the *Houston Chronicle*, the *South Belt Leader*, *The Reporter News* and *The Journals* during June 2000 and February 2001. The February 2001 newsletter publicizing tonight's public meeting was distributed to approximately 255,000 area businesses and residents. Two different postcard mailings were sent to approximately 3,100 citizens in late February and early March 2001 announcing the public meeting, its location and purpose. A Clear Creek Study Team web site (www.clearcreekproject.com) was also launched in late February 2001. The web site provides information about the study and invites users to send their comments to the Clear Creek Study Team using a form provided on the web site.

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U. S. ARMY CORPS OF ENGINEERS
PUBLIC SCOPING MEETING OF THE
CLEAR CREEK FLOOD CONTROL PROJECT

(Record amended on April 5, 2001)

702 Greenbriar

March 15, 2001

Friendswood, Texas 77546

7:00 p.m.

REPORTED BY:

JAMES PLAIR, CSR, RPR

CERTIFICATION NO. 4409

Job No. 48813

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 PANEL IN ATTENDANCE</p> <p>4 U. S. ARMY CORPS OF ENGINEERS</p> <p>5 GALVESTON DISTRICT</p> <p>6 Colonel Nicholas Buechler</p> <p>7</p> <p>8</p> <p>9 COUNTY JUDGE</p> <p>10 GALVESTON COUNTY</p> <p>11 Honorable James D. Yarbrough</p> <p>12</p> <p>13</p> <p>14 BRAZORIA DRAINAGE DISTRICT NO. 4</p> <p>15 COMMISSIONER</p> <p>16 Mr. Jeff Brennan</p> <p>17</p> <p>18</p> <p>19 HARRIS COUNTY FLOOD CONTROL DISTRICT DIRECTOR</p> <p>20 Mr. Mike Talbott</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 meeting, a 30-day period of time, when we</p> <p>2 will receive comments that will apply to</p> <p>3 subsequent scoping meetings. As well,</p> <p>4 there's a web page out there that is in</p> <p>5 your literature this evening. The address</p> <p>6 of that web page is in your literature this</p> <p>7 evening, and there is a vehicle on that web</p> <p>8 page that people can submit comments; and</p> <p>9 there are other forms, newsletters, things</p> <p>10 such as that, that also provide opportunity</p> <p>11 for folks to submit comments. It's very</p> <p>12 important for everybody to understand that</p> <p>13 the purpose of this process is to seek</p> <p>14 public input, and I will make that point a</p> <p>15 number of times this evening.</p> <p>16 So, for the record, let me state that</p> <p>17 this public scoping meeting is being</p> <p>18 convened at 7:12 p.m. on March 15th, 2001,</p> <p>19 at the Friendswood High School in</p> <p>20 Friendswood, Texas. As you know, the Corps</p> <p>21 of Engineers, the Harris County Flood</p> <p>22 Control District, Galveston County, and</p> <p>23 Brazoria Drainage District No. 4, are</p> <p>24 conducting a study to determine the</p> <p>25 economic, engineering, and environmental</p>
<p style="text-align: right;">Page 3</p> <p>1 PROCEEDINGS</p> <p>2</p> <p>3 COLONEL BUECHLER: I welcome you</p> <p>4 tonight to the Public Scoping Meeting</p> <p>5 concerning the Clear Creek Flood Control</p> <p>6 Project. We got some concerns expressed in</p> <p>7 my office in terms of the timing of this</p> <p>8 meeting associated with Spring Break and</p> <p>9 some who indicated they haven't had</p> <p>10 sufficient notice in order to attend</p> <p>11 tonight's meeting. We're going to conduct</p> <p>12 tonight's public meeting. We're also going</p> <p>13 to conduct two or three additional scoping</p> <p>14 meetings, and we'll do those out in other</p> <p>15 parts of the watershed. We'll accomplish</p> <p>16 that probably within the next 90 days,</p> <p>17 somewhere within the next 45 to 90 days.</p> <p>18 It will take some time, obviously, to</p> <p>19 put a location together and then time for</p> <p>20 the notice to go out to notify folks. That</p> <p>21 will not cause a delay in the work that the</p> <p>22 project delivery team is doing. There's</p> <p>23 plenty of work for them to do. We also, as</p> <p>24 I'll mention later this evening, have a</p> <p>25 period of time following this scoping</p>	<p style="text-align: right;">Page 5</p> <p>1 feasibility of improvements to Clear</p> <p>2 Creek. We are specifically seeking input</p> <p>3 concerning flood damage reduction solutions</p> <p>4 and environmental issues of concern. This</p> <p>5 meeting is about Clear Creek. It's not</p> <p>6 about other tributaries. It's not about</p> <p>7 maintenance issues. It's not about</p> <p>8 complaints.</p> <p>9 We were -- the Corps was asked to</p> <p>10 come in and work on a flood control problem</p> <p>11 and we were asked to do that by the folks</p> <p>12 that are sitting up here with me at the</p> <p>13 table, and I will introduce them</p> <p>14 momentarily. It's another thing, I think,</p> <p>15 is very important to understand that this</p> <p>16 is a watershed project. This is not a</p> <p>17 Corps project. This is a community</p> <p>18 project. There are lots of communities</p> <p>19 that are in this watershed, and every</p> <p>20 community's input is important so that we</p> <p>21 can achieve the best solution for the whole</p> <p>22 watershed.</p> <p>23 At this time I would like to</p> <p>24 introduce the other members seated here at</p> <p>25 the table with me. On my far left is Jeff</p>

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1 Brennan from Brazoria Drainage District --
2 Brazoria County Drainage District No. 4.
3 To my immediate left is Mike Talbott from
4 the Harris County Flood Control District.
5 And to my right is Judge Yarbrough, the
6 Galveston County Judge.

7 We also have a number of other
8 elected officials and those representing
9 them present. I'm going to take a moment
10 here to acknowledge them, that they're
11 here. Some of those individuals have
12 indicated a desire to make a comment, and
13 at the appropriate time we'll invite them
14 back up.

15 There is no particular order to this
16 group of cards, so I would just like to go
17 down each one of them. Let's begin with
18 J. Leney who is here representing
19 Congressman Nick Lampson; Mr. Ken Clark,
20 the Galveston County Commissioner, Precinct
21 No. 4; Mr. Lamoine Scott -- excuse me --
22 Ms. Lamoine Scott, representing Senator Mike
23 Jackson's office; Mr. John Hargrove, City
24 Engineer of Pearland;
25 Mr. Andrew P. Gallagher, who is Assistant

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1 We'll have a few folks out there that can
2 continue to answer some of your questions.

3 Also we have provided you a number of
4 handouts. I would encourage you to take
5 those home and share them. The opportunity
6 to make comments is done through an
7 attendance card. If you have filled one of
8 those attendance cards out and intend to
9 make a statement those have been brought
10 forward to me and anybody that has not
11 filled out one of those cards and would
12 like to make a statement, if you would
13 please fill one of those out we would be
14 happy to hear your statement.

15 And you also should have had the
16 opportunity on the back side of that card,
17 if you wanted, to submit a written
18 comment. We have folks here that are
19 prepared to take those from you, and as I
20 mentioned earlier we will take your written
21 comments for a 30-day period.

22 The purpose -- the purpose of
23 tonight's meeting, as I mentioned, is to
24 gather input. It's not a voting contest.
25 That's an important point to understand,

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1 City Engineer of Pearland; Mr. David
2 Charvoz, who is Supervisor of Clear Creek
3 Drainage District; Ms. Katie Benoit -- and
4 I apologize if I'm mispronouncing any of
5 these names. I will tell you that my name
6 is never mispronounced and it's spelled
7 phonetically just as it's spoken. If you
8 ever see my name up close you know that's
9 not true. Ms. Benoit is from the City
10 Council of League City; Mr. Harold
11 Whitaker, Mayor of City of Friendswood;
12 Mr. Gary Harris, Clear Creek Drainage
13 District; I've already introduced Jeff
14 Brennan here from the Brazoria County
15 Drainage District No. 4; and Larry R.
16 Marcott, a city council member from
17 Pearland. We also have Commissioner Ben
18 Lenamon, Brazoria Drainage District; and
19 County Commissioner Jack Harris from
20 Brazoria County.

21 I hope that you all have had an
22 opportunity to look at the displays out in
23 the foyer. They are still out there, and
24 if you have the desire you are welcome to
25 go back out and continue to look at those.

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1 that if an issue is raised that issue will
2 receive the same merit and the same
3 thoroughness, the same fairness, if that
4 issue is raised by one person or if that
5 issue were raised by a hundred people.

6 So in the interest of completing this
7 meeting and moving on, I respectfully ask
8 you if your issue has already been
9 covered -- and we're going to post them up
10 there on the board for you to see -- that
11 you elect to pass. If you think the issue
12 has not been covered sufficiently, you are
13 welcome to speak, but it's -- we are
14 interested in trying to gather the issues
15 and not -- I think it's important for
16 everybody to understand that you don't need
17 a large group of people behind a particular
18 issue for it to be one to be looked at in
19 this study.

20 Also vocal or verbal spoken comments
21 receive the same weight as written.
22 Written comments receive the same weight as
23 those that are spoken. So whichever you
24 are more comfortable with doing we ask for
25 your input.

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1 It's an opportunity to present
2 issues, views, ideas, recommendations. We
3 are doing this as part of a process
4 required by the National Environmental
5 Protection Act and we're doing this to
6 complete the supplemental environmental
7 impact statement.

8 Tonight's meeting will be recorded by
9 a court reporter, and he's seated over
10 there to my left by the screen.

11 Tonight's meeting is going to start
12 with a few comments from Mr. Don Allen, my
13 project manager. He will be followed by
14 some comments from Judge Yarbrough, who
15 will be representing the three sponsors,
16 and then our planning lead from the Corps
17 office will give a presentation on a study
18 overview, where we are so far and where
19 we're going, and at that point I will open
20 the floor up for public comments and we'll
21 begin with those officials that have
22 indicated a desire to make a comment and
23 we'll conclude with the comment cards in
24 the order that they were basically turned
25 in. We recorded a number in the order in

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1 have gone on in the watershed over the
2 passed few decades.

3 I want to share with you tonight that
4 there's been changes going on within the
5 Corps of Engineers and also with your local
6 sponsors in our approaches to flood damage
7 reduction solutions. As the Colonel
8 indicated a few moments ago, Mr. Robert Van
9 Hook who's the study manager now for the
10 General Reevaluation Report, is going to
11 give you some of the details of what our
12 current study effort is, and I want you to
13 listen to what he says about things that
14 are new, things that are different, things
15 that have changed.

16 We've gone and spent some extra time
17 to develop a complete new water base, or
18 watershed database for Clear Creek and
19 Clear Lake. We're using state-of-the-art
20 methodologies and new technologies. We're
21 using new emphasis on the whole variety of
22 tools that are in the flood control toolbox
23 that the flood control district refers to.

24 We're seeking new input tonight from
25 you. We're seeking new ways, and the

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1 which they were turned in and that's the
2 order that we will receive those comments.
3 So, Mr. Allen, if you would come forward.

4 MR. ALLEN: Thank you, sir. 1968,
5 the Flood Control Act that authorized the
6 Clear Creek project was passed by
7 Congress. It's been quite some time ago.
8 The map in front of you depicts the
9 watershed at Clear Creek. How many of you
10 lived in the Clear Creek watershed within
11 those boundaries in 1968? In 1968. Those
12 boundaries have not changed. It's the same
13 watershed, it's the same creek, the same
14 Clear Lake.

15 How many of you live in the Clear
16 Creek watershed today?

17 I'm sure most of you saw at least out
18 the corners of your eyes that there's a
19 drastic change. Quite a difference in the
20 number of people living in the watershed
21 then and living in the watershed now.
22 There are a number of displays in the foyer
23 that I hope you've had time to look at
24 during our open house before you came in
25 that emphasize some of the changes that

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1 reason we're doing that and have to do that
2 now is because the information that we had
3 before was old. The planning that we had
4 before was studied a number of years ago,
5 and we all know how things have changed.

6 Because of those changes, there was
7 not consensus on what the community wanted
8 for flood damage reduction along Clear
9 Creek, and that's why we're here and that's
10 the basic thing that this entire study is
11 about, is about trying to find consensus,
12 something that can be supported not only by
13 the Corps and the local sponsors but most
14 especially by you, the public, and that's
15 why we need your input, and we're here to
16 work with you, to hear you, and I say that
17 sincerely.

18 Many of you have known me for a long
19 time. I have spent 19 years on this
20 project and we're still listening and I
21 think this time we're kind of down at the
22 end of the road, and I really truly believe
23 that we can find and reach a consensus over
24 the next few years on what is best for this
25 watershed and the people who live here not

<p style="text-align: right;">Page 14</p> <p>1 just today but for generations to come, and 2 that's why this is serious. 3 The things that we do are going to 4 impact not only your lifestyles tomorrow 5 but the lifestyles and the quality of life 6 that people have here, be it flood control, 7 environmental, recreation, whatever your 8 concern is. It's going to have an impact 9 for a long, long time. We thank you for 10 your attendance tonight and we thank you 11 for your input. 12 COLONEL BUECHLER: Thank you, Don. 13 (Audience applause.) 14 COLONEL BUECHLER: Judge Yarbrough. 15 JUDGE YARBROUGH: Thank you, 16 Colonel. 17 Thank you for being here and we want 18 to welcome you to Friendswood and we also 19 want to welcome you to Galveston County. 20 When Don Allen first started working on 21 this project that ponytail was on top of 22 his head, I believe. 23 (Audience laughter.) 24 You know, I missed a meeting. I 25 missed one of the meetings with the local</p>	<p style="text-align: right;">Page 16</p> <p>1 they've stepped to the table to join our 2 efforts. We support this study. I could 3 probably answer for all of you. We're 4 tired of studies. It's time for action, 5 and we've got a small window of opportunity 6 here, folks. 7 As Don Allen said, we need to begin 8 the process of building consensus, and when 9 we finish this study we don't want to be so 10 fractured and so split that we can't 11 implement whatever project we rally behind, 12 because if we stay split and fractured and 13 we don't rally behind a project there will 14 be another group of people here 25 years 15 from now talking about the same thing with 16 no action. That's unacceptable. 17 The people in this room, the people 18 in this watershed, are going to pay the 19 bill. It's your project and our job as 20 public officials and team leaders, we need 21 to begin to help bring consensus, and as 22 with most complex issues -- and this is a 23 complex issue -- there are competing 24 interests. What may be good for the lake 25 community may not be good for us up on this</p>
<p style="text-align: right;">Page 15</p> <p>1 sponsors, and I got elected to speak on 2 behalf of our three local sponsors, 3 Galveston County, the Harris County Flood 4 Control District, and Brazoria Drainage 5 District No. 4. I want to send a special 6 recognition to Art Storey. I see him in 7 the audience. He's been up in this 8 position many times before, and I also want 9 to acknowledge the good friend Ed Stewart 10 who was quite a young man when this project 11 first started himself; Ed. 12 Let me reiterate a couple of things 13 that have been said. The Corps is here 14 because the local sponsors have asked them 15 to be here. The Corps has the resources 16 and the ability to provide guidance on a 17 problem that we've shared here in Galveston 18 County and in this drainage -- in this 19 particular Clear Creek watershed for years, 20 and that's flooding. That's what the 21 bottom line is. 22 We've got some new players involved. 23 We're glad to have Drainage District No. 4 24 from Brazoria County because they certainly 25 are part of the mix and we're glad that</p>	<p style="text-align: right;">Page 17</p> <p>1 end, and vice versa for those in the 2 middle. And so we need to understand that 3 there are competing interests. We need to 4 acknowledge that there are differences. We 5 need to acknowledge that there are a lot of 6 right ways to do things. They're just 7 different. It doesn't have to be my way or 8 your way. 9 And so we look forward to hearing 10 your comments not only tonight but, as the 11 Colonel alluded to, we're going to have 12 several other public meetings because we 13 are doing the public's business and I am 14 convinced more than ever that the Corps has 15 opened their processes. They're thinking 16 in a new era to bring in new technology to 17 think of things outside of the way we've 18 always thought about solving the problems 19 on Clear Creek. So, again, we appreciate 20 your participation tonight and look forward 21 to your comments. Thank you. 22 (Audience applause.) 23 COLONEL BUECHLER: Thank you, Judge. 24 Mr. Van Hook. 25 MR. VAN HOOK: I've got to get on my</p>

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1 eyes here.

2 Good evening. I want to welcome each
3 and every one of you here. My name is
4 Robert Van Hook and I'm the planning lead
5 on the General Reevaluation Study. This is
6 the first, as mentioned, of several public
7 meetings that we'll be holding during this
8 study effort.

9 The General Reevaluation Study or, as
10 we say a lot of times, the GRR, is an
11 evaluation of the main stem of Clear
12 Creek. It extends from the Fort Bend
13 County line downstream through Clear Lake.
14 This evening I would like to give you a
15 general overview of our study efforts.

16 As many of you are aware, in 1997,
17 the local sponsors, Harris County Flood
18 Control District and Galveston County at
19 that time, requested that a six-month
20 suspension of construction be implemented
21 and that we review the project as it was to
22 look for more -- to look at the project and
23 reevaluate it to look at the issues that
24 were at present day.

25 This request was in response to

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1 probably seen outside among our displays in
2 the foyer, there is a planning process that
3 the Corps of Engineers is required to
4 follow. This slide depicts that process.

5 We are -- we have essentially
6 performed the first step of specifying
7 problems and opportunities and we're still,
8 you know, open to your views. We are into
9 the second step of inventory and
10 forecasting conditions and we will be
11 performing step three following this public
12 scoping meeting.

13 As we began the study in June of '99
14 we had many coordination meetings with the
15 local sponsors, and in June of '99 Brazoria
16 Drainage District 4 joined the Harris
17 County Flood Control District and the
18 Galveston -- and Galveston County as
19 sponsors for the reevaluation study and
20 indicated an interest in reactivating their
21 sponsorship for any project that might
22 result in the General Reevaluation Report.

23 The current Clear Creek study
24 therefore includes Brazoria County in the
25 overall study area. We then began the

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1 credible and responsible and qualified
2 objections from concerned citizens and
3 organizations, and we were attempting to
4 identify proposed enhancements and updates
5 to the project. The local sponsors helped
6 in a series of three public meetings to get
7 input about flood reduction options on the
8 creek. The sponsors developed an
9 alternative plan and asked us, the Corps,
10 to determine if the plan was within the
11 discretionary authority of the division
12 engineer in Dallas under the authorization
13 that we currently have.

14 The Galveston District looked at the
15 plans and determined that there was too
16 many uncertainties about costs and various
17 effects of the proposed project and we
18 recommended to the division engineer that
19 we do a reevaluation of the whole process.

20 Therefore, the recommendation was
21 made in the commissioner's courts of Harris
22 and Galveston Counties to pass resolutions
23 in April of '99 to request that the Corps
24 undertake the reevaluation of the Clear
25 Creek project. As some of you have

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1 process of defining the study parameters,
2 activities, schedules, costs, et cetera,
3 and we established an inter-disciplinary
4 study team for the reevaluation. The study
5 team has developed preliminary goals and
6 objectives that are displayed in the foyer
7 and also on these two slides.

8 I can't exactly read them from here,
9 but I think most of you can read them:
10 Identifying and recommending an efficient,
11 affordable, and environmentally sensitive
12 flood damage reduction project for Clear
13 Creek and conducting the necessary
14 engineering, economic, and environmental
15 studies in a timely manner in order to
16 establish a viable project that is
17 acceptable to the public, to the local
18 sponsors, to the Corps of Engineers.

19 It was determined that the study
20 would be a totally new effort, that we
21 would wipe the slate clean and begin all
22 over again. Therefore, the whole study is
23 wide open and there is no preconceived
24 plans based on old data and ideas.

25 I skipped the objective schedule

<p style="text-align: right;">Page 22</p> <p>1 there, this slide.</p> <p>2 We will use all the variable flood</p> <p>3 reduction tools that are in our toolbox.</p> <p>4 We will also consider any new tools or</p> <p>5 approaches that may come to the attention</p> <p>6 as a result of this study effort and your</p> <p>7 input. The tools we currently have on the</p> <p>8 list include but are not limited to</p> <p>9 nonstructural tools such as buyout of</p> <p>10 structures, flood-proofing structures,</p> <p>11 flood alert, flood plain management and</p> <p>12 regulation, and the use of natural</p> <p>13 resources. Our structural tools include</p> <p>14 channelization, detention facilities,</p> <p>15 bypass channels, bridge evaluations,</p> <p>16 constructions of levees and/or flood walls,</p> <p>17 new outlets and/or transition structures.</p> <p>18 We then began to look for brand new</p> <p>19 information using the latest technology. A</p> <p>20 new computer model developed and used by</p> <p>21 the April of '99 Clear Lake study will be</p> <p>22 used in this evaluation of additional flood</p> <p>23 reduction alternatives and to assess any</p> <p>24 potential downstream effects of the Clear</p> <p>25 Lake area.</p>	<p style="text-align: right;">Page 24</p> <p>1 area. We will use this information in the</p> <p>2 analysis of all new alternative plans that</p> <p>3 are developed.</p> <p>4 We're using the newest up-to-date</p> <p>5 population and land use information. The</p> <p>6 latest technology and methods will be used</p> <p>7 to project population growth and the</p> <p>8 long-term effects of any project.</p> <p>9 How long is this going to take? The</p> <p>10 study is projected to be completed in July</p> <p>11 of 2003. Then, if an acceptable project</p> <p>12 can be found, it will be implemented as</p> <p>13 soon as possible thereafter.</p> <p>14 Some of the activities that are</p> <p>15 ongoing. We have hired Dannenbaum</p> <p>16 Engineering Corporation to develop our new</p> <p>17 hydrologic and hydraulic information.</p> <p>18 Their work on the baseline H&H will be</p> <p>19 completed at the end of July. New baseline</p> <p>20 economics will be developed. New baseline</p> <p>21 environmental data is being developed</p> <p>22 through a contract with PBS&J, and they</p> <p>23 will develop new environmental database</p> <p>24 layers for our GIS. Following this public</p> <p>25 meeting and your input we will deliver or</p>
<p style="text-align: right;">Page 23</p> <p>1 In February of last year the</p> <p>2 watershed was flown and we now have new</p> <p>3 orthophotography for the whole watershed.</p> <p>4 New topographic information has been</p> <p>5 collected. This will help us account for</p> <p>6 any aerial subsidence. New cross-sections</p> <p>7 have been taken along Clear Creek through</p> <p>8 the lake and the second outlet channel. We</p> <p>9 also have updated bridge data now.</p> <p>10 The latest computer technology will</p> <p>11 be used in the study. We developed a new</p> <p>12 digital terrain model which displays map</p> <p>13 topography in digital form in the</p> <p>14 watershed. We performed a new survey of</p> <p>15 some 3300 structures within the projected</p> <p>16 25-year flood plain up and down the creek</p> <p>17 and the hundred-year flood plain around the</p> <p>18 lake area. We have first floor elevations</p> <p>19 for all of these structures established.</p> <p>20 We have acquired new geotechnical</p> <p>21 data along the sponsored proposed</p> <p>22 alternative route. We have developed a</p> <p>23 state-of-the-art Geographic Information</p> <p>24 System, or GIS, for the watershed to record</p> <p>25 and store information about the study</p>	<p style="text-align: right;">Page 25</p> <p>1 develop the first set of new alternatives</p> <p>2 for further evaluation.</p> <p>3 I'd also like to tell you a little</p> <p>4 bit about an ecosystem restoration workshop</p> <p>5 that we held on January the 31st at our</p> <p>6 district office. The study team invited</p> <p>7 some of the Corps' headquarters folks to</p> <p>8 come and give us an overview of ecosystem</p> <p>9 restoration and how we could incorporate</p> <p>10 eco-friendly solutions into our flood</p> <p>11 damage project.</p> <p>12 They talked to us about the new</p> <p>13 ecosystem restoration mission for the</p> <p>14 Corps, our new policies and new</p> <p>15 methodologies. The study team, engineering</p> <p>16 and environmental personnel, local</p> <p>17 sponsors, and some public resource agents</p> <p>18 such as Texas Parks and Wildlife, attended</p> <p>19 this workshop.</p> <p>20 Also four of the study team members</p> <p>21 from the Corps and the Harris County Flood</p> <p>22 Control District went to California in</p> <p>23 February to visit the Napa River Flood</p> <p>24 Control project, which is quite similar to</p> <p>25 Clear Creek. We visited with the project</p>

<p style="text-align: right;">Page 26</p> <p>1 manager and the local sponsors' project 2 manager and we toured the project. What is 3 important about the Napa River project is 4 that the community, the resource agencies, 5 and the project sponsors were all able to 6 reach consensus about a workable, 7 acceptable project that included 8 eco-friendly features.</p> <p>9 In 2002 we will perform economic 10 analysis on alternative plans to determine 11 the benefits-to-costs ratios for the 12 alternatives, meet with our division and 13 headquarters to discuss our formulation of 14 alternatives and get their buy-in to our 15 process. We'll determine the recommended 16 project plan or plans. We will complete 17 coordination with the Fish and Wildlife 18 Service to evaluate the environmental 19 impacts of the proposed plans or plan, 20 develop and complete a Draft General 21 Reevaluation Report and Supplemental 22 Environmental Impact Statement.</p> <p>23 In 2003 we will finalize the General 24 Reevaluation Report and Supplemental and 25 Environmental Impact Statement, perform our</p>	<p style="text-align: right;">Page 28</p> <p>1 Reporter and the Pearland Journal.</p> <p>2 We have developed a website for the 3 Clear Creek study. The website, 4 www.clearcreekproject.com, was launched on 5 February the 22nd. The website was 6 developed to serve as a source for you, the 7 public, to obtain the latest information 8 about Clear Creek, the study, and to create 9 any additional opportunities for you, the 10 citizens, to submit questions or comments.</p> <p>11 The site will be updated as new 12 information becomes available. I hope you 13 also picked up a pen outside which has that 14 address on it. Everyone is encouraged to 15 visit the website frequently to keep up 16 with the status of the Clear Creek study. 17 The study team will consider all comments 18 and ideas presented in any form by the 19 website, written, or whatever.</p> <p>20 There is a citizens advisory 21 committee that was set up by the Harris 22 County Flood Control District. This group 23 is made up of private citizens, elected 24 officials, engineers, business people, 25 environmental interests, et cetera. We</p>
<p style="text-align: right;">Page 27</p> <p>1 Washington-level project review and obtain 2 the Assistant Secretary of the Army for 3 Civil Works approval.</p> <p>4 We want your comments. We are very 5 serious about wanting your input into this 6 study process. We sent out some 3100 7 postcards as both a first and a reminder 8 mailing to those people who were on the 9 mailing list compiled by the Harris County 10 Flood Control District. The current list 11 includes attendees at the three public 12 meetings in 1997, public officials in the 13 watershed, or those that are interested in 14 the project and citizens who have called or 15 written about the project. If you filled 16 out an attendance card tonight you will be 17 included in any subsequent direct mailings 18 that we have.</p> <p>19 We also sent out in February a second 20 edition of our newsletter, The Clear Facts 21 on Clear Creek, in which, among other 22 things, we announced this meeting. Some 23 254,000 people received these newsletter 24 inserts through the Houston Chronicle, the 25 South Belt Leader, the Pearland/Friendswood</p>	<p style="text-align: right;">Page 29</p> <p>1 will keep the committee advised of the 2 study efforts. Please make your concerns 3 aware to them also.</p> <p>4 Please pick up comment cards in the 5 foyer for yourself, some to take to your 6 friends and neighbors. These cards solicit 7 input about flooding experience, ask for 8 written comments on alternative ideas or 9 areas of environmental concern. They are 10 self-addressed and postage paid. Fill them 11 out at your leisure, but in order for them 12 to be part of this public record, they must 13 be returned to us by April 16th.</p> <p>14 As I mentioned earlier, we're 15 interested in eco-friendly flood damage 16 reduction solutions. Ecosystem restoration 17 is a new Corps mission. Although ecosystem 18 restoration is not an authorized purpose 19 for the Clear Creek Project, we're looking 20 at flood damage reduction tools or measures 21 that are eco-friendly.</p> <p>22 We would like information on special 23 habitats such as places where you go to 24 watch for birds, look at wildflowers, other 25 interesting plants, wherever you enjoy the</p>

<p style="text-align: right;">Page 30</p> <p>1 beauty and the nature of the creek. Maps 2 are available in the foyer on which for you 3 to mark special locations that you are 4 familiar with. In addition, we have 5 specific natural resources. If you have 6 specific natural resources or issues that 7 you're concerned about, please give us your 8 comments on those. 9 As we have said, this is an entirely 10 new study. We want and need citizen 11 input. We are soliciting input for the 12 development of alternative plans for flood 13 damage reduction for Clear Creek. This was 14 a new study to evaluate all options 15 available to flood damage reduction. 16 Alternatives under study involve a wide 17 range of ideas. When the study is 18 complete, the team will decide if a plan 19 exists that provides sufficient benefits to 20 warrant continued participation. 21 If no acceptable beneficial plan can 22 be developed, the study flood team may 23 recommend that the Corps take no action. 24 This no action alternative is required to 25 be evaluated by us.</p>	<p style="text-align: right;">Page 32</p> <p>1 projects that complement other programs and 2 projects. Both must be justified, 3 considering all costs and corresponding 4 benefits of the project. 5 But Challenge 21 has a single project 6 funding cap of \$30 million. The Clear 7 Creek project does not have a funding 8 limit. Challenge 21 does not currently 9 have a federal funding appropriation. The 10 Clear Creek study does have federal 11 funding. 12 Therefore, at this time it's better 13 to pursue the very same type of project 14 that we would consider under Challenge 21 15 under the current Clear Creek study 16 authority. It's funded and there is no 17 upper limit or cap on the funding for the 18 project like there is under Challenge 21. 19 The Harris County Flood Control 20 District in an October 2nd, 2000, letter to 21 the Galveston District proposed Clear Creek 22 as a potential Challenge 21 project. In 23 their letter they stated that the Harris 24 County Flood Control District does not want 25 to jeopardize the completion of the General</p>
<p style="text-align: right;">Page 31</p> <p>1 We have received a number of 2 questions from citizens regarding a new 3 initiative commonly called Challenge 21, 4 which was authorized under Section 212 of 5 the Water Resources Development Act of 6 1999. That section states the secretary 7 may undertake a program for the purpose of 8 conducting projects to reduce flood hazard 9 and restore the natural functions and 10 values of rivers throughout the United 11 States. 12 The current study does not fall under 13 this Challenge 21 program and I'd like to 14 explain why by comparing the current study 15 in the Challenge 21 for you. 16 Both Challenge 21 and the Clear Creek 17 study consider structural and nonstructural 18 flood damage reduction options. Both 19 Challenge 21 and the Clear Creek study 20 include environmental restoration 21 measures. Both emphasize projects that 22 minimize adverse environmental, flooding, 23 and social impacts. 24 Both give priority to projects that 25 have community support. Both emphasize</p>	<p style="text-align: right;">Page 33</p> <p>1 Reevaluation Report or the chance of losing 2 federal participation in the project. 3 There is a handout in the foyer on 4 Challenge 21. Probably a lot of you have 5 already picked that up. If you haven't, 6 please pick up one. 7 That concludes my overview of the 8 environmental -- I mean, the reevaluation 9 study. I will now turn the meeting back 10 over to Colonel Buechler for public 11 comments. Thank you very much. 12 (Audience applause.) 13 COLONEL BUECHLER: Thank you, 14 Robert. 15 I failed to mention Mayor 16 Donald C. Matter from the City of Nassau 17 Bay. I apologize. I should have included 18 him earlier. And also Mayor Natalie 19 O'Neill, the mayor pro tem for Taylor Lake 20 Village. 21 At this time I would like to invite 22 up Mayor Whitaker to make a comment. 23 MAYOR WHITAKER: Thank you, Colonel 24 Buechler. 25 First I would like to thank you and</p>

<p style="text-align: right;">Page 34</p> <p>1 the Corps for hosting this open house here 2 this evening and then this public forum and 3 information meeting, and also I would like 4 to thank the sponsors for their continued 5 support and interest in this project. 6 You know, it's appropriate that this 7 meeting be held here in Friendswood this 8 evening because this has sort of been the 9 epicenter of activity. It's certainly been 10 the center of flooding and interest in this 11 area. So it's kind of important that it be 12 held here in Friendswood, and we appreciate 13 that. 14 You know, it's -- I think Don Allen 15 spoke earlier that it's noteworthy to 16 mention that this process -- this project's 17 been going on for 33 years. Back in 1968 18 the Federal Government authorized a study 19 of the creek and the Corps began that 20 project back at that point and it's kind of 21 unbelievable that, you know, 33 years later 22 we're still studying and trying to find 23 solutions to this process because the City 24 of Friendswood, you know, has been 25 undergoing flooding and our neighbors have</p>	<p style="text-align: right;">Page 36</p> <p>1 people can envision and what most other 2 people are doing, and so we think that 3 we've been good stewards of the creek and 4 our drainage district has done a great job 5 in maintaining and improving the 6 tributaries that go into the creek. And 7 so, you know, we think that we've done a 8 great job here in Friendswood supporting 9 this process and we'd like to see it move 10 on. 11 I know from talking to Mr. Allen 12 earlier that the Corps is considering many 13 projects and many solutions in this project 14 of doing ecosensitive modifications to the 15 channel, making retention basins and also 16 looking at limited buyouts of those homes 17 that continually flood in the basin. 18 In this whole process, while we're 19 studying and evaluating the things, 20 development is still occurring up and down 21 this creek, and if we continue this process 22 we're going to limit ourselves to have 23 potential area to mitigate the drainage and 24 the basins in the area. So, in essence, 25 unless we hurry up and get this project</p>
<p style="text-align: right;">Page 35</p> <p>1 been undergoing flooding for quite some 2 time. 3 The sponsors and the Corps reached an 4 agreement in 1986 on the project and the 5 project was started, and the first phase of 6 the project was worked on and it was 7 completed and that included the second 8 outlet gates which has subsequently been 9 turned over to the Harris County Flood 10 Control District for operation and 11 maintenance, but as Don pointed out earlier 12 also, due to citizens' concerned the 13 balance of the project was stopped because 14 of citizen concern and the Harris County 15 Flood Control District did a great job, I 16 thought, in finding alternative solutions; 17 but as it was determined, these solutions 18 were outside the authorization of the 19 Corps, and so, consequently, that's the 20 reason for this GRR. 21 The City -- the City of Friendswood 22 for a long time has demonstrated good 23 stewardship for the creek. We have 24 maintained retention and detention policies 25 here that are far beyond what most other</p>	<p style="text-align: right;">Page 37</p> <p>1 done, we're going to shoot ourselves in the 2 foot. 3 And I know it takes a long process, a 4 lot of time, and I think the Corps is doing 5 an excellent job in this area. And from 6 the briefing that I have received from Don 7 Allen which outlines the steps that I just 8 enumerated earlier, the City of Friendswood 9 supports these. We support this path and 10 we think that what you've outlined earlier 11 here, that every reasonable person could 12 and should support what you're doing now 13 and we appreciate what you're doing and 14 would like for you to continue to 15 posthaste. Thank you. 16 COLONEL BUECHLER: Thank you, Mayor. 17 A point of order I would like to make 18 is when you come up to speak please state 19 your name. That helps us know who made 20 those -- made the particular remarks for 21 the court reporter. 22 I now call upon mayor pro tem Natalie 23 O'Neill. 24 MAYOR PRO TEM NATALIE O'NEILL: Hi. 25 I'm Natalie O'Neill, the mayor pro tem of</p>

<p style="text-align: right;">Page 38</p> <p>1 Taylor Lake Village.</p> <p>2 I wanted to talk a little bit about</p> <p>3 elevating structures because currently</p> <p>4 under FEMA regulations we're only allowed</p> <p>5 to get funding up to \$15,000 to elevate a</p> <p>6 structure in the flood plain and only if</p> <p>7 it's been more than 50 percent damaged, and</p> <p>8 I was hoping there was a way during this</p> <p>9 process that we could help people elevate</p> <p>10 their homes out of the flood plain.</p> <p>11 And there are very many homes that</p> <p>12 flood, and neither of their neighbors</p> <p>13 flood. They were built before the firm</p> <p>14 maps and the regulations were put together</p> <p>15 and they just sit a little too low and they</p> <p>16 just need to be put up. Not all the houses</p> <p>17 are qualified. There are some that do and</p> <p>18 some that don't. You will just have to</p> <p>19 make those determinations yourself, but</p> <p>20 rather than buying out homes and having</p> <p>21 empty lots immediately adjacent to the</p> <p>22 neighborhood, in the neighborhood, I was</p> <p>23 hoping that there might be an answer that</p> <p>24 we could find where we could help elevate</p> <p>25 structures even if they weren't more than</p>	<p style="text-align: right;">Page 40</p> <p>1 The first thing, we would like to</p> <p>2 read a resolution that was passed by</p> <p>3 Brazoria County on Tuesday morning. It's a</p> <p>4 resolution in support of the Galveston</p> <p>5 District of the U.S. Army Corps of</p> <p>6 Engineers who conducted a General</p> <p>7 Reevaluation Project along Clear Creek:</p> <p>8 "To all to whom these presents shall</p> <p>9 come, greetings. Whereas, Clear Creek is a</p> <p>10 major drainage artery that carries flood</p> <p>11 waters through Brazoria County to Galveston</p> <p>12 Bay and whereas Drainage District 4, the</p> <p>13 City of Pearland, and other parts of</p> <p>14 northern Brazoria County have been severely</p> <p>15 affected by structural and nonstructural</p> <p>16 flooding in along Clear Creek for more than</p> <p>17 20 years; whereas the population explosion</p> <p>18 that has occurred in recent years north of</p> <p>19 Brazoria County has greatly impacted the</p> <p>20 effectiveness of the waterways and drainage</p> <p>21 facilities in this area, and, whereas</p> <p>22 Brazoria Drainage District No. 4 and the</p> <p>23 City of Pearland have joined the counties</p> <p>24 of Harris and Galveston in supporting the</p> <p>25 project because it recognizes the critical</p>
<p style="text-align: right;">Page 39</p> <p>1 50 percent damaged and for a greater amount</p> <p>2 of money than the \$15,000 that FEMA</p> <p>3 currently will help provide our citizens</p> <p>4 with, and that's my only comment tonight.</p> <p>5 COLONEL BUECHLER: Thank you,</p> <p>6 Natalie.</p> <p>7 I would like to call on Mr. Gary</p> <p>8 Harris.</p> <p>9 MR. HARRIS: Hello. My name is Gary</p> <p>10 Harris. I'm with the Clear Creek Drainage</p> <p>11 District, and I would just like say that</p> <p>12 Tuesday night we passed a Resolution</p> <p>13 2001-01. This is a resolution of the Clear</p> <p>14 Creek Drainage District supporting the U.S.</p> <p>15 Corps of Engineers General Reevaluation</p> <p>16 Study for the Clear Creek Flood Control</p> <p>17 project. We appreciate y'all being here.</p> <p>18 Thank you.</p> <p>19 COLONEL BUECHLER: Thank you, Gary.</p> <p>20 I would like to call on Mr. Jeff</p> <p>21 Brennan.</p> <p>22 COMMISSIONER BRENNAN: Thank you,</p> <p>23 Colonel.</p> <p>24 My name is Jeff Brennan. I'm with</p> <p>25 Brazoria Drainage District No. 4.</p>	<p style="text-align: right;">Page 41</p> <p>1 needs of improvements along Clear Creek to</p> <p>2 reduce and alleviate existing and future</p> <p>3 flooding problems in these jurisdictions,</p> <p>4 now therefore be it resolved that the</p> <p>5 Brazoria County Commissioner's Court hereby</p> <p>6 supports the Corps in conducting its</p> <p>7 project along Clear Creek and encourages it</p> <p>8 to proceed expeditiously with the</p> <p>9 completion of the project plan and report</p> <p>10 in an effort to protect the health, safety,</p> <p>11 and welfare of the citizens of the counties</p> <p>12 of Brazoria, Galveston, and Harris. In</p> <p>13 witness thereof we set our hands this 13th</p> <p>14 day of March 2000."</p> <p>15 This is approved by a unanimous court</p> <p>16 decision.</p> <p>17 I will not read the one passed by the</p> <p>18 Brazoria Drainage District No. 4, but I</p> <p>19 will add a section that was added and this</p> <p>20 was approved yesterday morning. The</p> <p>21 resolution reads about the same, except for</p> <p>22 Section 2 that was passed unanimous of the</p> <p>23 board that the District encourages support</p> <p>24 of Challenge 21 by the Corps of the project</p> <p>25 which complements and strengthens its</p>

<p style="text-align: right;">Page 42</p> <p>1 current efforts to reduce and alleviate</p> <p>2 future flooding problems along Clear Creek</p> <p>3 and its tributaries.</p> <p>4 Thank you very much.</p> <p>5 COLONEL BUECHLER: Thank you, Jeff.</p> <p>6 I would like to call on Mr. Larry R.</p> <p>7 Marcott.</p> <p>8 COUNCILMAN MARCOTT: Thank you.</p> <p>9 Larry Marcott, city council member, City of</p> <p>10 Pearland, as well as a member of the</p> <p>11 citizen advisory committee.</p> <p>12 I have today a resolution passed by</p> <p>13 the City Council I would like to read.</p> <p>14 Resolution No. R2001-36:</p> <p>15 "The resolution of the City Council</p> <p>16 of the City of Pearland, Texas, supporting</p> <p>17 the Galveston District of the U.S. Army</p> <p>18 Corps of Engineers in conducting its</p> <p>19 General Reevaluation Project along Clear</p> <p>20 Creek. Whereas, the City of Pearland is a</p> <p>21 home rule municipality located in northern</p> <p>22 Brazoria County, Texas, and whereas Clear</p> <p>23 Creek is a major drainage artery that</p> <p>24 carries flood water through Brazoria County</p> <p>25 to Galveston Bay and whereas the City has</p>	<p style="text-align: right;">Page 44</p> <p>1 of March 2001," signed by Mayor Tom Reid.</p> <p>2 In addition, I would like to make a</p> <p>3 couple of comments. Pearland is currently</p> <p>4 spending approximately 15,000 to \$17,000</p> <p>5 per acre feet of detention. For those of</p> <p>6 you in the audience, that's one foot -- an</p> <p>7 acre one foot deep, and we can no longer be</p> <p>8 the detention facility for the whole</p> <p>9 creek.</p> <p>10 Available land for detention is</p> <p>11 disappearing fast in Pearland, and that</p> <p>12 which is left is increasing in price</p> <p>13 daily. Pearland needs your help and money</p> <p>14 to build detention and keep you downstream</p> <p>15 from flooding. We need the community's</p> <p>16 help downstream and we need the Corps and</p> <p>17 the committee's help. Where can I leave</p> <p>18 this?</p> <p>19 COLONEL BUECHLER: You can turn it in</p> <p>20 in the back. The gentleman right behind</p> <p>21 you there right up in the aisle will take</p> <p>22 that from you.</p> <p>23 COUNCILMAN MARCOTT: Thank you.</p> <p>24 COLONEL BUECHLER: Thank you, Larry.</p> <p>25 (Audience applause.)</p>
<p style="text-align: right;">Page 43</p> <p>1 been severely affected by structural and</p> <p>2 nonstructural flooding along Clear Creek</p> <p>3 for over 20 years and whereas the</p> <p>4 population explosion that has occurred in</p> <p>5 recent years in northern Brazoria County</p> <p>6 has greatly impacted the effectiveness of</p> <p>7 waterways and drainage facilities in this</p> <p>8 area, and, whereas the City on behalf of</p> <p>9 Brazoria Drainage District No. 4 and</p> <p>10 Brazoria County has joined the counties of</p> <p>11 Harris and Galveston as sponsors of the</p> <p>12 project because it recognizes the critical</p> <p>13 need for improvement along Clear Creek to</p> <p>14 reduce and alleviate existing and future</p> <p>15 flooding problems in these jurisdictions,</p> <p>16 now therefore be it resolved by the City</p> <p>17 Council of the City of Pearland, Texas,</p> <p>18 that the City hereby supports the Corps in</p> <p>19 conducting its project along Clear Creek</p> <p>20 and encourages it to proceed expeditiously</p> <p>21 with the completion of the project plan and</p> <p>22 report in an effort to protect the health,</p> <p>23 safety, and welfare of the citizenry of the</p> <p>24 counties Brazoria, Galveston, and Harris.</p> <p>25 Passed, approved, and adopted this 12th day</p>	<p style="text-align: right;">Page 45</p> <p>1 Is there any other elected officials</p> <p>2 that wish to make a comment that haven't</p> <p>3 indicated so to me in a card?</p> <p>4 MAYOR PRO TEM KIM BRIZENDINE: Yes, I</p> <p>5 would.</p> <p>6 COLONEL BUECHLER: Okay. As you come</p> <p>7 down to the podium following the -- your</p> <p>8 comments, if you would please, get a card</p> <p>9 from someone and then fill the data out so</p> <p>10 we can have the appropriate information.</p> <p>11 MAYOR PRO TEM KIM BRIZENDINE: Thank</p> <p>12 you, gentlemen. My name is Kim Brizendine</p> <p>13 and I'm mayor pro tem with the City of</p> <p>14 Friendswood. My comments are going to be a</p> <p>15 little bit more harsh, a little bit more</p> <p>16 direct, but brief. I intend to follow up</p> <p>17 these comments with written documentation</p> <p>18 at a later date.</p> <p>19 I have just a general criticism about</p> <p>20 the decision process. One of the possible</p> <p>21 alternatives was the no-action, and I'd</p> <p>22 like to disagree with that particular</p> <p>23 alternative for a number of reasons, one of</p> <p>24 which is that I am concerned about it being</p> <p>25 a fall-back position, a so-called</p>

<p style="text-align: right;">Page 46</p> <p>1 no-decision, and frankly status quo isn't 2 acceptable anymore on this particular 3 issue. 4 I don't believe that we can go 5 another five, ten, fifteen years, without 6 having some resolution of this vitally 7 important flooding concern for a number of 8 municipalities in this area. 9 The second reason that I disagree 10 with a no-action alternative is that I 11 don't think that, again, it's viable and I 12 don't think it's compelling. I don't think 13 you can compellingly look at an issue as 14 broad as this, as important as this, and 15 come away after all this evaluation and say 16 that we just don't have a solution. 17 There's just -- there's no-action is an 18 alternative to it. 19 A second criticism I have is this 20 issue of ecosensitive. While in theory I 21 agree and philosophically I agree, I think 22 the more important issue here is the needs 23 of flood control, a more effective flood 24 control, and I think that you have to 25 address the basic needs of the citizenship,</p>	<p style="text-align: right;">Page 48</p> <p>1 I just wanted to say a few things. 2 I think the toolbox is missing one 3 very important tool, and that is, working 4 with all the entities involved and making 5 sure that they're all playing by the same 6 rules, and I think Mayor Whitaker brought 7 that up. Obviously, we're not all playing 8 by the same rules, and how can you come up 9 with a plan if we don't all agree on how to 10 play it. 11 I don't agree with fixing the problem 12 at the expense of the ecosystem. I don't 13 think you can have a plan that's going to 14 fix the problem right now when you're not 15 looking at the picture as a whole, and to 16 do any kind of plan right now you're not 17 allowing for any future growth or future 18 changes. 19 If you go ahead with a plan, whether 20 it be all channelization or no change at 21 all, if you're not agreeing that 22 everybody's going to play by the same rules 23 it doesn't do you any good in the future. 24 That's all. Thank you. 25 (Audience applause.)</p>
<p style="text-align: right;">Page 47</p> <p>1 the population that this flooding is 2 affecting. 3 The ecosystem, again, you try to be 4 as sensitive as you possibly can, but the 5 flooding issue is the driving mechanism of 6 this whole process and has to be addressed, 7 even possibly at the expense of the 8 ecosystem if it has to. You can be 9 sensitive to it, but it's certainly -- on 10 the list of priorities the ecosystem is 11 down that decision tree, from my 12 perspective. Addressing the flood issues 13 relative to these communities I think is a 14 far more important and a higher priority, 15 and I think that pretty much sums it up. 16 I'd like to develop these, like I said, a 17 little bit -- a little bit later in written 18 form, and thank you for the opportunity to 19 speak. Thanks. 20 COLONEL BUECHLER: Thank you, Kim. 21 (Audience applause.) 22 MAYOR PRO TEM KATIE BENOIT: Hi. My 23 name is Katie Benoit, and I'm mayor pro tem 24 of the City of League City. I apologize. 25 I wasn't prepared to come up and speak, but</p>	<p style="text-align: right;">Page 49</p> <p>1 COLONEL BUECHLER: Thank you for your 2 comments. 3 I didn't notice any other elected 4 officials that indicated that they wanted 5 to speak. I'll ask one more time. 6 Okay. We are going to go to general 7 public comments. We are -- we have a 8 general rule that we limit the number of -- 9 or the amount of time for those comments to 10 about three minutes. We do that for a 11 number of reasons. This evening I 12 currently have only 17 cards up here on the 13 table of folks that have indicated a desire 14 to make a comment. 15 We are going to use the timecards, 16 but if you are -- if you have comments that 17 are comments that we need to hear them and 18 you aren't repeating yourself, I will 19 probably be a little liberal with that. 20 Quite frankly, you know, a 21 well-thought-out issue can easily be 22 presented in about three minutes and that's 23 one of the reasons why we set that time up 24 for that. We will be glad to take written 25 comments for a longer approach. So if you</p>

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1 have a long, written comment I ask you not
2 to just read the written comment. It
3 really doesn't serve the purpose of a
4 well-put-together oral comment.

5 You'll see a yellow card which will
6 indicate that you have about 30 seconds
7 remaining, and that's an indication to wrap
8 up your comments and then you'll see a red
9 card at the end of that period.

10 Again, when you come to the
11 microphone, please identify yourself so
12 that we can capture that in the record, and
13 then if you have written statements turn
14 those in.

15 I'll now call on folks in the order
16 in which they have turned the cards in.
17 The first speaker is Mr. James Bailey.

18 MR. BAILEY: I'm James Bailey. I've
19 lived on Clear Creek in Friendswood for --
20 with my family for probably over 20 years.
21 We enjoy living there. We love to have the
22 trees and the creek behind us. I don't
23 particularly want to live in a desert or
24 have a concrete ditch running behind my
25 house. On the other hand, I know that

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1 Sullivan.

2 MR. SULLIVAN: My name's Tom
3 Sullivan. I'm from the West League
4 subdivision, and, first of all, I want to
5 complement BDD4 and the City of Pearland
6 and Brazoria County for starting to work
7 together, and this is, I hope, is the way
8 the rest of the group is working here.

9 I'd like to mention one thing with
10 Councilman Marcott. It takes 40 times as
11 many acres of land to retain the water than
12 it does to drain the water, and I can prove
13 it. And so you must think of the cost at
14 \$15,000 per acre foot of water. Think
15 about how many dollars we're going to spend
16 if we're going to retain the water. I'm
17 not against retaining the water if we have
18 the bucks to do it, and it is a natural
19 resource, the water -- if we could make a
20 lake or something -- so we can use it.
21 That's another alternative to
22 channelization. Thank you.

23 COLONEL BUECHLER: Thank you, Tom.

24 Next I'd like to call on Ms. Barbara
25 Hopper.

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1 flooding is paramount.

2 I had some written comments. I have
3 changed them up because it's kind of -- I
4 don't think they were appropriate based on
5 how the meeting has gone so far, but
6 basically -- this is a personal opinion
7 from someone who's lived on the creek for
8 this long -- I'd like it left as natural as
9 possible and still accomplish what you guys
10 need to set out and do. That, in my
11 opinion, means a minimal amount of change
12 to that creek but still get where you have
13 to go. I don't think animal habitat should
14 take priority over human habitat, but I
15 don't think it has to be at the expense
16 either.

17 So, having said that, I have made
18 some written comments which are more
19 detailed and I won't take up any more of
20 your time, but I do appreciate everything
21 that all of you have been trying to do, and
22 hopefully we'll get this thing wound up
23 sooner or later. Thank you.

24 COLONEL BUECHLER: Thank you, James.

25 Next I'd like to call on Mr. Thomas

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1 MS. HOPPER: My name is Barbara
2 Hopper, "Mrs." I'm an endangered species.
3 I live on Clear Creek and our house has
4 been flooded four times, and I have been
5 told by people that put out these kind of
6 things, "Why don't you just move," and I've
7 been told that on a number of occasions.

8 Well, I think that I heartily endorse
9 Kim Brizendine's presentation here before
10 me. It's refreshing that somebody on the
11 city council of Friendswood has stood up
12 and finally tried to explain why
13 Friendswood does not want to be the
14 detention pond for this entire flood plain,
15 and that's what it looks like to me.

16 Now, I -- and the U.S. Corps of
17 Engineers has spent all these years
18 talking, planning, and doing all of these
19 things and never when we were trying to get
20 people to understand the project that you
21 first came up with, never would the Corps
22 even ever support their own project. Now,
23 is this what you're going to do with
24 project No. 2, 3, 4, 5, or 6?

25 You don't support your project. You

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1 don't help people to explain it. This man
2 sitting behind me here still thinks that
3 your first project was a concrete-lined
4 ditch. That's because that's what the
5 environmentalists told people.

6 So, anyway, my house is in danger.
7 My neighbors are in danger. We live at
8 risk all of the time, and I think that this
9 delay and this constant studying of this
10 thing without any hope that the Corps of
11 Engineers is going to support their
12 project -- I mean, here we've got people
13 standing up here saying, "We support. We
14 passed a city council thing saying we
15 support the project." What project?

16 Now, I want to see -- I'd like to see
17 a project.

18 COLONEL BUECHLER: Thank you,
19 Barbara.

20 Next I'd like to call on Mr. Joel
21 Taylor:

22 MR. TAYLOR: Hello. My name is Joel
23 Taylor. I represent the other interests, I
24 guess. I'm with the Clear Creek
25 Environmental Foundation, and we've been

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1 estuaries in the Galveston Bay.

2 COLONEL BUECHLER: Thank you, Joel.

3 I'd like to call on Ms. Cheryl

4 Johnson.

5 MS. JOHNSON: Good evening.

6 First, let me say that I've talked
7 extensively and probably tirelessly to the
8 Corps of Engineers and Galveston County and
9 both of y'all have been very responsive and
10 I appreciate that.

11 I live on Clear Creek. I recently
12 built a house there because of your last
13 plan. I worked hard to defeat the last
14 election that occurred with the last plan
15 because my home would now be gone. My land
16 would be gone.

17 I live on the creek. I watch the
18 water rise. I watch the water go down. I
19 would like you to consider as an
20 alternative that you perhaps consider
21 clearing the debris out of the creek,
22 removing some of the trees where the water
23 is supposed to be flowing and to deepen
24 your existing ditches.

25 I know you are saying that

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1 trying to clean up the creek.

2 We're worried about the wetlands of
3 Clear Creek. We're worried about the water
4 quality of Clear Creek. I haven't heard
5 much about the water quality of Clear
6 Creek, but if you didn't know it the water
7 quality of Clear Creek has been impaired by
8 both bacteria and by chemicals.

9 In 1993 the water was tested by the
10 Texas Water Department and found to have
11 some of the brio chemicals were in that
12 water at that time. I know that they have
13 said now that it's not there in the water
14 anymore, but I suspect there might be some
15 sediment in the water that still contain
16 some of those chemicals.

17 So we're concerned about the water
18 quality, the quality of the wetlands and
19 the general environment of this creek,
20 which is very sensitive. The guy I met --
21 I was at the Galveston Bay plan a couple of
22 months ago. In the Galveston Bay plan the
23 most serious concern is the reduction of
24 wetlands that is going on all the time, and
25 the wetlands are disappearing and the

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1 maintenance is not what you're here to hear
2 tonight, but if you could get the water to
3 even move. I will probably flood from my
4 neighbor's property because of the trees
5 and the tires and everything that is washed
6 down and just blocks the water from moving,
7 so please consider as an alternative that
8 maintenance be a major part of keeping
9 Clear Creek clear. Thank you.

10 (Audience applause.)

11 COLONEL BUECHLER: Thank you,
12 Cheryl.

13 I'd like to call on Mr. Charles
14 McMurrey.

15 MR. McMURREY: Good evening. My name
16 is Charles McMurrey. I want to make some
17 comments specifically in regard to the
18 General Reevaluation Report.

19 I want to endorse what my elected
20 official Jeff Goodin and my city councilman
21 Mr. Marcott said. My only concern is
22 something that my county commissioner Jack
23 Hughes said. When I was speaking to him
24 earlier he said that he lived in the area
25 since 1964 and that they have been studying

<p style="text-align: right;">Page 58</p> <p>1 this and trying to do something on this 2 since 1964 and here we are in the next 3 century and we're still contemplating the 4 issue, and that highly concerns me. 5 What I wanted to point out is I have 6 served on two homeowner's association 7 boards and our present homeowner 8 association in Pearland in which I serve on 9 has just gotten through last year spending 10 \$90,000 on our privately-owned detention 11 pond, which is an extreme burden for 303 12 homes to try to maintain those 13 individually-owned detention ponds and 14 we're trying to do the right thing and 15 maintain ours. And with 303 homes paying 16 \$90,000 on a detention pond that's not 15 17 years old is very difficult. 18 But what I want to be concerned about 19 is that on your ongoing study, which I 20 support, it says it wants to emphasize 21 nonstructural flood damage reduction 22 options. It wants to emphasize projects 23 that have minimal or no adverse 24 environmental flooding or social impacts. 25 I'm not advocating going out and</p>	<p style="text-align: right;">Page 60</p> <p>1 MR. WEISIGER: Hello. I'm Craig 2 Weisiger and I live in Clear Creek Village 3 and I'm one of the officers of the 4 association. 5 I'm not here to say anything other 6 than I'm going to propose an idea. No 7 matter what y'all do or what decisions are 8 made along the Clear Creek area, until you 9 expand, open up, or increase the size of 10 the orifice which is at I-45, no matter 11 what you do on the back side, the water can 12 only go through that hole so fast. 13 So the proposal is that the first 14 course of action should be to study how big 15 you can make that area and then look at an 16 alternative channel right there that goes 17 very close through the cemetery just north 18 of the creek where there's a natural flow 19 already, expand it as an alternative flow 20 path. These are suggestions to try to save 21 me some of my tax money and the 30 million 22 y'all are going to spend. 23 So I'm willing to work as a member of 24 the residents there at Clear Creek Village 25 to support whatever action it is. But you</p>
<p style="text-align: right;">Page 59</p> <p>1 destroying the environment. However, 2 unless we're going to say stop building 3 right now, we're going to have to be 4 willing to accept the fact that when the 5 number of people move into the area, that's 6 an environmental change in and of itself. 7 It may not require an environmental report, 8 but the sheer numbers of people -- I used 9 to walk the fields across from my -- the 10 vacant fields across from my subdivision 11 and there were rabbits and other things out 12 there. Now there's a high school going up, 13 and that's an environmental change. The 14 rabbit's gone because we have to educate 15 our children, and what I'm saying is 16 whatever we need to do so that we don't 17 flood the ant beds and the rabbits and try 18 to flow it out of our subdivisions we need 19 to do and we need to do it this decade and 20 not later. Thank you. 21 (Audience applause.) 22 COLONEL BUECHLER: Thank you, 23 Charles. 24 I'd like to call on Mr. Craig 25 Weisiger.</p>	<p style="text-align: right;">Page 61</p> <p>1 can channelize, you can do whatever you 2 want to do upstream, and the end result is 3 only so much water can go through that hole 4 only so fast. 5 Also take into consideration for all 6 residents living on the west side of I-45, 7 since they raised the intersection at 518 8 12 to 14 inches, it will take a surface 9 area of 12 to 14 inches before it will 10 crest through that intersection and come 11 around through that opening. So understand 12 that every -- on major flood situations all 13 residents on that side will see another 12 14 to 14 inches of water than what they've 15 ever seen in the past. 16 Also, the debris in the creek all the 17 way two bridges up -- which I'm not sure of 18 the streets -- the basic creek depth is 19 approximately 10 feet throughout the whole 20 area. If you channel it and make it 21 deeper, isn't the water from Clear Lake 22 going to fill it up and it's not going to 23 help us a whole lot? I mean, it will help 24 some, but you'll have to make a bigger path 25 or a bigger hole.</p>

<p style="text-align: right;">Page 62</p> <p>1 It's not deeper because it's going to 2 fill up. Unless you lower the level of 3 Clear Creek completely, there's no value 4 into the deepening of it that I can see. 5 Make the opening bigger. 6 And also consider what's going on at 7 Kemah. You go down there and you look at 8 all the area that is north on the north 9 side which was nothing more than a marshy 10 area out there and now it's being elevated 11 and built up so that it's now got 12 restaurants on it. That's closing up that 13 opening into the bay. 14 I would consider looking at how much 15 water -- how much water it would take 16 run-off to elevate, if you opened up these 17 orifices, to elevate Galveston Bay three 18 feet. It will probably take quite a bit. 19 So my comments are first consideration 20 should be the I-45 bridge, opening that up 21 and channelize an alternative path there. 22 (Audience applause.) 23 COLONEL BUECHLER: Thank you, Craig. 24 I'd like to call on Mr. Dennis 25 O'Keefe. Is Mr. Dennis O'Keefe here?</p>	<p style="text-align: right;">Page 64</p> <p>1 everybody in this building that sooner or 2 later they're not going to get wet, if they 3 live long enough. 4 It just amazes me that we can have a 5 project like this for 40 years and wind up 6 with a clean slate. It looks like there 7 would be some tracks that would be worth 8 bringing to the front and voting on or 9 having an election or whatever. You're 10 never going to please everybody in this 11 room. There's no way to do it. 12 You're not going to please people 13 that are worried about little frogs because 14 someone is going to think, "Well, if the 15 frogs are gone maybe the snakes will 16 leave," which I'd be all for personally. 17 It just amazes me that we think that 18 retention ponds are the way to go. Now, 19 we've got the biggest retention pond in the 20 state, probably, or one of the largest ones 21 up in Trinity River in Lake Livingston. 22 That's just really a big retention pond, 23 and if we were developing the areas 24 surrounding that watershed like we are the 25 one around Clear Creek, that puppy would be</p>
<p style="text-align: right;">Page 63</p> <p>1 I'd like to call on Mr. Kenneth 2 Gatten. 3 MR. GATTEN: Since Mr. O'Keefe 4 wasn't here, can I have his three minutes, 5 too? My name is Kenneth Gatten. I live in 6 Friendswood Forest. The back of my 7 property is on Clear Creek. 8 I moved down here in 1956 from 9 Amarillo, Texas. In about the early '50s 10 we had a ten-inch rain. The water got in 11 people's homes. Even in Amarillo. I came 12 down here and saw less water and was simply 13 amazed at how nice it was. I couldn't wait 14 to get on a creek. 15 I've also been in civil engineering 16 fields for ever since I've been in 17 Houston. We've worked on commercial and 18 industrial, and, of course, petrochemical 19 projects all over this area. We all know 20 that the ground's sinking and has sunk 21 around our little outlet over into the bay. 22 If we get a hurricane we're probably 23 going to get wet. There's not any -- 24 there's no model in the world that can 25 convince me that you can guarantee</p>	<p style="text-align: right;">Page 65</p> <p>1 20 foot over the dam every time it rained, 2 and here we are right now saying that 3 retention ponds work and I'll bet that if 4 you take your computer and put in certain 5 information you'll find out that they're 6 actually counterproductive, because if it 7 keeps raining after they're full they've 8 got to release it some time. It adds to 9 the downstream water. 10 It just amazes me that we can't do 11 something. I've been in my house for five 12 years paying to some flood control district 13 and I can't even see a tree taken out from 14 behind my house that's been laying in the 15 channel for that -- the last three years, I 16 know. There are several downstream. 17 At the same time Harris County has 18 done several projects. Sim's Bayou is one 19 of them, and it's probably most noticeable 20 one. I remember going up to the Gulf 21 Freeway and those apartments used to 22 flood. Now it doesn't. I wonder why. 23 They've raised -- they've widened the thing 24 out and let the water get out, and I don't 25 know that it hurt anyone downstream.</p>

<p style="text-align: right;">Page 66</p> <p>1 It just -- it amazes me we can't 2 widen our little area of Clear Creek and 3 let it get out, and if you look at any of 4 these maps that we have -- and we have 5 plenty of them -- we see how crooked the 6 sucker is. If it has a straighter shot 7 it's got to get out faster. I just wish we 8 would do something. Thank you. 9 (Audience applause.) 10 COLONEL BUECHLER: Thank you, 11 Kenneth. 12 I'd like to call on Mr. Ed Stuart. 13 MR. STUART: I'm Ed Stuart. I live 14 at 2001 Pine Drive, Polly Ranch, on the 15 creek in Friendswood. I was on city 16 council in Friendswood in 1968 when this 17 was passed, and I've seen it ever since. 18 I think when Don Allen took the hand 19 count I think one of the reasons there 20 weren't as many here in '68 as there are 21 now is that most of them are either dead or 22 moved to higher ground. 23 (Audience applause.) 24 Thank you. 25 I don't have many concrete</p>	<p style="text-align: right;">Page 68</p> <p>1 on the Clear Creek watershed committee 2 since 1990. We came up with a plan that 3 was proposed by Dannenbaum Engineering for 4 a combination of detention and 5 channelization for the tributary. It was 6 based on the Clear Creek project being 7 done. 8 It is imperative that this project be 9 done now, because as Don Allen said, this 10 is our last hope. We don't have another 11 chance because with the development we're 12 having in North County as well as Brazoria 13 County and Harris County there won't be any 14 land left, much less detention. 15 I've just finished a 26-unit 16 apartment project and I put in a third of 17 an acre in a detention pond. It cost me 18 \$15,000, which was minimum, and I'm glad to 19 do that, but I do not believe detention 20 will work by itself, neither will buyout 21 and neither will elevation. I know a house 22 in my neighborhood was raised five feet, 23 but it cost \$50,000 to do it. That was ten 24 years ago. 25 So I urge you that we need to get on</p>
<p style="text-align: right;">Page 67</p> <p>1 suggestions because I've seen the project 2 from the very beginning. I just want to 3 comment that the project that we did 4 complete, the second outlet and the 5 floodgates worked like they're supposed 6 to. After Storm Francis, our county 7 engineer Mike Fitzgerald went to the 8 floodgates that Harris County Flood Control 9 had just taken over. Mike Talbott was 10 there. The level in the bay was five 11 feet. The level in the lake was six foot 12 four inches. They opened five of the six 13 gates. Within two hours the level of the 14 lake had decreased from six foot four to 15 five foot eight in just two hours. 16 Mike, with a little calculations and 17 I as a CPA kept his math on target, I 18 thought, calculated that in those two hours 19 that 900 million gallons of water had 20 passed through those five floodgates, and 21 there are six there. So that's one thing 22 that the lake cities did accomplish and did 23 benefit from was those, the flood gates and 24 the second outlet. 25 Now, as far as detention, I've been</p>	<p style="text-align: right;">Page 69</p> <p>1 with this and get on with the 2 channelization. I've been on this Gulf 3 Coast all my life, which is 80 years, from 4 Victoria to Houston, and the only way to 5 get the water out of here, whatever you 6 want to call it, a river, creek, bayou, 7 arroyo, is a ditch. A channel, they'll 8 carry it out. Thank you. 9 (Audience applause.) 10 COLONEL BUECHLER: Thank you, Ed. 11 I'd like to call on Mr. Greg 12 Eichhorn. 13 MR. EICHHORN: I don't want my creek 14 in front of my house to be a ditch, as this 15 gentleman so says. Mona Shoup could not be 16 here. 17 (Audience applause.) 18 Thank you. 19 Mona Shoup could not be here 20 tonight. She's in Washington, D.C., 21 talking with some people in that area and I 22 have something that I need to read from her 23 and I'll read as fast as I can because I'm 24 not sure that three minutes is going to be 25 enough, but I'll try, and then I have a</p>

<p style="text-align: right;">Page 70</p> <p>1 couple of comments to make of my own.</p> <p>2 "Over the past two years the Corps</p> <p>3 has done a tremendous job in gathering</p> <p>4 data. This information should provide a</p> <p>5 factual picture of the creek's flood issues</p> <p>6 and Clear Lake title surge issues.</p> <p>7 Brazoria County recently joined the flood</p> <p>8 control project with Harris and Galveston</p> <p>9 Counties and is participating in the</p> <p>10 restudy.</p> <p>11 "Advances in technology can now show</p> <p>12 the public what we're getting before such a</p> <p>13 project is built. New technology can</p> <p>14 illustrate through easy-to-understand</p> <p>15 aerial images which proposals will work and</p> <p>16 won't work; what will flood the lake and</p> <p>17 won't; and what will help those who flood</p> <p>18 all the time and what will not.</p> <p>19 "The Citizens Watershed Group,</p> <p>20 Friends of Clear Creek, is advocating the</p> <p>21 Corps' new Challenge 21 program as a</p> <p>22 solution for the Clear Creek. Resolution</p> <p>23 supporting Challenge 21 nonstructural</p> <p>24 methods have been passed in League City,</p> <p>25 Clear Lake Shores, Kemah, Seabrook,</p>	<p style="text-align: right;">Page 72</p> <p>1 I have seen several retention ponds</p> <p>2 around.</p> <p>3 In my own city of League City I don't</p> <p>4 see much going on. I've been to council</p> <p>5 meetings saying we need to get developers</p> <p>6 doing something other than running a ditch</p> <p>7 straight to the creek. Every subdivision I</p> <p>8 see in League City has a ditch straight to</p> <p>9 the creek, and some people say, "Well, we</p> <p>10 get the water out and send it on down</p> <p>11 before the water gets from other places."</p> <p>12 Well, that's not the case.</p> <p>13 But I think Brazoria County is one of</p> <p>14 the places where we can really help to get</p> <p>15 the water slowed down at the top, and</p> <p>16 concrete is not the answer. My creek's</p> <p>17 been there for millions of years, and I</p> <p>18 don't want to see people come and concrete</p> <p>19 it up. Thank you.</p> <p>20 COLONEL BUECHLER: Thank you, Greg.</p> <p>21 I'd like to call on Ms. Teresa</p> <p>22 Kologinczak. Is that right?</p> <p>23 MS. KOLOGINCZAK: That's very close.</p> <p>24 COLONEL BUECHLER: Years of training.</p> <p>25 MS. KOLOGINCZAK: Hi. My name is</p>
<p style="text-align: right;">Page 71</p> <p>1 El Lago, Taylor Lake Village, and Nassau</p> <p>2 Bay, all below Friendswood, of course.</p> <p>3 Challenger 21 is based upon a simple</p> <p>4 philosophy: Flood plains flood.</p> <p>5 Protecting the flood plains protects lives.</p> <p>6 "Challenger 21 cuts through</p> <p>7 government red tape. Flood control</p> <p>8 projects under this program are mandated by</p> <p>9 Congress to be completed in five years.</p> <p>10 The Corps' Challenge 21 program offers</p> <p>11 something for everyone and may be the one</p> <p>12 project we can all agree upon."</p> <p>13 I'm not going to go ahead and finish</p> <p>14 reading the rest of what's here. It is in</p> <p>15 The Citizen from Wednesday, and I just took</p> <p>16 part of that, but I want to have a couple</p> <p>17 of minutes of my own time before I give up</p> <p>18 the microphone.</p> <p>19 First of all, I agree with the mayor</p> <p>20 of Friendswood. When I come through</p> <p>21 Friendswood I see several retention ponds</p> <p>22 and I see Friendswood trying to do some</p> <p>23 things, from my opinion, that are helpful</p> <p>24 and may be not the solution by itself. I</p> <p>25 don't know what Pearland's doing, although</p>	<p style="text-align: right;">Page 73</p> <p>1 Teresa Kologinczak and I'm a citizen of</p> <p>2 League City and I just have a brief comment</p> <p>3 to make, and that is that I see this as an</p> <p>4 opportunity for us to really decide on a</p> <p>5 project that benefits all the citizens and</p> <p>6 taxpayers, and to me that would be a</p> <p>7 project that maintains the integrity of the</p> <p>8 creek and preserves the natural heritage of</p> <p>9 the creek; and, to me, that's important,</p> <p>10 and I see that as benefiting all of the</p> <p>11 taxpayers. So that's it. Thank you.</p> <p>12 (Audience applause.)</p> <p>13 COLONEL BUECHLER: Thank you,</p> <p>14 Teresa.</p> <p>15 I'd like to call on Mr. Ron Brennan.</p> <p>16 MR. BRENNAN: My name is Ron</p> <p>17 Brennan. I have lived in Friendswood for</p> <p>18 35 years and I've been opposed to this</p> <p>19 project for 33 years, and I just can't</p> <p>20 believe that it's still being fostered. I</p> <p>21 mean, if people are really serious about</p> <p>22 flood control the cities along the creek</p> <p>23 would stop allowing developers to put</p> <p>24 houses in the flood plain. I mean, this is</p> <p>25 crazy --</p>

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1 (Audience applause.)
 2 -- this absolute nonsense to allow these
 3 developers to continue to build houses in
 4 the flood plain, and when I complain to the
 5 City Hall about it they say, "Well, we're
 6 watching them. They're meeting the FEMA
 7 rules." I say, "Who's watching them?
 8 Nobody's watching them. I saw them
 9 bringing dirt in, filling in the flood
 10 plain. Nobody's watching them."

11 So that's what we need to do if
 12 you're really serious about flood control,
 13 is stop building in the flood plain. Thank
 14 you.

15 (Audience applause.)

16 COLONEL BUECHLER: Thank you, Ron.
 17 I'd like to call on Mr. F. C. "Trey"
 18 Schoellkopf.

19 MR. SCHOELLKOPF: For the record, my
 20 name is "Trey" Schoellkopf, and, Colonel, I
 21 thank you for having us. And the City of
 22 Friendswood, we thank you for hosting us.
 23 I recognize the county judge and corps
 24 members and we appreciate the opportunity
 25 to speak before you tonight.

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1 I noticed the show of hands, many of
 2 which live on Clear Creek. Many of us here
 3 are interested or we wouldn't be here. I
 4 want to mention that I didn't purchase a
 5 home and many of us didn't purchase homes
 6 on a manmade or dugged ditch. We purchased
 7 homes on Clear Creek, a natural, beautiful,
 8 estuary, one of Texas' endangered rivers,
 9 according to the Texas Parks and Wildlife
 10 list.

11 While I understand that none of us
 12 want to be flooded, and that's a very
 13 important issue, I believe the ecology of
 14 Clear Creek is also a very important issue,
 15 and that's why many of us moved here. I
 16 personally am not in favor of the
 17 continued, either blind sight or
 18 unawareness, of our local and county
 19 governments of the continued building in
 20 flood zones and flood plains.

21 I believe that through careful
 22 evaluation with a tri-county effort and a
 23 multi city or inner city relations and
 24 communications, that we can universally
 25 enforce present codes and other codes

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1 necessary in our building; enforce the
 2 breakout laws that presently exist.

3 There's communities in Galveston
 4 County, I know, where homes that have been
 5 built after 1979 have entire walls around
 6 the bottom floor of the home built in flood
 7 plains. I encourage us to all work on
 8 this.

9 I further encourage the tri-county
 10 effort along with the Corps to handle the
 11 bottleneck at IH-45. I personally in 1979
 12 was standing on IH-45 with the local police
 13 chief watching the water approach the level
 14 of the IH-45 bridge. We went over in an
 15 18-wheeler. I once again personally
 16 watched the water crest the railroad tracks
 17 at Highway 3.

18 I commend the Corps and all of the
 19 efforts of the floodgates. I live on Clear
 20 Creek. I'm in flood zone X on the creek.
 21 I know that it's obtainable. I know that
 22 you can build at that level, and I know
 23 that the Corps is more than happy to help
 24 you with permitting and advise you at what
 25 levels to build because I've worked on the

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1 Corps -- with the Corps on many occasions
 2 and construction on the Clear Lake area,
 3 and I thank you.

4 COLONEL BUECHLER: Thank you,
 5 "Trey."

6 I'd like to call on Mr. Frank Blake.

7 MR. BLAKE: Hi. My name is Frank
 8 Blake. I'm the current conservation chair
 9 for the Houston Sierra Club.

10 First I'd like to endorse the
 11 comments that were submitted by Mona Shoup
 12 by the gentleman earlier. The Houston
 13 Sierra Club strongly advocates the
 14 nonstructural methods as appropriate tools
 15 to control flooding on Clear Creek.

16 We have channelized and concreted too
 17 many of our area's waterways. Our region's
 18 creeks and bayous in their natural states
 19 are important resources for recreation,
 20 green space, and wildlife habitat. They
 21 contribute greatly to the quality of life
 22 in our area.

23 We should not be building
 24 inappropriate development in the flood
 25 plains. Our flood plains are a logical

<p style="text-align: right;">Page 78</p> <p>1 place to preserve a network of regional 2 green space. Now, we know that there's 3 going to be development in the future, so 4 we need to do more effective plans for this 5 ahead of time, and by allocating the 6 waterways as green spaces for the future 7 and plan around that we could more 8 effectively address flood control needs in 9 the future.</p> <p>10 Some suggestions could be we need to 11 more -- be better about identifying and 12 delineating the boundaries of the 13 hundred-year flood plain and make sure that 14 everyone is aware of this.</p> <p>15 We also suggest that the Harris 16 County Flood Control possibly could begin 17 to implement its own buyout program. So, 18 again, we strongly endorse buyouts and 19 these other nonstructural approaches to 20 this problem. Thank you.</p> <p>21 (Audience applause.)</p> <p>22 COLONEL BUECHLER: Thank you, Frank. 23 I'd like to call on Mr. F. J. 24 Spencer. 25 MR. SPENCER: Thank you, Colonel. My</p>	<p style="text-align: right;">Page 80</p> <p>1 The Clear Creek basin is a system, 2 and systemwide principles must apply. I 3 will give one example to illustrate this 4 particular point.</p> <p>5 If, all of a sudden, someone were to 6 have a violent attack of common sense -- 7 (Audience laughter.) 8 -- then reams and teams of people 9 would emerge from every empty space with 10 one object in mind: Is to clean up the 11 bottom of the creek before it gets to the 12 I-45 bridge and thereafter to its logical 13 conclusion.</p> <p>14 We went through the flood like a lot 15 of other people did, and it was amazing to 16 see how darn much debris and debris alone 17 caused back-ups upstream with disastrous 18 results on people alongside.</p> <p>19 Finally, all the reports in the world 20 are not going to improve the situation at 21 all unless we follow it up with a 22 concrete -- forgive the word; that's 23 controversial -- plan of action. 24 (Audience laughter.) 25 What are we going to do? It's very</p>
<p style="text-align: right;">Page 79</p> <p>1 name is F. J. Spencer, and I'm a resident 2 of Clear Creek Village in League City, 3 Texas.</p> <p>4 It has been rather illuminating to 5 hear the various presentations and points 6 of view. Rather than subject anyone to 7 repetition, there are three sentences that 8 I will use to make my point.</p> <p>9 The first sentence is the following: 10 There are several people who live by 11 reports. The time has come for all of us 12 to live by results.</p> <p>13 Reports having purpose, which is far 14 more structural in many applications than 15 in terms of contributing to the furtherance 16 of not just knowledge but also 17 implementation, I would hate to see those 18 kinds of reports end up as doorstops, and, 19 yet, if anyone has studied anything at all 20 for 40 consecutive years, it is passing 21 strange that we have been unable to come 22 together on an acceptable solution.</p> <p>23 Secondly, it is not, emphatically 24 not, a practical suggestion to do bits and 25 pieces of what needs to be done.</p>	<p style="text-align: right;">Page 81</p> <p>1 much easier to write the report than to 2 implement it. Thank you.</p> <p>3 COLONEL BUECHLER: Thank you, F. J. 4 (Audience applause.)</p> <p>5 COLONEL BUECHLER: I'd like to call 6 upon Ms. Mary Ellen Whitworth.</p> <p>7 MS. WHITWORTH: My name is Mary Ellen 8 Whitworth and I'm the executive director of 9 the Bayou Preservation Association. We 10 have been advocating the health of bayous 11 for over 30 years and we are very concerned 12 about the loss of our endearing habitat 13 that has been occurring throughout the 14 greater Houston area.</p> <p>15 Loss of habitat is the one issue that 16 I receive more phone calls than any other 17 issue. There is a tremendous support for 18 saving the precious habitat in the general 19 public. We are advocating that the Clear 20 Creek project use alternatives such as 21 buyout and detention. We also urge the use 22 of an ecosystem restoration process.</p> <p>23 Clear Creek is one of the most 24 beautiful ecosystems in the area. We will 25 be submitting more detailed written</p>

<p style="text-align: right;">Page 82</p> <p>1 comments, but we wanted you to know that</p> <p>2 there has been tremendous support for</p> <p>3 saving the precious habitat that we have</p> <p>4 left. Thank you.</p> <p>5 COLONEL BUECHLER: Thank you, Mary</p> <p>6 Ellen.</p> <p>7 Is Mr. Dennis O'Keeffe in the</p> <p>8 audience now and would he like to make a</p> <p>9 statement?</p> <p>10 Apparently not.</p> <p>11 That completes the -- well,</p> <p>12 correction. Will Ms. Linda Shead please</p> <p>13 come forward?</p> <p>14 MS. SHEED: Thank you, Colonel. My</p> <p>15 name is Linda Shead. I'm executive</p> <p>16 director of the Galveston Bay Foundation.</p> <p>17 I'd first like to applaud the Corps</p> <p>18 and the local sponsors and for Brazoria</p> <p>19 County for joining in the drainage district</p> <p>20 for the new approach, for going out and</p> <p>21 collecting the best available data, for</p> <p>22 using the best available models, and for</p> <p>23 trying to work with a full toolbox.</p> <p>24 I especially appreciate Judge</p> <p>25 Yarbrough's comments about the need to work</p>	<p style="text-align: right;">Page 84</p> <p>1 choose appropriate locations and building</p> <p>2 codes for our homes and businesses and save</p> <p>3 the economic resource of Galveston, Clear</p> <p>4 Creek, and Galveston Bay. We can preserve</p> <p>5 these natural resources and still manage to</p> <p>6 have healthy, productive, and economically</p> <p>7 viable communities.</p> <p>8 The Galveston Bay Foundation has</p> <p>9 supported, including Clear Creek and</p> <p>10 Challenge 21. The basic concept is to use</p> <p>11 all the tools in the toolbox and to</p> <p>12 preserve our natural resources, the ones</p> <p>13 which many residents here tonight have</p> <p>14 commented on repeatedly that it's why they</p> <p>15 live here; it's why so many people end up</p> <p>16 living near the coast. They don't come to</p> <p>17 live by a ditch. They come to live near</p> <p>18 the resource, and the resource is here to</p> <p>19 mix and mingle with all of us and provide</p> <p>20 those benefits. So thank you for the</p> <p>21 opportunity to comment.</p> <p>22 COLONEL BUECHLER: Thank you, Linda.</p> <p>23 I'd like to call upon Mr. Kevin Stewart.</p> <p>24 MR. STEWART: Yes. I'm Kevin Stewart</p> <p>25 and I've lived in Pearland since 1976.</p>
<p style="text-align: right;">Page 83</p> <p>1 for consensus so we're not here for another</p> <p>2 25 years, and I wish to also affirm the</p> <p>3 League City mayor pro tem's remarks</p> <p>4 regarding the fact that from the comments I</p> <p>5 have heard here tonight there is not a</p> <p>6 shared understanding of rivers and flood</p> <p>7 plains and how they operate.</p> <p>8 Our human activities are making the</p> <p>9 situation worse because of our past failed</p> <p>10 understanding of these systems. I am</p> <p>11 certainly sympathetic to those who have</p> <p>12 lived in this watershed for a long time.</p> <p>13 They have watched the increase in flooding,</p> <p>14 an increase in flooding due to our human</p> <p>15 activities to the increased development in</p> <p>16 the watershed without an understanding of</p> <p>17 how subsidence and rivers and flood plains</p> <p>18 operate.</p> <p>19 Perhaps I'm an optimist, but I</p> <p>20 believe that conscientious, open-minded</p> <p>21 citizens working with engineers and</p> <p>22 scientists and the best available science</p> <p>23 and technology can find a cost-effective</p> <p>24 solution to the situation in Clear Creek.</p> <p>25 We can design with nature. We can</p>	<p style="text-align: right;">Page 85</p> <p>1 When I first moved to Pearland I</p> <p>2 lived less than a hundred yards from Clear</p> <p>3 Creek. Now I currently live within about a</p> <p>4 half a mile of Clear Creek.</p> <p>5 When I first moved to Pearland we had</p> <p>6 some flooding. We heard all the stories</p> <p>7 about the creek being plugged and all the</p> <p>8 trees. People didn't want to clear the</p> <p>9 creek down toward Friendswood and League</p> <p>10 City. But then I looked at that and I said</p> <p>11 that sounds silly. Why don't we go ahead</p> <p>12 and widen it.</p> <p>13 Then I got a little older and I began</p> <p>14 to appreciate, you know, the creek and it's</p> <p>15 more than just a ditch to some people. To</p> <p>16 other people it's a part of their homes, a</p> <p>17 part of their property value. I think</p> <p>18 maybe we ought to consider building a bayou</p> <p>19 duct along Beltway 8 because it parallels</p> <p>20 Clear Creek in some places.</p> <p>21 Something else this area has that a</p> <p>22 lot of other areas doesn't have and that's</p> <p>23 pipelines and power lines, right of ways,</p> <p>24 and easements. Maybe we can use some of</p> <p>25 those for building bayou ducts to give</p>

<p style="text-align: right;">Page 86</p> <p>1 water to Clear Creek. Understand with 2 pipelines that we don't ever have to deal 3 with the easements when the pipeline's 4 already there and prevent anything in the 5 pipeline from getting in the water flow as 6 well as anything going down the creek from 7 damage to the pipelines. But if we can 8 work with the pipeline companies and stuff 9 like that and maybe they would become 10 cosponsors and can defray some of the cost 11 of this. 12 I don't think making a big ditch out 13 of Clear Creek is the right answer. I 14 don't live on Clear Creek, but maybe a 15 bayou duct and maybe widening and cleaning 16 out Clear Creek might be a viable solution, 17 a joint two-part, prong effort. Thank 18 you. 19 (Audience applause.) 20 COLONEL BUECHLER: Thank you, Kevin. 21 I'd like to call on Laurence W. 22 Tobin. 23 MR. TOBIN: I'm Laurence W. Tobin of 24 Taylor Lake Village. I've listened to this 25 discussion this evening and I have heard</p>	<p style="text-align: right;">Page 88</p> <p>1 COLONEL BUECHLER: I see no one. I'd 2 like to conclude. 3 In conclusion, the official record 4 will be open for 30 calendar days. Written 5 statements received on or before April 6 16th, 2001, will be included in this 7 meeting record. I would like to thank our 8 three local sponsors for their efforts and 9 assistance in this meeting. I would like 10 to thank each of you for your attendance 11 and the interest that you have shown. This 12 meeting is adjourned. 13 (Audience applause.) 14 (Meeting concluded at 8:50 p.m.) 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 87</p> <p>1 one set of words not come out from anybody; 2 that is called "smart growth." 3 There is a limitation of this 4 watershed. There is a finite amount of 5 ability for it to carry water away, no 6 matter what our solution will be. 7 But without engaging principles of 8 smart growth, we will create a condition 9 that will accelerate development and we'll 10 be back in the same situation again. We 11 must consider a design with all of these 12 municipalities working together to say how 13 much development, what type of development, 14 and what limitations must we all impose 15 upon ourselves so that we can have a final 16 solution. Otherwise, we will be spending 17 and also flooding. Thank you. 18 (Audience applause.) 19 COLONEL BUECHLER: Thank you, 20 Laurence. 21 I'm now out of cards. Is there 22 anyone still in the audience that would 23 like to make a comment? If so, please 24 indicate at this time. 25 (No audience response.)</p>	<p style="text-align: right;">Page 89</p> <p>1 STATE OF TEXAS : 2 COUNTY OF HARRIS : 3 4 REPORTER'S CERTIFICATE 5 6 I, JAMES PLAIR, a Certified Shorthand Reporter in 7 and for the State of Texas, do hereby certify that this 8 transcript is a true record of the public meeting as 9 outlined and captioned above. 10 I further certify that I am neither attorney nor 11 counsel for, related to, nor employed by any of the 12 panel members or individuals whosoever present at this 13 public meeting from which this record was made. 14 Further, I am not a relative or employee of any 15 attorney of record in this cause, nor do I have a 16 financial interest in the action. 17 Certified to on this, the _____ day of 18 _____, 2001. 19 20 21 JAMES PLAIR, CSR, RPR 22 Certification No. 4409 23 Expiration Date: 12-31-01 24 Notary Expiration Date: 10-09-01 25 United-Womack Reporting 1235 North Loop West, Suite 510 Houston, Texas 77008-4704 (713) 426-0400</p>

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1 *****
2 U. S. ARMY CORPS OF ENGINEERS
3 PUBLIC SCOPING MEETING OF THE
4 CLEAR CREEK FLOOD CONTROL PROJECT
5 *****
6 (Record amended on April 5, 2001)
7
8

9 At the request of Ms. Kay Crouch of Crouch
10 Engineering the following resolutions are hereby
11 incorporated as part of the record of the Public
12 Scoping Meeting regarding the Clear Creek Flood Control
13 Project, which was held on March 15, 2001, at
14 Friendswood High School, 702 Greenbriar, Friendswood,
15 Texas 77546, at 7:00 p.m.

16 1.) Resolution No. 2001-006, a Resolution of the Board
17 of Commissioners of Brazoria Drainage District
18 No. 4, supporting the Galveston District of the
19 U.S. Army Corps of Engineers in Conducting its
20 General Reevaluation Project along Clear Creek

21 2.) Clear Creek Drainage District Resolution 2001-01,
22 a Resolution of the Clear Creek Drainage District
23 supporting the U.S. Corps of Engineers' General
24 Reevaluation Study for the Clear Creek Flood
25 Control Project

3.) State of Texas, County of Brazoria, Resolution in
support of the Galveston District 6 of the U.S.
Army Corps of Engineers in Conducting its General
Reevaluation Project along Clear Creek

4.) Resolution No. R2001-36, a Resolution of the City
Council of the City of Pearland, Texas, supporting
the Galveston District of the U.S. Army Corps of
Engineers in Conducting its General Reevaluation
Project along Clear Creek

A				
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RESOLUTION

IN SUPPORT OF THE GALVESTON DISTRICT 6 OF THE U. S. ARMY
CORPS OF ENGINEERS IN CONDUCTING ITS GENERAL REEVALUATION
PROJECT ALONG CLEAR CREEK

To all to whom these presents shall come, **GREETINGS:**

WHEREAS, Clear Creek is a major drainage artery that carries floodwaters through Brazoria County to Galveston Bay; and

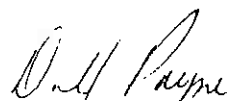
WHEREAS, Drainage District #4, the City of Pearland and other parts of northern Brazoria County have been severely affected by structural and non-structural flooding along Clear Creek for over 20 years; and

WHEREAS, the population explosion that has occurred in recent years in northern Brazoria County has greatly impacted the effectiveness of waterways and drainage facilities in this area; and

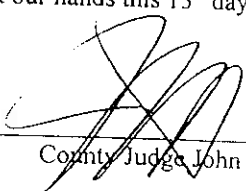
WHEREAS, Brazoria County, Drainage District #4, and the City of Pearland, have joined the Counties of Harris and Galveston in support of the project because it recognizes the critical need for improvements along Clear Creek to reduce and alleviate existing and future flooding problems in these jurisdictions.

NOW, THEREFORE, BE IT RESOLVED, that the Brazoria County Commissioners' Court hereby supports the Corps in conducting its Project along Clear Creek and encourages it to proceed expeditiously with completion of the Project Plan and Report in an effort to protect the health, safety and welfare of the citizenry in the Counties of Brazoria, Galveston and Harris.

IN WITNESS THEREOF, we set our hands this 13th day of March, 2001



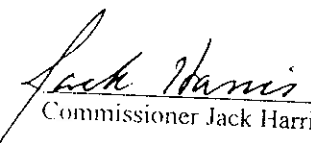
Commissioner Donald Payne, Pct. 1



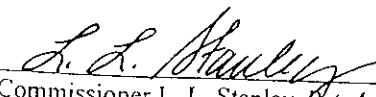
County Judge John Willy



Commissioner James Clawson, Pct. 2



Commissioner Jack Harris, Pct. 3



Commissioner L. L. Stanley, Pct. 4

RESOLUTION NO. 2001-006

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BRAZORIA DRAINAGE DISTRICT NO. 4, ("DISTRICT") SUPPORTING THE GALVESTON DISTRICT OF THE U.S. ARMY CORPS OF ENGINEERS ("CORPS") IN CONDUCTING ITS GENERAL REEVALUATION PROJECT ALONG CLEAR CREEK ("PROJECT")

WHEREAS, the District is a conservation and reclamation district located in northern Brazoria County; and

WHEREAS, Clear Creek is a major drainage artery that carries floodwaters through Brazoria County to Galveston Bay; and

WHEREAS, the District, the City of Pearland and other parts of northern Brazoria County have been severely effected by structural and non-structural flooding along Clear Creek for over 20 years; and

WHEREAS, the population explosion that has occurred in recent years in northern Brazoria County has greatly impacted the effectiveness of waterways and drainage facilities in this area; and

WHEREAS, the District, on behalf of Brazoria County and the City of Pearland, has joined the Counties of Harris and Galveston as sponsors of the Project because it recognizes the critical need for improvements along Clear Creek to reduce and alleviate existing and future flooding problems in these jurisdictions.

**BE IT HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF
BRAZORIA DRAINAGE DISTRICT NO. 4:**

Section 1. That the District hereby supports the Corps in conducting its Project along Clear Creek and encourages it to proceed expeditiously with completion of the Project Plan and Report in an effort to protect the health, safety and welfare of the citizenry in the Counties of Brazoria, Galveston and Harris.

Section 2. That the District encourages support of Challenge 21 by the Corps as a project which compliments and strengthens current efforts to reduce and alleviate existing and future flooding problems along Clear Creek and its tributaries.

PASSED, APPROVED and ADOPTED this the 14TH day of MARCH, 2001.

Chairman:


MR. BEN LENAMON

Secretary:


MR. JEFFREY H. BRENNAN

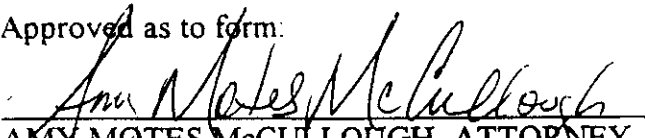
Member:


MR. ROGER DAVIS

Attest:


KATHY WELLS, DIRECTOR OF ADMINISTRATIVE SERVICES

Approved as to form:


AMY MOTES McCULLOUGH, ATTORNEY



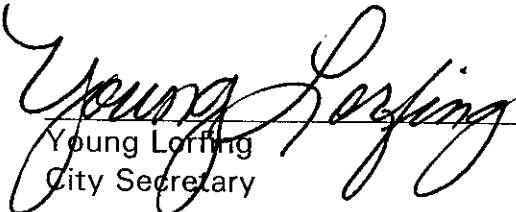
CERTIFICATION

THE STATE OF TEXAS §

COUNTIES OF BRAZORIA, HARRIS, &
FT. BEND §

I, Young Lorfing, City Secretary of the City of Pearland, Texas, hereby certifies that the attached constitutes a true and correct copy of **Resolution No. R2001-36** duly passed and approved by the City Council on the 12th day March, 2001.

Witness my hand and seal of the City of Pearland, Texas, this 14th day of March 2001, at Pearland, Texas.


Young Lorfing
City Secretary

(SEAL)

RESOLUTION NO. R2001-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, SUPPORTING THE GALVESTON DISTRICT OF THE U. S. ARMY CORPS OF ENGINEERS ("CORPS") IN CONDUCTING ITS GENERAL REEVALUATION PROJECT ALONG CLEAR CREEK ("PROJECT").

WHEREAS, the City of Pearland ("City") is a home rule municipality located in northern Brazoria County, Texas; and

WHEREAS, Clear Creek is a major drainage artery that carries floodwaters through Brazoria County to Galveston Bay; and

WHEREAS, the City has been severely affected by structural and non-structural flooding along Clear Creek for over 20 years; and

WHEREAS, the population explosion that has occurred in recent years in northern Brazoria County has greatly impacted the effectiveness of waterways and drainage facilities in this area; and

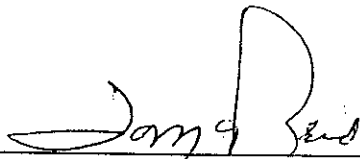
WHEREAS, the City, on behalf of Brazoria Drainage District No. 4 and Brazoria County, has joined the Counties of Harris and Galveston as sponsors of the Project because it recognizes the critical need for improvements along Clear Creek to reduce and alleviate existing and future flooding problems in these jurisdictions; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. That the City hereby supports the Corps in conducting its Project along Clear Creek and encourages it to proceed expeditiously with completion of the Project Plan and Report in an effort to protect the health, safety, and welfare of the citizenry in the Counties of Brazoria, Galveston, and Harris.

RESOLUTION NO. R2001-36

PASSED, APPROVED and ADOPTED this the 12 day of March,
A.D., 2001.




TOM REID
MAYOR

ATTEST:



YOUNG LORFING
CITY SECRETARY

APPROVED AS TO FORM:



DARRIN M. COKER
CITY ATTORNEY

3-13-01

Clear Creek Drainage District

P.O. BOX 607 • PHONE (713) 482-0404

FRIENDSWOOD, TEXAS 77546

Resolution 2001-01

A RESOLUTION OF THE CLEAR CREEK DRAINAGE DISTRICT SUPPORTING THE U. S. CORPS OF ENGINEERS' GENERAL REEVALUATION STUDY FOR THE CLEAR CREEK (TEXAS) FLOOD CONTROL PROJECT.

WHEREAS, the Clear Creek Watershed includes portions of Galveston County as well as parts of Harris County and Fort Bend County, and

WHEREAS, a serious flood problem exists in the Clear Creek Watershed where existing residential and commercial areas are subject to extensive damages from rising waters in Clear Creek and its tributaries, and

WHEREAS, the taxpayers of the District made a serious commitment in 1982 to the concept of self-help by voting an increase in taxes for flood control, and

WHEREAS, the scope of the work needed to achieve the necessary improvements on Clear Creek requires the extensive technical management resources that the Corps of Engineers can provide, and

WHEREAS, the benefits of the Corps of Engineers Clear Creek Project would include substantial reductions in claims against the National Flood Insurance Program, and

WHEREAS, the residents in the District continue to experience economic loss as a result of unnecessarily frequent flooding, as well as the flooding itself, and

WHEREAS, the residents of the District continually suffer extreme mental anguish because of the frequent threat of flooding, as well as the flooding itself, and

WHEREAS, the Clear Creek Drainage District, within the limits of its resources, and with the cooperation of other local governmental agencies, as well as individual citizens who have donated their time and labor, has been clearing debris and executing structural improvement projects in the creeks to increase their capacity,

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CLEAR CREEK DRAINAGE DISTRICT OF GALVESTON COUNTY, TEXAS:

THAT the District endorses and supports the U. S. Army Corps of Engineers' Reevaluation Study along Clear Creek, and

THAT the Corps of Engineers proceed with the completion of the Study and develop a Flood Control Plan to protect the health, safety, and property of the residents in Galveston, Brazoria, and Harris Counties.

PASSED, APPROVED, AND ADOPTED THIS _____ DAY OF _____ 2001

Don Barcak

President

ATTEST:

Neil Rancour

Gary Harris

Carl Horecky

David Charvoz

Clear Creek Public Scoping Meeting Citizen Attendees March 15, 2001

Note: When two attendees gave identical information and shared the same last name, the attendees were combined into one entry.

Name	Mailing Address	Physical Address	City and State	Zip	Fax	Email	Subdivision
Abbott, James R.	19618 Old Galveston Road	19618 Old Galveston Road	Webster, TX.	77598	281.332.3506		Webster
Acrey, Rose Mary	7734 Catalina	7734 Catalina	Houston, TX.	77075			Gulf Meadows
Anene, Darlene	2760 Willow Creek	2760 Willow Creek	League City, TX.	77546		council5@ev1.net	City Council - League City
Austin, Michael	1009 Myrtlewood Drive	1009 Myrtlewood Drive	Friendswood, TX.	77546	281.648.6373	mjaustin@wt.net	
Bailey, James and Charlotte	5234 Whittier Oaks	5234 Whittier Oaks	Friendswood, TX.	77546	713.451.1693	jdbailey1@pdq.net	Wedgewood Village
Barrington, Ray	1407 Blueberry	1407 Blueberry	Friendswood, TX.	77546		rbarrington@houston.rr.com	Clear Creek Woods
Bellard, Mary Ellen	23 Wilderness Trail	23 Wilderness Trail	Friendswood, TX.	77546			
Bellmyer, Larry	508 Rustic Lane	508 Rustic Lane	Friendswood, TX.	77546			
Benavides, Sarah	P.O. Box 1386	P.O. Box 1386	Houston, TX.	77251	713.802.5030	sbenav1@dot.state.tx.us	TxDOT
Benoit, Katie	222 North Kansas	222 North Kansas	League City, TX.	77573		council4@ev1.net	City Council - League City
Berglund, Billy	701 Leisure Lane	701 Leisure Lane	Friendswood, TX.	77546		bsquare@aol.net	
Black, Clifton	2 Queens Lane	2 Queens Lane	Friendswood, TX.	77546	281.482.8254		
Blake, Frank	1010 Peden #3	1010 Peden #3	Houston, TX.	77006		frankblake@msn.com	
Bolte, Heather	4607 Nasa Road 1, #7324	4607 Nasa Road 1, #7324	Seabrook, TX.	77586		hbolte@juno.com	Live on Clear Lake
Boren, David	124 Imperial	124 Imperial	Friendswood, TX.	77546		dlb07834@hal-pc.org	Imperial Estates
Bourg, John	5242 Whittier Oaks	5242 Whittier Oaks	Friendswood, TX.	77546		fourbours@ev1.net	Wedgewood Village
Boyce, Judith	5546 Aspen	5546 Aspen	Houston, TX.	77081	713.529.7613	judymb@wt.net	
Brennan, Jeff							BDD #4
Brennan, Ron and Mary Ellen	912 Oak Vista Court	912 Oak Vista Court	Friendswood, TX.	77546	281.482.4291		Village Green
Brizendine, Kim	504 Lakeside Lane	504 Lakeside Lane	Friendswood, TX.	77546	281.992.5606	kbriez@prodigy.net	Eagle Lakes, Mayor Pro Tem City of Friendswood
Broussard, Dwight	152 Moss Point	152 Moss Point	Friendswood, TX.	77546	281.648.0216	djb1@worldnet.att.net	Frenchman's Creek (behind Polly Ranch)
Browne, Richard	2007 Longstraw Place	2007 Longstraw Place	The Woodlands, TX.	77380	281.292.1781	rbrowse@infohwy.com	
Burgess, Selmer Ray	1700 1st Street	1700 1st Street	Seabrook, TX.		281.291.5670		City of Seabrook CBO
Calvert, Clinton	1315 Antigua Lane	1315 Antigua Lane	Nassau Bay, TX.	77058		gpccalvert@cs.com	
Calvert, Patricia	1315 Antigua Lane	1315 Antigua Lane	Nassau Bay, TX.	77058			
Camp, John and Linda	101 Imperial Drive	101 Imperial Drive	Friendswood, TX.	77546		campjl@flash.net	Imperial Estates
Carter, Richard	1206 Candlewood	1206 Candlewood	League City, TX.	77573			
Cartwright, Jim	15426 Woodland Orchard Lane	15426 Woodland Orchard Lane	Cypress, TX.	77429	713.541.3501	jcartwright_txpe@nspemail.com	
Charvoz, David	305 Dawn Hill	305 Dawn Hill	Friendswood, TX.	77546		charvoz@juno.com	Sunmeadow, Supervisor - Clear Creek Drainage District
Chimenti, Katie	4531 Cedar Ridge Trail	4531 Cedar Ridge Trail	Houston, TX.	77059		etcmcc@sprintmail.com	Pinebrook, Clear Lake City
Clapham, Robert	310 Wild Plum Drive	310 Wild Plum Drive	League City, TX.	77573			Oaks of Clear Creek
Clapper, James and Marilyn	P.O. Box 368	1307 Thomas	Friendswood, TX.	77546			Longwood Park
Cortney, Dennis	2925 McFarland Road	2925 McFarland Road	Alvin, TX.	77511			
Crist, James and Wanda	310 Green Oaks Lane	310 Green Oaks Lane	League City, TX.	77573		jacrist@msn.com	Oak Creek
Daigre, JoAnne	P.O. Box 1907	15230 Edenale	Friendswood, TX.	77549			Wedgewood Village

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Name	Mailing Address	Physical Address	City and State	Zip	Fax	Email	Subdivision
Davenport, Jack and Diana	8322 Lettie Street	8322 Lettie Street	Houston, TX.	77075			Gulf Meadows
Dudney, R. Fay	P.O. Box 816	708 West Main Street	League City, TX.	77574			
Dujay, Kenneth	3027 Massengale Lane	3027 Massengale Lane	Webster, TX.	77598		kdujay@seniorexplorer.com	Clear Creek Shores II
Dunlap, Sherri	16303 Mill Point Drive	16303 Mill Point Drive	Houston, TX.	77059		rustijordi@houston.rr.com	Middlebrook
Edwards, James	2418 Baycrest Drive	2418 Baycrest Drive	Nassau Bay, TX.	77058	281.333.5134	jcejwe@msn.com	Nassau Bay
Eichhorn, Greg	P.O. Box 912	323 Empress Lane	League City, TX.	77574	281.332.8817	iichhorn@yahoo.com	Clear Creek Village
Faber, Stanley	508 North Shadowbend	508 North Shadowbend	Friendswood, TX.	77546		stanfab@ghg.net	Imperial Estates II
Fair, Richard	15846 Seahorse	15846 Seahorse	Houston, TX.	77062			
Ferguson, Cecil and Kay	One Penn Circle	One Penn Circle	Friendswood, TX.	77546	281.482.2078		Quaker's Landing
Fitzgerald, Mike	530 Country Lane	530 Country Lane	League City, TX.	77573	409.770.5557	fitzm@co.galveston.tx.us	
Flannigan, Michael	4330 Cedar Ridge Trail	4330 Cedar Ridge Trail	Houston, TX.	77059	281.286.6806	mikeflan@swbell.net	
Flowers, Jim and Caty	16714 Hibiscus	16714 Hibiscus	Friendswood, TX.	77546			Forest Bend
Fowkes, Wayne	P.O. Box 72	107 Shadwell Lane	Friendswood, TX.	77546	281.482.8221	astromgmt@ev1.net	Eagle Lakes
Fujii, Mavis	114 Blue Heron Drive	114 Blue Heron Drive	Friendswood, TX.	77546		mfujiim@msn.com	Frenchman's Creek
Gallagher, Andrew	3519 Liberty Drive	3519 Liberty Drive	Pearland, TX.	77581	281.652.1702	agallagher@pearland.ci.tx.us	City of Pearland Assistant City Engineer
Garst, Jean	711 West Shore Drive	711 West Shore Drive	Clear Lake Shores, TX.	77565		ltoenjes@aol.com	Clear Lake Shores
Gatten, Kenneth and Glenda	704 North Clear Creek Drive	704 North Clear Creek Drive	Friendswood, TX.	77546	281.996.0880	ggatten@hou.rr.com	Friendswood Forest
Gerlach, Ron	2004 Pine Drive	2004 Pine Drive	Friendswood, TX.	77546			Polly Ranch
Gilmore, Carolyn	1108 Bobby	1108 Bobby	Pearland, TX.	77581			Clear Creek Estates
Gilmore, Ira	1108 Bobby	1108 Bobby	Pearland, TX.	77581			Clear Creek Estates
Glanton, Theo	16419 Hibiscus	16419 Hibiscus	Friendswood, TX.	77546		tglanton@swbell.net	Wedgewood Village
Goodwin, Theresa	16419 Hibiscus	16419 Hibiscus	Friendswood, TX.	77546			Wedgewood
Gratzfeld, George and Norma	5334 Appleblossom	5334 Appleblossom	Friendswood, TX.	77546			Wedgewood
Greene, William	15426 Wandering Trail	15426 Wandering Trail	Friendswood, TX.	77546			Wedgewood Village
Guth, Sandra	144 Moss Pt	144 Moss Pt	Friendswood, TX.	77546		sandra.guth@apachecorp.com	Frenchman's Creek/Polly Ranch
Guthery, Lemuel and Jo	607 West Spreading Oaks	607 West Spreading Oaks	Friendswood, TX.	77546			Friendswood
Hahn, Oscar	8 Whittier	8 Whittier	Friendswood, TX.	77546			
Hamilton, Vaness	526 East Shore Drive	526 East Shore Drive	Clear Lake Shores, TX.	77565		vanesshamilton@mac.com	
Harder, James	4006 Cartagena Drive	4006 Cartagena Drive	Pearland, TX.	77581		jrhader@ghg.net	Sunset Meadows
Hargrove, John	2707 Livingston Drive	2707 Livingston Drive	Pearland, TX.	77584			City of Pearland City Engineer
Harris, Gary	406 Fallow Lane	406 Fallow Lane	Friendswood, TX.	77546	281.648.0102	ghlh56@juno.com	CCDD
Harris, Jack	1258 Stone Road	1258 Stone Road	Pearland, TX.	77581	281.997.5581		Cty Commissioner - Brazoria County
Harris, Mary Ellen	1258 Stone Road	1258 Stone Road	Pearland, TX.	77581			
Hatchett, Thomas	16811 Paint Rock Road	16811 Paint Rock Road	Friendswood, TX.	77546		nickelroad38@astrosfan.net	Forest Bend
Hemmwehabs, Al	18223 Brancarming	18223 Brancarming	Houston, TX.	77088			
Hesley, Susan	3358 Prairie Drive	3358 Prairie Drive	Dickinson, TX.	77539	281.338.4133		
Hill, Carl	5207 Shady Oaks	5207 Shady Oaks	Friendswood, TX.	77546		chill5207@aol.com	Wedgewood Homeowners
Hill, Terry	1211 Timber Lane	1211 Timber Lane	Friendswood, TX.	77546			
Hodgson, Charles	2911 Shady Lane	2911 Shady Lane	Webster, TX.	77598			Clear Creek Shores

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Name	Mailing Address	Physical Address	City and State	Zip	Fax	Email	Subdivision
Hopper, Carl and Barbara	155 Imperial Drive	155 Imperial Drive	Friendswood, TX.	77546		bfair@pdq.net	Imperial Estates, Sec I
Horn, Dennis and Mary	2101 Pine Drive	2101 Pine Drive	Friendswood, TX.	77546		d8mhorn@aol.com	
Hulka, Steve	440 Creekside Court	440 Creekside Court	League City, TX.	77573	281.483.3395	steven.hulka1@jsc.nasa.gov	Creekside Estates
Hunter, Rick	108 Imperial	108 Imperial	Friendswood, TX.	77546		huntersclan@aol.com	Imperial Estates
Illerich, Daniel and Mary	P.O. Box 1093	121 Cherrytree Lane	Friendswood, TX.	77549			Enchanted Woods
Jacob, John	204 Woodcombe	204 Woodcombe	Houston, TX.	77062	281.461.6099	jjacobs@tam.u.edu	
Jazdyk, Arlene	154 Imperial Drive	154 Imperial Drive	Friendswood, TX.	77546		jazdyk@pdq.net	Imperial Estates
Jazdyk, Raymond	154 Imperial Drive	154 Imperial Drive	Friendswood, TX.	77546			
Johnson, Cheryl	810 Myrtlewood	810 Myrtlewood	Friendswood, TX.	77546		cejohnson@ghg.net	Friendswood Estates
Johnson, Dan	910 South Friendswood Drive	910 South Friendswood Drive	Friendswood, TX.	77546		djohnson@ci.friendswood.tx.us	Asst. City Engineer - Friendswood
Kelly, Carol	2301 West Nasa Blvd	2301 West Nasa Blvd	Webster, TX.	77539	281.332.5576		Representing Harris County Pct 1 Commissioner, El Franco Lee
Kie, Bruce and Jean	509 Mansfield Park Court	509 Mansfield Park Court	League City, TX.	77573	281.557.1460	brewski509@earthlink.net, ginski509@yahoo.com	Village of Oak Creek Colony
Kirby, Meta	17020 Berry Road	17020 Berry Road	Pearland, TX.	77584	713.944.3811		Allison Richey / Britton Acres
Kitch, Scott and Karen	314 Creek Bend	314 Creek Bend	League City, TX.	77573		skitch1958@aol.com	Oak Creek
Knight, Phillip	2154 Hill House	2154 Hill House	Pearland, TX.	77584	281.485.1809	phillipk@ev1.net	
Knolle, John and Darlene	7934 Glenscot Street	5486 Appleblossom / Friendswood	Houston, TX.	77061			Wedgewood Village
Kobayashi, Herbert	1428 FM 528 West	1428 FM 528 West	Webster, TX.	77598	281.332.4331		
Kologinczak, Teresa	519 South Illinois Avenue	519 South Illinois Avenue	League City, TX.	77573			
Kucherka, Billie and Clarence	17314 Berry Road	17314 Berry Road	Pearland, TX.	77584			Britton Acres
Land, David	17015 Barcelona	17015 Barcelona	Friendswood, TX.	77546			Forest Bend
Leech, Ted	5119 Regal Pine	5119 Regal Pine	Friendswood, TX.	77546			Wedgewood Village and Friendswood Forest
Legendre, Abel and Audrey	2623 Baycrest Drive	2623 Baycrest Drive	Nassau Bay, TX.	77058		alegendre@hal-pc.org	Nassau Bay / Swan Lagoon
Lenamon, Ben	2325 Hatfield	2325 Hatfield	Pearland, TX.	77581			Chairman - BDD #4
Leney, J	601 25th Street, Suite 216	601 25th Street, Suite 216	Galveston, TX.	77550	409.763.4133	j.leney@mail.house.gov	
Lentz, Alfred	5703 Rockland	5703 Rockland	Pearland, TX.	77584	713.839.9020	lentzeng@swbell.net	CCDD, GCDD #3, and BDD #4
Lester, Phil	2102 Oceanview Drive	2102 Oceanview Drive	Seabrook, TX.	77586			Wildwood Subdivision
Lewis, Gary and Deborah	31 Harbour Drive	31 Harbour Drive	Nassau Bay, TX.	77058			
Lippke, Paul	17706 Moss Point Drive	17706 Moss Point Drive	Spring, TX.	77379	713.541.3501	ltgroup@insync.net	None
Lotz, Frank	18019 Bal Harbour Drive	18019 Bal Harbour Drive	Nassau Bay, TX.	77058		captfrank@aol.com	
Lotz, Tricia	18019 Bal Harbour Drive	18019 Bal Harbour Drive	Nassau Bay, TX.	77058		plotz1819@aol.com	Bal Harbour
Lowe, Janis	401 Forest Pines	401 Forest Pines	Friendswood, TX.	77546	281.482.1181	texlowe@airmail.net	
Magee, Douglas	515 Lorie Lane	515 Lorie Lane	Seabrook, TX.	77586	281.532.9296	cbrooktx@flash.net	
Mallios, Laura	236 Creekview Drive	236 Creekview Drive	League City, TX.	77573			Oak Creek
Maloney, Donna	2786 Tallowood	2786 Tallowood	League City, TX.	77573	281.535.0400	mgmdlm@wt.net	Meadowbend

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Name	Mailing Address	Physical Address	City and State	Zip	Fax	Email	Subdivision
Marcott, Larry	3606 Inverness Court	3606 Inverness Court	Pearland, TX.	77581	713.336.1329	lmarcott@houston.turbocare.com	Rustic Oaks, City Council - Pearland, CC Citizens Adv. Comm
Marx, Paul	5455 Appleblossom Lane	5455 Appleblossom Lane	Friendswood, TX.	77546			Wedgewood Village
Mastrofrancesco, Nancy	420 Meadow Bend Drive	420 Meadow Bend Drive	Friendswood, TX.	77546			Forest of Friendswood
Matter, Donald	2011 Sea Cove Court	2011 Sea Cove Court	Nassau Bay, TX.	77058		dmatter@safety-kleen.com, mayor@nassaubay.com	Mayor - Nassau Bay
McClain, Wilson	22 Harbor Run Drive	22 Harbor Run Drive	Coldspring, TX.	77331	936.377.2844	wmcla@lcc.net	Consultant/City of Webster
McDonough, Mark	2705 West Oaks Blvd	2705 West Oaks Blvd	Pearland, TX.	77584	281.997.9373	promptfinance@aol.com	West Oaks
McKinney, Umphrey	P.O. Box 8868	1005 Rulyn San Leon	Bacliff, TX.	77518			
McMurrey, Charles	5209 Spring Branch Drive	5209 Spring Branch Drive	Pearland, TX.	77584		cmcmurrey@nwebs.com	Springfield
McNutt, W.C.	607 Oak Drive	607 Oak Drive	Friendswood, TX.	77546			
Measeles, Melvin	1203 Timberlane	1203 Timberlane	Friendswood, TX.	77546		measeles@swbell.net	Councilmember - Friendswood
Meeks, Barbara	2401 Intrepid Way	2401 Intrepid Way	League City, TX.	77573		skeemb@aol.com	Leeward Landing
Middleton, William	15607 Pennystone Court	15607 Pennystone Court	Friendswood, TX.	77546			Wedgewood Village
Middleton, Courtney	2206 East Broadway, Suite A	2206 East Broadway, Suite A	Pearland, TX.	77581	281.485.4464 / 281.485.2785		Friendswood/Pearland Journal
Miller, David	3007 East Broadway	3007 East Broadway	Pearland, TX.	77581	281.485.1649	dsmler77@aol.com	
Minak, Bill	5206 Whittier Oaks	5206 Whittier Oaks	Friendswood, TX.	77546	281.648.6284	bminak5944@aol.com	
Mitchell, Pamela	4702 Dagg Road	4702 Dagg Road	Houston, TX.	77048	713.477.5544		
Morgan, Mike	17629 El Camino Real, Suite 211	17629 El Camino Real, Suite 211	Houston, TX.	77598			
Morgan, Preston	111 Cherry Tree Lane	111 Cherry Tree Lane	Friendswood, TX.	77546	281.482.4775		Enchanted Woods
Murphy, Jackie	1535 Dickinson Avenue	1535 Dickinson Avenue	League City, TX.	77573	281.338.4822	jackmurphy@ev1.net	City Engineer - League City
Nelson, Oscar	5808 Country Place	5808 Country Place	League City, TX.	77573			Country Side (South)
Nghiem, Doan	3519 Liberty Drive	3519 Liberty Drive	Pearland, TX.	77581	281.652.1679	ndoan@ci.pearland.tx.us	Assistant City Attorney - Pearland
O'Brien, Catherine	3010 Country Club	3010 Country Club	Pearland, TX.				Green Tee
O'Keeffe, Dennis	P.O. Box 1133	850 Palomino	League City, TX.	77574			
O'Neill, Natalie	420 Kirby Blvd	420 Kirby Blvd	Taylor Lake Village, TX.	77586	281.326.1933	mjoneill@flash.net	Mayor Pro-tem - Taylor Lake Village
Orcutt, Jerry and Benita	110 Imperial Drive	110 Imperial Drive	Friendswood, TX.	77546		jobo@ghg.net	Imperial Estates
Parker, Robin	12802 Max Road	12802 Max Road	Brookside Village, TX.	77581	281.412.0746		
Pearson, Ric	704 3rd Street	704 3rd Street	League City, TX.	77573		rpearson@wt.net	
Pell, Scott and Liane	5222 Kingsmill Road	5222 Kingsmill Road	Friendswood, TX.	77546		lkpell@kslaw.com	Wedgewood
Perkowski, Edward and Trudi	404 Rancho Circle	404 Rancho Circle	Friendswood, TX.	77546			Rancho Viejo
Poor, Barry	4015 Bayou Grove Drive	4015 Bayou Grove Drive	Seabrook, TX.	77586			Clear Lake Forest

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Name	Mailing Address	Physical Address	City and State	Zip	Fax	Email	Subdivision
Reisert, Donald	1307 Deepwood Drive	1307 Deepwood Drive	Friendswood, TX.	77546			
Reitan, Leo	511 Williamsburg Circle	511 Williamsburg Circle	Friendswood, TX.	77546			Heritage Estates
Richard, Ronald and Ruth	16707 Colony Bend Drive	16707 Colony Bend Drive	Friendswood, TX.	77546			Heritage Park
Richey, Billie	8211 Springtime	8211 Springtime	Houston, TX.		713.991.1050	bhrichey@aol.com	Gulf Meadows
Rinehart, Kevin and Shelley	14838 Bomford	14838 Bomford	Houston, TX.	77015		info@idealhost.com	
Ritter, Ronald	15410 Wandering Trail	15410 Wandering Trail	Friendswood, TX.	77546		rrittercpa@pdq.net	Wedgewood Village
Roberts, Joseph and Josephine	18530 Barbuda Lane	18530 Barbuda Lane	Houston, TX.	77058		zzbruce@aol.com	Nassau Bay
Ryan, Barbara	P.O. Box 1907	17530 Edenvale	Friendswood, TX.	77549			Wedgewood Village
Sawyer, Ralph	P.O. Box 630	510 North Shadowbend	Friendswood, TX.	77546			Imperial Estates
Schoellkopf, F.C.	102 7th Street	102 7th Street	League City, TX.	77573		fcstrey@aol.com	Old League City
Schrader, Jerry	15526 Wandering Trail	15526 Wandering Trail	Friendswood, TX.	77546			Wedgewood
Schubert, Jamie	2113 Avenue O	2113 Avenue O	Galveston, TX.	77550		sinkalip@flash.net	
Scogins, Carolyn	3027 Massengale Lane	3027 Massengale Lane	Webster, TX.	77598		grannysfour@seniorexplorer.com	Clear Creek Shores II
Scott, Lamoin	1109 Fairmont Parkway	1109 Fairmont Parkway	Pasadena, TX.	77504	713.948.0004	lamoin.scott@senate.state.tx.us	District Director for State Senator Mike Jackson
Seeger, Klaus	3505 Buckholt	3505 Buckholt	Pearland, TX.	77581		klaus@texas.net	Pearland City Council
Shed, Linda	17324-A Highway 3	17324-A Highway 3	Webster, TX.	77598	281.332.3153	gbf@galvbay.org	
Silverman, Karl and Deborah	129 Bayou Bend Drive	129 Bayou Bend Drive	League City, TX.	77573		silverman@ghg.net	South Shore Harbour
Smith, Charles	134 Cheery Tree Lane	134 Cheery Tree Lane	Friendswood, TX.	77546		cesmith@ghg.net	
Smith, Ron	906 Nottingham Way	906 Nottingham Way	Friendswood, TX.	77546			Castlewood Estates
Spencer, F.J.	2012 La Salle	2012 La Salle	League City, TX.	77573			Clear Creek Village
Spencer, Nina	2012 LaSalle	2012 LaSalle	League City, TX.	77573	281.286.0009		Clear Creek Village
Steik, Peter	6121 Alameda Genoa Road	1406 Oak Hollow Drive / Friendswood	Houston, TX.	77048	713.991.5129	pjsteik@ashland.com	Minnetex Civic Club
Stewart, Kevin	1904 Willow Lake Drive	1904 Willow Lake Drive	Pearland, TX.	77581			Willow Lake
Strube, Kim	2404 South Park	2404 South Park	Pearland, TX.	77581	281.485.6397	rpt_news@swbell.net	The Reporter News
Stuart, Ed	P.O. Box 22	2001 Pine Drive	Friendswood, TX.	77549			Polly Ranch Estates
Sullivan, Tom and Mary Jane	6930 Westlea	6930 Westlea	Pearland, TX.	77584		tsulliva@flash.net	Westlea - Pearland
Taylor, Joel	507 Houston	507 Houston	League City, TX.	77573	281.557.1302		
Taylor, Larry	P.O. Box 1212	1222 Winding Way	Friendswood, TX.	77549	281.482.9880	inssurf@aol.com	City Council - Friendswood
Taylor, Susan	2414 Baycrest	2414 Baycrest	Nassau Bay, TX.	77058			Nassau Bay, Swan Landing
Tetens, Richard	2105 West Mary's Creek	2105 West Mary's Creek	Pearland, TX.	77581			Shadycrest
Thompson, James	3525 Robinson Drive	3525 Robinson Drive	Pearland, TX.	77581		jthompson@orbitworld.net	
Tobin, Laurence	317 Lakeshore Drive	317 Lakeshore Drive	Taylor Lake Village, TX.	77586	281.326.9733	lwtobin@email.msn.com	
Vaughan, Scott and Helen	3115 Bishopton	3115 Bishopton	Pearland, TX.	77581		vaughasg@aol.com	Twin Creek Woods
Walden, Louis	12542 Elker	12542 Elker	Brookside, TX.	77581			Clear Creek Manor #2

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Name	Mailing Address	Physical Address	City and State	Zip	Fax	Email	Subdivision
Wallace, Bernice	8014 Folkestone Lane	8014 Folkestone Lane	Houston, TX.	77075			President - Houston Skyscraper Shadows Civic Club
Ward, Rex	306 Indian Meadow Street	306 Indian Meadow Street	League City, TX.	77573			
Weisiger, Craig	1906 Claiborne Drive	1906 Claiborne Drive	League City, TX.	77573		ev1sheri@ev1.net	Clear Creek Village
Weisiger, Sheri	1906 Claiborne Drive	1906 Claiborne Drive	League City, TX.	77573			Clear Creek Village
Whitaker, Harold	915 Falling Leaf	915 Falling Leaf	Friendswood, TX.	77546	281.482.3902	half97@aol.com	Mayor - City of Friendswood
Whitcomb, J.	3118 FM 528 PMB 294	3801 FM 528 / Friendswood	Webster, TX.	77598	281.482.8987	jerikobler@aol.com	
Whiteley, Linda	3007 Massengale	3007 Massengale	Webster, TX.	77598	281.338.2332	lewwhiteley@yahoo.com	Clear Creek Shores
Whitworth, Mary Ellen	P.O. Box 131563	3201 Allen Parkway, Suite 200	Houston, TX.	77019	713.529.6481	bpa@hic.net	
Whynott, Virginia	1716 Falcon Ridge	1716 Falcon Ridge	Friendswood, TX.	77546			Falcon Ridge
Wiest, Natalie	2615 Jeb Stuart Drive	2615 Jeb Stuart Drive	League City, TX.	77573	409.740.4702	wiestn@tamug.tamu.edu	Landing, Houston Canoe Club
Williams, Kenneth	506 Independence	506 Independence	Friendswood, TX.	77546			Heritage Estates
Wilson, Donald	9751 Ravensworth Drive	9751 Ravensworth Drive	Houston, TX.	77031		donew800@aol.com	Glenshire
Yarnall, Ann	312 Green Oaks Drive	312 Green Oaks Drive	League City, TX.	77573		ayarnall@pdq.net	Oak Creek
Yost, Mike	4805 Broadway	4805 Broadway	Pearland, TX.	77581	281.485.0065		BDD #4
Zivley, George and Elizabeth	2310 Mary's Creek Court	2310 Mary's Creek Court	Pearland, TX.	77581		gzlzivley@pdq.net	

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Name	Ever flooded?	Date	How high (relative to first floor of home or business)	Other property damaged?	How did you find out about this meeting?
Abbott, James R.	Yes	July 1979	4.5 inches	Pool	Insert in the newspaper
Acrey, Rose Mary	No - A few inches more and it would have been in.			No	Post card in the mail
Anene, Darlene	No				Post card in the mail
Austin, Michael	Yes	July 26, 1978	17 inches	Garage, vehicles	Post card in the mail
Bailey, James and Charlotte	Yes	1979	2-3 feet	No	Insert in the newspaper/Post card/Friend
Barrington, Ray	2 times	1984, 1989	2 feet, 1 foot		Post card in the mail
Bellard, Mary Ellen	Yes	July 1979	18 inches	Outbuilding	Insert in the newspaper/Friend or neighbor
Bellmyer, Larry					Insert in the newspaper
Benavides, Sarah					Post card in the mail
Benoit, Katie	No			No	Insert in the newspaper
Berglund, Billy	Yes	1979, 1983	8 feet	Cars	Post card in the mail
Black, Clifton	Yes	1979, 1989	1979 - 4-5 feet, 1989 - 8"-12"		Post card in the mail
Blake, Frank	No				Post card in the mail
Bolte, Heather	No				Insert in the newspaper
Boren, David	Not during my ownership, but 3 times earlier.		About 24 to 36 inches		Post card in the mail/Friend
Bourg, John	Yes	20 years ago	2-3 feet	Various	From a friend or neighbor
Boyce, Judith	No				Post card in the mail
Brennan, Jeff					
Brennan, Ron and Mary Ellen	Yes	1979	4 inches		Insert in the newspaper/Post card
Brizendine, Kim	No				All
Broussard, Dwight	Yes - both homes that I have lived in that are located in Friendswood were flooded		2 feet	Prior to my residence in the homes	From a friend or neighbor
Browne, Richard	No				Other
Burgess, Selmer Ray					
Calvert, Clinton	Yes	August 1972			Post card in the mail
Calvert, Patricia					Other
Camp, John and Linda	Yes	1994	3 inches		Post card in the mail
Carter, Richard	No				Insert in the newspaper
Cartwright, Jim	No				From a friend or neighbor
Charvoz, David	No				Other
Chimenti, Katie	No				From a friend or neighbor
Clapham, Robert	No				Post card in the mail
Clapper, James and Marilyn	No				Post card in the mail
Cortney, Dennis	No		6 inches	None	Post card in the mail
Crist, James and Wanda	No				From a friend or neighbor
Daigre, JoAnne	No				Insert in the newspaper/Post card

**Clear Creek Public Scoping Meeting Citizen Attendees
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Name	Ever flooded?	Date	How high (relative to first floor of home or business)	Other property damaged?	How did you find out about this meeting?
Davenport, Jack and Diana	Yes	Oct 1994, July 1979	Oct - 12 inches, July - 2 inches	Garage, auto	Other - Civic club
Dudney, R. Fay	Yes	1979	2-3 inches		Post card/Friend
Dujay, Kenneth		1979	6 inches	Garage, vehicle - 7 inches	Insert in the newspaper
Dunlap, Sherri	No				Insert in the newspaper
Edwards, James	No				Post card in the mail
Eichhorn, Greg	Yes	1978 - 1983	5.5 feet		Insert in the newspaper
Faber, Stanley	Yes	1979	3 feet		Insert in the newspaper/Post card
Fair, Richard					
Ferguson, Cecil and Kay	Yes	1972, 1979, 1989, 1994	1 foot, 9 feet, 3 feet, 3 feet	Swimming, pool, garage	Insert in the newspaper/Post card
Fitzgerald, Mike	Yes	1979 July - TS Claudette	6 inches		Other - Clear Creek Team Member
Flannigan, Michael	No				Post card in the mail
Flowers, Jim and Caty	No	1979			Post card in the mail
Fowkes, Wayne	No				From a friend or neighbor
Fujii, Mavis	Yes	1988	4 feet		Insert in the newspaper
Gallagher, Andrew					Website
Garst, Jean	Yes	Fall 1998	12 inches	Automobile	Post card in the mail
Gatten, Kenneth and Glenda	No				Post card in the mail/Website
Gerlach, Ron	Yes	1979	38 inches	Yes	Post card in the mail
Gilmore, Carolyn	Yes	Oct 1994	Records filed with Reich and Binstock Law Firm	Garage	Post card in the mail
Gilmore, Ira	Yes	October 1994	6 inches		Post card in the mail
Glanton, Theo	No				From a friend or neighbor
Goodwin, Theresa	No				Post card in the mail
Gratzfeld, George and Norma					Post card in the mail
Greene, William	Yes	3 occurrences since 1978	18 inches		Post card in the mail
Guth, Sandra	Yes		Did not live there at the time		From a friend or neighbor
Guthery, Lemuel and Jo	Yes	1979, 1989		Vehicle	Post card in the mail
Hahn, Oscar	Yes	1979	30 inches		Post card in the mail
Hamilton, Vaness	Not yet				Insert in the newspaper/Website
Harder, James	No				From a friend or neighbor
Hargrove, John	No			No	Insert in the newspaper/Post card/Friend
Harris, Gary	Yes	July 1979	2'6"	Garage	Post card in the mail
Harris, Jack	Yes	Oct 1994	10 inches		Post card in the mail
Harris, Mary Ellen	Yes	October 1994	10 inches	Garage, swimming pool	Post card in the mail
Hatchett, Thomas	One foot away	1979	None but carpet ruined		Other
Hemmwehabs, Al	No				Insert in the newspaper
Hesley, Susan	No				Post card in the mail
Hill, Carl	Yes	1979	20-24 inches	Garage, autos, sw. pool	Post card in the mail
Hill, Terry	Yes	1979	unknown		Post card in the mail
Hodgson, Charles	No				Insert in the newspaper

**Clear Creek Public Scoping Meeting Citizen Attendees
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Hopper, Carl and Barbara	Yes	1979, 85, 89, 94	4' 6" in 1979, 15 inches in 1994		Insert in the newspaper/Post card
Horn, Dennis and Mary	No				Post card in the mail
Hulka, Steve	No				Post card in the mail
Hunter, Rick	Yes	1979	3 feet	Vehicle	Insert in the newspaper/Friend
Illerich, Daniel and Mary	Yes	1994	3-6 inches	No	Post card in the mail
Jacob, John	No				Post card in the mail
Jazdyk, Arlene	Yes	1995	Unknown - did not own property at that time		Post card in the mail
Jazdyk, Raymond	Yes	1995	Unknown		Insert in the newspaper
Johnson, Cheryl	No				Other
Johnson, Dan					Insert in the newspaper
Kelly, Carol					Post card in the mail
Kie, Bruce and Jean	No				Insert in the newspaper
Kirby, Meta	No			Vehicle, garage	Insert in the newspaper/Post card
Kitch, Scott and Karen	No				Post card in the mail
Knight, Phillip	No				Other
Knolle, John and Darlene	No				Post card in the mail
Kobayashi, Herbert	Yes	1979	3.5 inches	Yes	Insert in the newspaper
Kologinczak, Teresa	No				Post card in the mail
Kucherka, Billie and Clarence	Yes	1979	3 inches		Post card in the mail
Land, David	No				Post card in the mail
Leech, Ted	10 feet on creek front lot	Approx 1980			Post card in the mail
Legendre, Abel and Audrey	No, but within 1 foot				Insert in the newspaper/Post card
Lenamon, Ben	No				Other
Leney, J	No				
Lentz, Alfred	No				Other
Lester, Phil				Yes	Insert in the newspaper/Post card
Lewis, Gary and Deborah	Yes	March 1998	4 inches		Post card in the mail
Lippke, Paul	No				Insert in the newspaper
Lotz, Frank	Yes, at 4445 Nasa Rd 1 "The Landing"	1979 & 1983	Flooded parking port and storage beneath home structure	Garage and outbuilding at "The Landing"	Post card in the mail
Lotz, Tricia	No			Pool	Post card in the mail
Lowe, Janis	Yes	1979	2 feet	Barns - 5 feet	Insert in the newspaper/Website/Post card
Magee, Douglas	No				Insert in the newspaper
Mallios, Laura	No				Insert in the newspaper/Friend
Maloney, Donna	Not yet				Insert in the newspaper

**Clear Creek Public Scoping Meeting Citizen Attendees
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Name	Ever flooded?	Date	How high (relative to first floor of home or business)	Other property damaged?	How did you find out about this meeting?
Marcott, Larry	No			No	Other
Marx, Paul	No				Post card in the mail
Mastrofrancesco, Nancy	No				Insert in the newspaper
Matter, Donald	Yes	1983	6 inches	Yes	Post card in the mail
McClain, Wilson					Other - Galveston Bay Estuary Program
McDonough, Mark	No				From a friend or neighbor
McKinney, Umphrey					Post card in the mail
McMurrey, Charles	Not yet				Friend/Other
McNutt, W.C.	Yes	1979	2 feet		Insert in the newspaper
Measeles, Melvin	Yes	1979	2 inches		Post card in the mail
Meeks, Barbara	No				Other - League City Parks Board - Judge Yarborough
Middleton, William	Yes	July 1979 (Trop. Storm Claudette)	Into weepholes enough to wet carpet	Garage, vehicles	Post card in the mail
Middleton, Courtney	Unknown				Insert in the newspaper
Miller, David	No				From a friend or neighbor
Minak, Bill	No				Post card in the mail
Mitchell, Pamela					Website
Morgan, Mike	No				Other
Morgan, Preston	Yes	1979	4.5 feet	2 vehicles	Insert in the newspaper
Murphy, Jackie					Other
Nelson, Oscar	No				Insert in the newspaper
Nghiem, Doan	No				Other
O'Brien, Catherine	No				
O'Keeffe, Dennis					Post card in the mail
O'Neill, Natalie	No			Barn (no insurance claim filed)	Post card in the mail
Orcutt, Jerry and Benita					Insert in the newspaper/Post card
Parker, Robin	Yes	1979 and '80, floodwall built by former owners after 1979/80 flood. Breached in 1994	Approx. 1 foot - Learned that floodwall built after 79/80 flooding had been breached after we bought the home in 97.		Post card in the mail
Pearson, Ric	No				From a friend or neighbor
Pell, Scott and Liane	Yes	1979 and 1996	6 feet	Garage	Insert in the newspaper/Friend or neighbor
Perkowski, Edward and Trudi	No			Property	All
Poor, Barry	No				Insert in the newspaper/Post card

**Clear Creek Public Scoping Meeting Citizen Attendees
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Name	Ever flooded?	Date	How high (relative to first floor of home or business)	Other property damaged?	How did you find out about this meeting?
Reisert, Donald	Yes	1979	20 inches, 13		Post card in the mail
Reitan, Leo	No				Post card in the mail
Richard, Ronald and Ruth	Yes	1979	20 inches		Post card in the mail
Richey, Billie	Yes	1994	inches	Garage	Post card in the mail/Website
Rinehart, Kevin and Shelley					Website
Ritter, Ronald	Yes	July 1979 and October 1994	2' 4 inches	Garage and swimming pool	Post card in the mail
Roberts, Joseph and Josephine	No	1979	18 inches	Fence, yard	Post card in the mail
Ryan, Barbara	No				Insert in the newspaper
Sawyer, Ralph	Yes	1979	2.5 feet	Garage	Post card in the mail
Schoellkopf, F.C.	No				
Schrader, Jerry	Yes	1979	19 inches	Garage, vehicle, swimming pool	Insert in the newspaper
Schubert, Jamie	No				Website
Scogins, Carolyn	Yes	1979	6 inches	Garage, vehicle - 7 inches	Insert in the newspaper
Scott, Lamoin					Insert in the newspaper/Post card
Seeger, Klaus	No			No	Post card in the mail
Shead, Linda	No		12 inches (about 12 inches below first floor)		Post card in the mail/Friend
Silverman, Karl and Deborah	No				Insert in the newspaper/Post card
Smith, Charles	Yes	1979	12 inches	Car	Post card in the mail
Smith, Ron	No			No	Insert in the newspaper
Spencer, F.J.					Insert in the newspaper
Spencer, Nina	No				Insert in the newspaper
Steik, Peter	No				Post card in the mail
Stewart, Kevin	No				Post card in the mail
Strube, Kim					Insert in the newspaper
Stuart, Ed	No		5 feet		Other
Sullivan, Tom and Mary Jane	Yes	July 1979, August 1989 - Oct 1994	6 inches	Garage	Insert in the newspaper/Post card
Taylor, Joel	No				Website/Friend
Taylor, Larry	No				Insert in the newspaper
Taylor, Susan	No			Over bulkhead, over pier, half the yard and within 8 feet to door. This was west wind, high tide, heavy rain, no hurricane.	Post card in the mail
Tetens, Richard	Yes	July & Sept 1979	1.5 feet	Garage, pool	Insert in the newspaper
Thompson, James	Yes	1994	6 inches		Insert in the newspaper/Website/Post card
Tobin, Laurence	No				Website/Post card/Clear Creek Watershed Steering Com
Vaughan, Scott and Helen		Oct 1994	3 feet	Garage	Insert in the newspaper/Website
Walden, Louis	Across property	October 1994	2 feet	Utility and equip.bld.	Post card in the mail

**Clear Creek Public Scoping Meeting Citizen Attendees
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Name	Ever flooded?	Date	How high (relative to first floor of home or business)	Other property damaged?	How did you find out about this meeting?
Wallace, Bernice	No				Post card in the mail
Ward, Rex	No				All
Weisiger, Craig	No				Post card in the mail
Weisiger, Sheri	No				Insert in the newspaper
Whitaker, Harold	Yes	1979	18 inches		Post card in the mail
Whitcomb, J.					Post card in the mail
Whiteley, Linda	No		6-10 feet		Post card in the mail
Whitworth, Mary Ellen	No				Post card in the mail
Whynott, Virginia	No			Homes on White Wing get running water through their yards form the HL&P easement to the street. Entrances to Falcon Ridge and Eagle Lakes gets flooded so that no vehicles can pass into or out of subdivision.	Insert in the newspaper/Post card
Wiest, Natalie	No			None	Post card in the mail
Williams, Kenneth	Yes	1993		Garage	Post card in the mail
Wilson, Donald	No				Other
Yarnall, Ann	No				From a friend or neighbor
Yost, Mike	No				Other
Zivley, George and Elizabeth	No				

Clear Creek Public Scoping Meeting Citizen Comments
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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
James	Bailey	5234 Whittier Oaks	SAME	Friendswood	TX	77546	1979, before we purchased it (1981)	As to the creek in general: Should be kept as natural as possible. "The most" simple but well planned project is always best. Minimal changes (dredging, or changing natural directions) as possible. Keep the creek and banks clean and clear. When it flows free we don't have flooding. We don't want to live on a concrete ditch! Specific problem now: We have a real dangerous problem close to my home now. It has impacted my property as well as others. Some are in danger of losing homes. HCFC engineers suggested you guys "Army Corps" go look and recommend a solution so they, or the proper controlling body, can fix the problem. They recommended that I come to this meeting to get your attention. So, I am asking please get involved ASAP. We really need your help now! Your earliest response would be greatly appreciated. Thank you in advance for your consideration in this most urgent matter. Regards: James Bailey (office 713.451-4149) Home 281-482-4494, fax 713-451-1693 email jdbailey1@pdq.net	Wants creek left as natural as possible - only advocates solutions with minimal overall impact on creek.
Diana	Davenport	8322 Lettie Street	SAME	Houston	TX	77075	Yes - 2 times	We have a ditch behind our house, south of and parallels Lettie Street. We constantly worry every time there is heavy rain that the water in the drainage ditch will not flow freely as happened in the 1994 flood. Also, we fear development of the close-by area which might cause less areas which would absorb rain water. Also, and very important, we have many birds and small animals in the natural areas who must not lose their habitat. Another area we are interested in is the south shore of Clear Lake where we have a small vacation house. I wonder what the effects of flood management will have on Clear Lake.	Worried that ditches will overflow and they will get flooded.
Stanley	Faber	508 N Shadowbend	SAME	Friendswood	TX	77546	Yes. 3 feet in 1979. Water has lapped slab two other times.	We are spending too much time and effort on studies. Let's start implementing something positive to protect life and prosperity. Trees and other fauna will grow, given the chance, as well as wild life. P.S. My back yard on Mary's Creek has served as a return area for many years. I am 22 feet above the creek level and the water flows up to 200 feet wide. At this moment, 3/15/01, Mary's Creek is up about 5 feet.	Wants to stop studying and start doing something.
Kay	Ferguson	One Penn Circle	SAME	Friendswood	TX	77546	Yes - 5 times	Will they take our insurance (flood) away while they study the creek?	Doesn't want to lose flood insurance.
Cecil	Ferguson	One Penn Circle	SAME	Friendswood	TX	77546		People are more important.	People are more important.
John	Hargrove	2707 Livingston Drive	SAME	Pearland	TX	77584	No	If Clear Creek is not improved to carry more storm water, thousands of landowners above Clear Lake will be left without value in this day and age. Detention and buyouts alone will never be economic alternatives to channelization. Cost of creating a 100%-developed acre of land by mitigating its effects by detention alone is almost the cost of mitigating by channelization (not even counting the loss of revenue that will result from diverting land use to detention basins.) Any solution must include significant new channelization. And economic analyses of alternatives must include the gradual erosion of land value through the years due to any limited, or no-action selection.	Favors channelization as only economic solution.

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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Cheryl	Johnson	810 Myrtlewood	SAME	Friendswood	TX	77546	No	1) Gather - community by community - input from Creek residents and owners and flood area residents. 2) Clear current creek banks and deepen existing ditches. 3) Construct detention areas in lands already owned by counties, cities, drainage districts, (etc) governments. 4) reduce impacting property-owners - procure undeveloped lands. 5) Stop taking so long - do something!	Deepen ditches, use detention facilities and procure undeveloped land.
Herbert	Kobayashi	1428 FM 528W	SAME	Webster	TX	77598	Yes	(Several pages attached to comment form) 1. Need better drainage 2. Less flooding 3. Some detention temporarily. 4. Not rely on detention this close to sea.	Wants temporary detention.
Theresa	Kologinczak	519 S Illinois Avenue	SAME	League City	TX	77573	No	The creek is an extremely important part of this area. Because our tax dollars are being spent, we should all receive some benefit. Any project should make the creek's integrity its priority. Any project should be environmentally sound.	Preserve creek's environmental integrity.
David	Land	17015 Barcelona	SAME	Friendswood	TX	77546	No	You never have and never will control the flooding in this area because the water stays on the ground for seven days and slowly seeps into the ground. And filters through the tall grass into the creeks and springs. The faster you pump the water off the land, the faster the land will sink. Houston has been trying to control the flooding for thirty-five years. They never have and never will. It floods more there now than it did thirty-five years ago.	There's no solution for flood control.
Alfred	Lentz	5703 Rockland	SAME	Pearland	TX	77584	No	This project has been in the works since the 60's. I believe that the combination of channelization, buy-outs and other measures to protect the environment is a step in the proper direction. However, relief must be provided. The rectification of Clear Creek not only affects the creek itself, but all the tributaries. Once the creek is rectified, the tributaries can be adjusted to provide persons relief from flooding in these areas also. This project has gone on long enough. It is time to move forward.	Favors channelization, buyouts and relief for tributaries.
Lane	Lowrey	429 Hawthorne Street Apt 2	SAME	Houston	TX	77006	No	Maps look wonderful (especially the GIS ones, he, he). This is an exciting project and I am very lucky to be helping. I think the layout of this information is very good (descriptive maps juxtaposed with a clear aerial - very important to explain and orientate! video great idea - need some sort of key to locate where the video is being shot (a really quick flash) Good music, gets you excited.	
William	Middleton	15607 Pennystone Court	SAME	Friendswood	TX	77546	July 1979 - Tropical Storm Claudette	I would like a copy of the "Clear Creek Study Milestones Accomplished/Future Schedule" chart.	Request for information.
Dennis	O'Keeffe	PO Box 1133	SAME	League City	TX	77574		Clear Creek flood control maps from I-45 to bay Area Blvd.	Request for information.
Ralph	Sawyer	PO Box 630, 77549	510 N Shadowbend	Friendswood	TX	77546		I have flooded in 1979 and had water in garage 2X since. I am in favor of fixing the creek as soon as possible.	Wants something done soon.
F.C. "Trey"	Schoellkopf	102 7th Street	SAME	League City	TX	77573		I am opposed to any deepening or widening of Clear Creek. After careful evaluation of the hydrology studies thus far, I don't see the advantage of increasing the hazards to the ecology of the creek. Thank you.	Opposed to deepening or widening creek.
Thomas	Sullivan	6930 West Lea	SAME	Pearland	TX	77584	Yes	What is being done for developers who have drained wetlands and have no retention (Ravenwood) but have increased the outflow area four or more times?	Questions responsibility of developers for

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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Richard	Tetens	2105 W. Mary's Creek	SAME	Pearland	TX	77581	Yes	The meeting is good information and gives the public the chance to see the area and what all it encompasses. This project has been going on way too long. We need to finish the study (it has been studied to death already) and get on with doing something to alleviate the flooding problem. We've been very fortunate the past four years in that we haven't had any heavy rains. We probably won't be that lucky much longer, and very little has been done to help the situation.	Wants something done soon.
James	Thompson	3525 Robinson Drive	SAME	Pearland	TX	77581		(Attached picture of Clear Creek with debris) Above is an example of why Clear Creek should be cleaned out. This picture was taken 3-15-01, the day after a heavy rain. As you can see the trees have grown and debris (wood, twigs, trash) has accumulated. The accumulation after building some will cause a dam effect. I have chopped up logs several times to prevent this, but it is getting to be too much for me. This is one spot behind my backyard. Located about a half mile east of Hwy 35. I did not search for it. There are probably dozens of similar areas up and down the creek.	Wants creek cleaned out.
Louis	Walden	12542 Eiker	SAME	Brookside	TX	77581	Yes	In 1958 (August) or (June) I had 18" of rain in 24 hours. The water across my property was only 2" deep. Clear Creek was maintained at that time. (6" less rain than 1994). In October 1994, the recorded rain on my property was 12". The water was flowing down the bar ditches and draining the prop. fine until about 8pm. The water was backing up from the Creek. This was caused by blockage in the creek - trees and debris damned against the Mykawa Rd bridge and rail road trestles pilings. The water wasn't going down Clear Creek fast enough. The creek had not been maintained since 1965 (29 years).	Wants creek cleaned out.
Craig	Weisiger	1906 Claiborne Drive	SAME	League City	TX	77573	No	I would like aerial maps of the I-45-518 area. I would also like the last 5-10 years reports of the flood gage on I-45, Clear Creek. If records are large, I would like a website to access those records. I am willing to work on the project as a Clear Creek Village Rep. I would like copies of a map to indicate channelization idea at I-45.	Request for information.
Bob	Wall	403 North Kansas	SAME	League City	TX	77573	No	The League City Cemetery is located directly on the Clear Creek Watershed. It does not flood now. Channelization and the subsequent increased building in floodplains that currently exist would jeopardize the cemetery due to decreased appropriate run-off. Channelization will encourage building in areas that are now natural wildlife refuges, homes to migrating animals and birds and naturally beautiful. Channelization is a poor solution to a problem that only exists because developers want to build more homes closer to the creek. A simple, cost-effective solution is to not allow building in the existing floodplain. This "fix" will create more problems than solutions - NO CHANNEL	Opposed to channelization and wants development stopped.

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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Kalah	Goodman	403 North Kansas	SAME	League City	TX	77573	I have not lived at this address since 1986 and have not had floodwater in my home.	The portion of Clear Creek between Highway 3 and FM 270 is the area of the creek that affects my neighborhood and home the most. I live in the Historic District of League City approximately 1/8 of a mile from Clear Creek. Our neighborhood utilizes an open ditch system for drainage and presently works extremely well. The flow of water travels north and empties into Clear Creek. The idea of channelizing Clear Creek concerns me for several reasons: 1. The increase for potential flooding in my home and neighborhood which will increase the cost of flood insurance. 2. Destruction of natural habitats of numerous animals and alteration of migratory paths of the numerous birds in this area. 3. Channelization will create an extremely displeasing and unaesthetic shore line along the creek. 4. Promote further development along the creek which will only compound flooding issues.	Opposed to channelization.
Heather	Bolte	4607 Nasa Road 1 #7324	SAME	Seabrook	TX	77586	No	While the best choice for reducing flood impacts would be to stop urban sprawl and development, greed and politics have too much of a hold on our society. I should point out that people who live on Clear Creek have <u>chosen</u> this location and should realize what might happen; however, people have decided they are the most important thing in this world and their lifestyles should be accommodated at ALL costs. This too is unrealistic. My suggestion is to stop ignoring the environment and start taking action. One day things are going to be beyond repair, then what? Using detention basins <u>with</u> WETLANDS seems to be the best choice. Channelizing Clear Creek and lining it with concrete are not the answers. The natural stream course traverses and bends for a reason. While engineers think they can "fix" anything, some things (nature) were not meant to be fooled with. Wetlands are extremely important to ALL walks of life, and whether the ignorant realize it or not, many species can benefit from them. Detention basins may take up space, but they are a good solution. People will have to realize their towns can't grow forever. when their quality of life is reduced because of environmental degradation they will want to know why "you" didn't do something.	Favors detention basins with wetlands. Opposed to channelization.
Natalie	Wiest	2615 Jeb Stuart Drive	SAME	League City	TX	77573	No	My interests in Clear Creek are as a recreational canoeist and amateur nature watcher. I am an active member at the Houston Canoe Club. If you go to the HCC website at www.houstoncanoeclub.org , click on "Places", then on "Clear Creek" and you will see the description and photos I have put up to describe my favorite section of the creek, from Randolph Park to Countryside Park here in League City. The natural beauty of the stream is evident from the photos. I believe it is imperative we preserve this natural beauty, not only for its intrinsic merit, but as a special and unique part of the Houston ecosystem. Little of our riparian woodland remains. The American Canoe Club lists Clear Creek in 2000 as #2 most endangered stream in the U.S. I favor buyouts of frequently flooded property and created diversion channels and containment ponds with as little improvement as possible on the natural streambed and sites. I would like to see a very wide greenbelt the entire length of the stream. Perhaps large catchment lakes could help stabilize water supply for Houston.	Favors buyouts of frequently flooded property with diversion channels and containment ponds.

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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Mavis	Fujii	114 Blue Heron Drive	SAME	Friendswood	TX	77546	Yes - 1988	I have flooded twice - the first time with 4 feet of water. I have chosen to live here and accept that responsibility with the flooding risks. Since some improvements along the creek over the last 5-8 years, I have not flooded. I strongly support the on-going Clear Creek Study and not the Challenge 21. The most important issue here is preservation of the ecosystem and habitat for the birds, animals, and natural vegetation. This resource is <u>invaluable</u> and is a trust for the future generations. I support non-structural "tools", especially prohibiting building in the floodplain and/or applying stringent elevation criteria, buyout of structures (which would increase the green area!!) and raising existing structures. I <u>strongly</u> oppose bypass channels, channelization, construction of <u>any</u> edifices. In addition, the "pro tem mayor of Friendswood" <u>did not</u> speak for all or even a portion of the Friendswood residents.	Opposed to Challenge 21, channelization. Wants preservation of ecosystem and habitat using non-structural tools.
Raymond and Tommie Jean	Vial	2303 Cedar Street	SAME	Pearland	TX	77581	Yes, in 1979 (Willowcrest Subdivision) Pearland	Please leave the natural habitat and environment intact. We believe you should just clean Clear Creek out and widen it. Also, we think this has been studied enough. It is time to act.	Wants creek cleaned out and widened.
Clifton	Black	2 Queens Lane	SAME	Friendswood	TX	77546	Yes - 1979 and 1989	I live in Friendswood on Cowart Creek. My home has flooded 2 times (1979 and 1989) and several times was very close to flooding!! I am very perplexed as to why it has taken so long and still no action to reduce the flooding problems. I favor the plans the US Army Corps proposed several years ago to rechannel and clean out Clear Creek. You need to get the flood waters out!! You need to stand up and tell it like it is - <u>people</u> and <u>property</u> are <u>important</u> . Of course, we all like nature, animals, birds, trees, etc. But we must <u>save people first</u> . I notice that under you comments section you ask for special habitats or environmentally sensitive areas to be marked. Well, how about asking where people and property who are under threat of flooding are. What about us!! Clifton Black 281.482.3654	People are more important. Favors rechanneling and cleaning out creek.
Joe Anne	Daigre	P.O. Box 1907	15730 Edenvale	Friendswood	TX	77549	No	The open fields along I-45, Dixie Farm Road, Hwy 2351, 528 are territories that should not be developed. Not only to absorb water but because many kites and hawks depend on the field rodents, birds and frogs of these spaces. It takes several acres to support each bird. Too much housing and commercial development is ruining especially 528. Brio and the nearby oil fields can easily be saved for wildlife as they may be hazardous for human habitation. But more open natural land must be saved from development or there will be gigantic flood or a totally artificial area.	Wants development stopped.

Clear Creek Public Scoping Meeting Citizen Comments
March 15, 2001

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Kevin	Stewart	1904 Willow Lake Drive	SAME	Pearland	TX	77581	No	At the meeting I mentioned a viaduct to aid Clear Creek in moving water to Clear Lake. I've recently been informed that the removal of dirt is almost cost prohibitive. An alternative to an open viaduct would be one that could be constructed so that the removed dirt could be placed on top a culvert style viaduct. large enough that small little front end loaders (Bobcats) could go in and clean any mud or other debris that may find its way into the culvert system. Access ramps will need to be constructed along the viaduct for cleaning as well as ventilation ducts for exhausting fumes during clean out and moving fresh air in. The underground viaduct could be constructed along utility and pipe line easements. This would not take away land that can be developed satisfying developers, city officials, and planners and business people who want more land that can be developed. If this can be done costwise and with the agreement of the people owning these right ways can be developed to their advantage as well maybe they would be willing to help with the cost.	Wants a culvert-style underground viaduct constructed to move water to Clear Lake.
Clancy	Edwards	18515 Barbuda Lane	SAME	Nassau Bay	TX	77058	No	We are concerned about destruction of wetlands on Clear Creek. We are also concerned about flooding around Clear Lake if Clear Creek is changed.	Concerned about destruction of wetlands an flooding of Clear Lake.
Meta Ann	Kirby	17020 Berry Road	SAME	Pearland	TX	77584	Not yet	Leave the natural habitat and environment along Clear Creek alone! We are becoming a concrete jungle. I believe the problems can be solved by cleaning out the Creek and digging in deeper. Just do something! Quit with the studies!	Favors cleaning out creek.
David	Armelli	12603 Britt Road	SAME	Brookside Villa	TX	77581	Within 1.5 inches - what's next!	Time to stop the surveys and get on with the dirt work. Your numerous surveys have not provided any relief from flooding in our area.	Tired of surveys, wants something done soon.
Pat (don't add to mailing list)	Coulson	2103 East Mary's Creek	SAME	Pearland	TX	77581	Close - 10/17/94 Yes, August 1979 (Tropical Storm Claudette)	Clear it, clean it, widen it, replant (to have nice environmental habitats) and then leave it be. Quit studying and talking about it. PS - don't put me on your mailing list please.	Favors cleaning out and widening creek.
Judy	Huber	2601 Austin	SAME	League City	TX	77573	No, but we have helped people who have.	I consider the whole creek a place to protect in its natural state. To boat this creek in the evening and quietly see the egrets roosting, the gar (which are finally returning) quietly broach and the kingfishers darting across the water is a special treat and retreat to a peaceful time and solitude which we try harder and harder to find.	Wants the natural state of the creek preserved.
William	Radentz	3015 Green Tee Drive	SAME	Pearland	TX	77581	No, but Clear Creek is in back of my yard and several time the water had risen into my back yard. Much more and it would have been in my house.	I think it is time to worry about flooding and forget about environmental problems. The new housing projects around 518 and 528 will increase the water flow into the lower Friendswood and Pearland area and cause flooding. I have heard these discussions now for 25 years and don't believe anyone in authority of this flood project really wants to see it becoming reality. 33 years for a simple creek problem!! Why not dredge out Clear Lake to deepen it for one large water containment area to solve some of these problems and widen the creek for others. If you were really serious there would have been congressmen at this meeting.	Wants Clear Lake deepened and Clear Creek widened.

Clear Creek Public Scoping Meeting Citizen Comments
March 15, 2001

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Steve	Hulka	440 Creekside Court	SAME	League City	TX	77573	1st house yes 2nd no	<p>I've lived on Clear Creek since 1973. Before that I had relatives who lived on the creek since 1960. My late brother-in-law developed Ski Ranch Estates which was later changed to Clear Creek Shores (CCS). My first house was in CCS section 2 on Massengale Lane and the second one in section 1 on Shady Lane. I now have a house in Creekside Estates on the League City side. All of my houses have been within a mile by water. I raised 2 kids on the Creek and am raising a 3rd now and 2 grand kids who live with me. Needless to say, I'm a Clear Creek resident.</p> <p>I have been running trotlines on the creek since I bought my first house on it. For the first three years, a day never went by when I wasn't out in my flatbottom, with my Black Lab and English Setter, taking fish off the lines. The biggest was a 17-pound channel cat. I got busier and had to cut back on the days but I've been on the Creek frequently since then. I never cruise the Creek that I don't admire the beauty of its natural state; the Spanish moss, the muscadine grapes, the King Fishers, the Ibis', and old Cedar trees. There aren't as many Nutria on the Creek as there used to be but there are still some to be seen. Saw a rabbit swim the Creek on I have a lot of natural history with the Creek. I can't imagine it being changed from its natural beauty. People and kids need this kind of beauty to enjoy. Don't ruin it.</p> <p>I'd like to see a building buffer zone enforced where subdivisions can't build up to the shore line. I'd also like to see fast boats and jet skis banned from Challenger Park upstream or at least no speeds over, say, 10 mph. But I bet these wishes won't ever happen.</p> <p>Good luck on the study. I vote to leave the Creek, from the park, up, alone.</p>	Wants natural beauty of creek preserved.
Ronald	Gerlach	2004 Pine Drive	SAME	Friendswood	TX	77546	Yes - 1979, 38 inches	<p>One of the main problems that everyone ignores is the I-45 bridge obstruction at Clear Creek. This bridge caused a 3-foot rise to the west (League City and Friendswood) in the 1979 floodwater. My neighbor has an air picture to show how the water was stopped by the bridge sidewalls which are about 3 foot high. Highway Dept. was contacted by him after flood and they admitted problem but refused to act. Said: Tough! The bridge has two problems:</p> <ol style="list-style-type: none"> 1) It is too low; and 2) The sides are not "flow-thru" (ie. The sides are solid concrete instead of open concrete or steel) <p>My neighbor lived at 2000 Pine Drive, Mr. Skip Coffman.</p>	Wants bridge obstruction cleared at I 45.

Comments from back of Attendee Card:

Rama	Rau	1912 Aggie Lane	SAME	League City	TX	77573	Yes - 1979 (Hurricane Claudia) - 3 feet	<p>(Comments from back of Attendee Card) When work on the creek is started, the project should start down streams first and move upstream to ensure that no flooding occurs from partial flood control. This may be contrary to the fact that most people live upstream. But doing otherwise will only create flooding downstream. A second comment is the project engineers take into consideration that the banks of Clear Creek has been polluted by chemical firms. Chemicals have soaked into the ground. Any dredging operations should take this into consideration and make sure it does not end up in the creek.</p>	Wants any improvements done downstream first and dredging to be done without contaminating creek.
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**Clear Creek Public Scoping Meeting Citizen Comments
March 15, 2001**

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Marian	Hurta	12703 Britt Road	SAME	Brookside Village	TX	77581	Yes - Oct 1994 - 3"	Flooding is the most important issue in northern Brazoria County. This project should have been completed 20 years ago. 1) Dredge and widen Clear Creek all the way to the Gulf 2) All parks in area should be lowered to be made into detention ponds. 3) No new development until project is completed without detention ponds to hold runoff. 4) No buying of detention ponds off-sight as Pearland does. 5) You can channel the H20 if you want but I believe it is too expensive. 6) Keep the public officials off the boards and let the engineers make the decisions for the best solution to this major problem. 7) All new structures should meet or exceed DD4 flood codes for 100 year floodplain in Brazoria County.	Favors dredging and widening, detention ponds, stopping development, and making all new structures meet DD4 flood codes for 100-year flood.
Keith	Raterink	5306 Kingsmill Lane	SAME	Friendswood	TX	77546	Yes - 1979 - 18"	(Comments from back of Attendee Card) 1968 - FCA - watershed has not changed boundaries. Make-up has changed a lot. Napa River. Challenge 21. Major of FWOOD - hurry up or "shoot in the foot" - stewardship?	??
Umphey	McKinney	P.O. Box 8868	1005 Rulyn San Leon	Bacliff	TX	77518		Solution is temporary storage areas such as Texas City and Moses Lake. Such areas could be parks etc. thus enhancing wildlife. Is it beyond consideration that certain areas become a drainage district to help prevent flooding in their area and help financing of their drainage district? Don't channelize Clear Creek.	Favors temporary storage. Opposes channelization.
Robyn	Blackman	502 North Highway 3 #A	604 North Clear Creek	Friendswood	TX	77546	Yes	I believe the entire creek is an environmentally sensitive area along the creek!	Believes entire creek should be preserved.
John	Harbour	110 Royal Court	SAME	Friendswood	TX	77598	No	(Comments from back of Attendee Card) How will the drainage district handle property damage to a resident's property while doing the improvement? I moved here for the area. It is a gamble but willing to take it for the natural beauty.	Concerned about property damage during creek improvement.

Persons who indicated special habitats or environmentally sensitive areas along the creek:

Mary Horn
MJ Austin, M.D.
CH Hodgson
Cathy Flowers
Linda Whiteley
Bob Hall
Kalah Goodman
Mavis Fujii
Clancy Edwards
Judy Huber
Leo Reitan

Persons who submitted comments in letter form:

Mary	Kiessling	15402 Wandering Trail		Friendswood	TX	77546	Yes - 1979	Mrs. Kiessling expressed the desire for interim work to be done to clean the trash and underbrush from the creek banks, while pursuing the long-range plans the USACE has.	Wants creek cleaned now.
Cynthia	Howard	119 Cherry Tree Lane		Friendswood	TX	77546	Yes - 1979	Ms. Howard expressed her support for the Challenge 21 non-structural project revision for Clear Creek.	Supports Challenge 21.

Clear Creek Public Scoping Meeting Citizen Comments
March 15, 2001

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Cynthia	Sarthou	Gulf Restoration Network P.O. Box 2245	Gulf Restoration Network 839 St. Charles Ave, Suite 309	New Orleans	LA	70176	--	Ms. Sarthou, on behalf of the Gulf Restoration Network, requested that the Corps complete an in depth analysis of all direct, secondary, and cumulative impacts associated with all alternatives considered. She also stated that the GRN is deeply concerned about the potential environmental impacts of structural approaches proposed by the Corps and HCFCD and that the Challenge 21 approach should be strongly considered.	Supports Challenge 21, opposes structural alternatives, wants in depth analysis of all alternatives.
V Louise and Laddie	Stevens	15210 St. Cloud Drive	5458 Apple Blossom	Houston	TX	77062		Mr. and Mrs. Stevens expressed their desire to see the Corps consider the Challenge 21 program for non-structural methods for the natural preservation of Clear Creek.	Supports Challenge 21.
Brandt	Mannchen	5115 Maple		Bellaire	TX	77401		Mr. Mannchen expressed his opposition to channelization of Clear Creek and support for a complete buy-out plan for the Clear Creek Watershed and construction of detention facilities.	Opposes channelization, supports buyouts and detention facilities.
Victoria	Maxey-Hodges	2911 Shady Lane		Webster	TX	77598		Mrs. Maxey-Hodgson wrote to urge the development of a Challenge 21 nonstructural proposal for alleviation of flooding along Clear Creek and to suggest annual or bi-annual clearing of fallen trees to alleviate creek backups upstream. She also supports retention areas for new housing projects upstream.	Supports Challenge 21, clearing creek, and retention areas.
Al	Proctor	2830 West NASA Blvd		Webster	TX	77598		Mr. Proctor wrote to support the Challenge 21 program.	Supports Challenge 21.
Leo	Reitan	511 Williamsburg Circle		Friendswood	TX	77546		Mr. Reitan expressed his support for detention areas and buyouts along the creek and does not support channelization or diversion channels.	Supports detention areas, buyouts. Opposes channelization and diversion channels.
Monte	Moore	10 Haverford Lane		Friendswood	TX	77546		Mrs. Monte G. Moore wrote to request cleaning, deepening and straightening out of the curves and bends of Clear Creek between FM 2351 and FM 528.	Wants creek cleaned and the bends and curves straightened out.
Lt./Col. Daniel and Mary	Illerich	P.O. Box 1093		Friendswood	TX	77549	Yes - 1979 and 1994	Lt. Col. and Mrs. Illerich expressed their opposition the "clean slate" approach and suggest using the "super plan" presented by HCFCD in the past. They also expressed their opposition to retention facilities as they destroy bird and animal habitat.	Supports "super plan" presented in the past and oppose retention facilities.
Ray	Barrington	1407 Blueberry	1203 Minglewood	Friendswood	TX	77546	Yes	Mr. Barrington suggested the following: targeting at risk properties for recovery and systematically flood-proof them or purchase and clear them; clearing, cleaning, removing blockages, creating overflows and implementing bypasses instead of channelizing Clear Creek; improving property along the creek into parks and green spaces to serve as retention and improve flow along the Creek; and clearing the creek to reduce silt.	Supports clearing the creek, buyouts, implementing bypasses, and retention.
Leah and Wallace	McDaniel	P.O. Box 188	3112 Glastonbury	Pearland	TX	77581	Yes	Mr. And Mrs. McDaniel wrote to express their frustrations with flooding in the past and high flood insurance premiums.	
Sylvia	Kinzler	107 Pine Shadows Drive		Seabrook	TX	77586		Mrs. Kinzler expressed her support for retention ponds and opposition to channelization.	Supports retention ponds and opposes channelization.
Kay	Ferguson	1 Penn Circle		Friendswood	TX	77546		Ms. Ferguson wrote to express her disappointment in the Corps for letting a special interest group control an authorization by Congress in 1968 to rectify Clear Creek.	

Clear Creek Public Scoping Meeting Citizen Comments
March 15, 2001

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Gloria	Langley	1106 Nancy		Pearland	TX	77581		Mrs. Langley expressed her disgust that nothing has been done to alleviate flooding and permits are still being issued for more building.	Opposes continuing development.
Wayland	McNutt	607 Oak Drive		Friendswood	TX	77546		Mr. McNutt expressed his opinion that accelerated movement of water was in part caused by the drainage channel from Brazoria County into Clear Creek. Mr. McNutt recommended the following: use High-Flow-By-Pass channeling through the creek bends throughout the Clear Creek watershed; deepen the natural creek beds of all the creeks in the Clear Creek watershed; require the use of retention ponds throughout the watershed; slow the water flow in the Brazoria canal by the strategical placement of part-dams (gave schematic).	Favors by-pass channels, deepening the creek bed, using retention ponds and partial dams.
Unreadable		None given						This person suggested several properties and waterways to use for diversion of flow and drainage planning.	Favors diversion of flow.
David	Todd	1301 South I-35, Suite 309		Austin	TX	78741		Mr. Todd wrote to urge the Corps and local sponsors to avoid any built modifications to the creek and concentrate on buy-out of affected properties.	Favors buyouts and opposes structural alternatives.

Appendix A-2

May 3, 2001, Public Scoping Meeting Transcript and Summary

Two Public Scoping Meetings Scheduled for Clear Creek!

- May 3, 2001 at the League City Civic Center AND
- May 9, 2001 at the Pearland Nelson Auditorium

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The Galveston District of the U.S. Army Corps of Engineers will hold two public scoping meetings in the Clear Creek watershed in May 2001. The purpose of these meetings will be to accept oral and written comments from citizens regarding flood damage reduction solutions and environmental issues pertaining to Clear Creek. These two meetings are being held in addition to the March 2001 scoping meeting held at the Friendswood High School.

Citizens living in any portion of the watershed are welcome to attend either or both of these additional meetings. Both scoping meetings will begin at 7:00 PM. Before each meeting, an "open house" will be held in the foyer of the auditorium from 5:00 PM to 6:45 PM. Information on the Clear Creek Study will be displayed and staff will be available to answer questions. At each meeting, an overview of the General Reevaluation (GRR) process being used in the Clear Creek study will be presented.

If you cannot attend either meeting, you may mail your comments, no later than June 8, 2001, to: Donald R. Allen, U. S. Army Corps of Engineers, P.O. Box 1229, Galveston, Texas 77553-1229.

Visit our web site at www.clearcreekproject.com



US Army Corps of Engineers

Galveston District

May 3, 2001

Contacts: Phyllis Bledsoe, Chief, Public Affairs (409.766.3004)
Donald R. Allen, Project Manager (409.766.3051)

Army Corps of Engineers Holds Clear Creek Public Meeting

League City, Texas. May 3, 2001—The U. S. Army Corps of Engineers, Galveston District is holding a public scoping meeting on May 3, 2001 at the League City Civic Center at 400 West Walker in League City. The purpose of the scoping meeting is to accept oral and written interested party comments regarding flood damage reduction solutions and environmental issues pertaining to Clear Creek.

An “open house” is being held in the foyer of the Civic Center from 5:00 PM to 6:45 PM, and the official scoping meeting begins at 7:00 PM. At the open house, displays will be available for public viewing and technical staff representing the Clear Creek Study Team will be available to answer questions and talk with attendees.

The U. S. Army Corps of Engineers, Galveston District, is engaged in a complete re-evaluation of flood damage reduction solutions for Clear Creek. This entirely new study will re-evaluate options for a federally funded flood damage reduction plan developed many years ago. The original plan

included deepening and widening Clear Creek to reduce serious flooding problems that have affected some area residents for over thirty years.

The latest information and technology is being used in the study, including new aerial photography, new topographic survey data, new aerial photogrammetry, new hydrographic surveys, new hydraulic and hydrologic information, new sociological and demographic data, new baseline environmental data, and a new project economic evaluation. Eco-friendly flood control solutions are being strongly considered by the Clear Creek Study Team as project planning progresses.

The National Environmental Policy Act (NEPA) requires that the U. S. Army Corps of Engineers conduct a scoping meeting for any major federal project. The purpose of a scoping meeting is to hear specific concerns and issues that should be considered as the project is studied and evaluated. This May 3 meeting in League City is the second of three such scoping meetings being held during Spring 2001 for the Clear Creek Study. The first was held on March 15, 2001 at the Friendswood High School. The third and last scoping meeting will be held on May 9, 2001 at the Pearland Nelson Auditorium in Pearland, Texas.

Representatives of the following organizations are local sponsors of the Clear Creek Study: The Harris County Flood Control District, Galveston County, and Brazoria Drainage District Number Four.

Colonel Nicholas Buechler will moderate the meeting on behalf of the U. S. Army Corps of Engineers and Galveston County Judge James D. Yarbrough will welcome meeting attendees to the meeting. Senior officials from the Harris County Flood Control District, including Executive Director Art Storey and Director Mike Talbott, will attend the meeting, as will officials representing Brazoria Drainage District Number Four, including Commissioner Jeff Brennan, and other Galveston County officials.

A Clear Creek Study Team web site (www.clearcreekproject.com) was also launched in late February 2001. The web site provides information about the study and invites users to send their comments to the Clear Creek Study Team using a form provided on the web site.

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U. S. ARMY CORPS OF ENGINEERS
PUBLIC SCOPING MEETING OF THE
CLEAR CREEK FLOOD CONTROL PROJECT

400 West Walker

May 3, 2001

League City, Texas 77573

7:00 p.m.

REPORTED BY:

JAMES PLAIR, CSR, RPR

CERTIFICATION NO. 4409

Job No. 49146

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1 APPEARANCES:

2
3 PANEL IN ATTENDANCE
4 U. S. ARMY CORPS OF ENGINEERS
5 GALVESTON DISTRICT
6 Colonel Nicholas Buechler
7
8
9 GALVESTON COUNTY
10 Commissioner Ken Clark
11
12
13 BRAZORIA DRAINAGE DISTRICT NO. 4
14 COMMISSIONER
15 Mr. Jeff Brennan
16
17
18 HARRIS COUNTY FLOOD CONTROL DISTRICT DIRECTOR
19 Mr. Mike Talbott
20
21
22
23
24
25

Page 4

1 a separate item, if you will. There are
2 members here from the flood control
3 district that would be happy to hear your
4 issues and speak with you about those items
5 you might like to speak about.

6 I would like to emphasize that this
7 is a new study. Someone asked me in the
8 audience, or from the audience, about
9 whether we've been studying this for a
10 number of years; and, in fact, this is a
11 new study. As an example, one of the
12 things that we have not looked at in the
13 past that we are looking at as part of
14 this -- this effort is eco-friendly
15 solutions, ecosystem restoration.
16 Opportunities are being evaluated and will
17 be included in the -- in the process.

18 This evening at the head table with
19 me are, from my left, are Commissioner Jeff
20 Brennan, Brazoria Drainage District No. 4;
21 Mike Talbott from the Harris County Flood
22 Control District as the director; and
23 Commissioner Ken Clark to my right from the
24 Galveston County District No. 4, Precinct
25 No. 4. We also have, I believe, the Mayor

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1 P R O C E E D I N G S

2
3 COLONEL BUECHLER: Good evening. I
4 would like to welcome you all here this
5 evening.
6 For the record, I would like to
7 announce that our second Public Scoping
8 Meeting is being convened at 7:05 p.m. on
9 the -- I guess it's the 3rd of May, isn't
10 it? My watch still says it's the 2nd. On
11 May 3rd. We have a third meeting scheduled
12 for the 9th of May -- or 8th -- no -- 9th
13 of May out in Pearland.
14 As many of you know -- or, if you
15 don't, I'll tell you now -- we are
16 conducting a General Reevaluation Study on
17 the Clear Creek watershed. We'll be
18 looking at economic, engineering, and
19 environmental feasibility of flood damage
20 reduction on Clear Creek.
21 This is a scoping meeting about Clear
22 Creek. It's not about its tributaries.
23 It's not about maintenance issues or
24 complaints. If you have those, we can
25 arrange for those to be gathered as kind of

Page 5

1 Harold Whitaker who is in the audience with
2 us this evening. He's the Mayor of
3 Friendswood. Welcome, Mayor.

4 I am not aware of any elected federal
5 representatives or people representing them
6 here at this time. If you are and you
7 would like to be recognized, please find
8 someone there in the back and provide them
9 the information and they can bring that to
10 me. Nor am I aware of any state
11 representatives at this time.

12 We do have with us a few local
13 government elected officials, and I will be
14 giving them an opportunity to speak.
15 There's a -- some of them have indicated a
16 desire to speak. They are Larry R.
17 Marcott, councilmember from Pearland, a
18 member of the Clear Creek Citizen's
19 Advisory Committee; Natalie Ong, she's a
20 councilmember from the City of El Largo;
21 Katie Benoit, a councilmember from League
22 City.

23 If there are other elected local
24 officials that wish to be recognized,
25 again, please pass that information to

<p style="text-align: right;">Page 6</p> <p>1 someone in the back and they can bring 2 that -- bring that forward. 3 I hope that you have all had an 4 opportunity to look at the information in 5 the back of the room from our open house. 6 If you have not, it will be available for 7 you to look at following the meeting for as 8 long as you'd like. There's also a number 9 of announcements and handouts that are back 10 there for your -- for your use and to take 11 with you. 12 Our procedure is that you -- to make 13 a comment here this evening you fill out 14 one of these yellow cards, and the yellow 15 card comes forward to me and I basically 16 take them in the order that I receive them. 17 You will be given the opportunity if 18 you haven't filled out one of those yellow 19 cards to still do so. The reason that we 20 do that is so that we get your information, 21 we know who you are, and we can link your 22 comments to the transcript that's made. 23 There is a court reporter that will gather 24 all the information, collect all the 25 information, and we will also post the</p>	<p style="text-align: right;">Page 8</p> <p>1 You can make the issues and the points well 2 stated in about a three-minute, three- to 3 five-minute period of time, and if it seems 4 that comments are just getting repetitive 5 and there's no real value I will probably 6 ask you to wrap your comments up if you 7 extend much beyond that time. 8 I will call your name and ask you to 9 come forward and then ask you to identify 10 yourself, so -- again, so that we can link 11 your comments in the record with who made 12 them. 13 You also have the ability to turn in 14 any written comments this evening, and, in 15 fact, will be able to turn in written 16 comments through the -- actually, through 17 the 8th of June, because that's 30 days 18 after the final scoping meeting that we're 19 having on Clear Creek. 20 At this time I would like to -- I'd 21 also like to recognize Mr. Chuck Wilcox, 22 Harris County Precinct No. 1, with 23 Commissioner El Frank -- Frank Eios' 24 Office -- oh, excuse me -- El Franco Lee. 25 Okay. At this time I would like</p>
<p style="text-align: right;">Page 7</p> <p>1 information on the screen display in the 2 front. 3 This is not a voting contest. This 4 is an opportunity for us to gather 5 information. We are seeking your input to 6 issues and ideas about flood control along 7 Clear Creek. This is part of a process 8 that we do for compliance with NEPA. So 9 the scoping process is -- is aimed at 10 trying to make sure that we identify all 11 the potential environmental concerns that 12 we need to address in the supplemental 13 EIS. 14 I'm going to address at this time 15 some general -- general rules. We 16 generally limit the amount of time for 17 people to make public comments to about 18 three minutes. I haven't counted the 19 number of cards that I have up here in 20 front of me this evening, but at this time 21 there's not that many up here, so I will -- 22 quite frankly, I'll be liberal with that 23 three minutes. 24 However, I would like to make the 25 point that your comments get organized.</p>	<p style="text-align: right;">Page 9</p> <p>1 to -- I would like to introduce Mr. Don 2 Allen, who's our project manager for the 3 project, to make a few short remarks. 4 MR. ALLEN: I guess the colonel's 5 going to limit me to short remarks, sir. 6 COLONEL BUECHLER: You have as much 7 time as you'd like, Don. I don't think 8 I've ever seen you take more than 20 9 minutes. 10 MR. ALLEN: When you came in this 11 evening you were greeted by numerous people 12 back in the display area and at the 13 registration tables, and I want to say 14 something for just a moment about those 15 folks. 16 For the most part, those people are 17 members of the study team that is working 18 on the preparation of the General 19 Reevaluation Report, and they're not just 20 engineers. When you hear the "Corps of 21 Engineers," you might just think of 22 engineers. There are engineers, but there 23 are a number of other types of people 24 there: Physical scientists, people with 25 environmental expertise, economists. The</p>

<p style="text-align: right;">Page 10</p> <p>1 study team also includes the sponsors for 2 the project seated here at the table with 3 the colonel. They all have representatives 4 on the team and bring their different areas 5 of expertise to the study team. 6 We've also incorporated in the study 7 team a number of consultants. Dannenbaum 8 Engineering is doing the hydrology and 9 hydraulic work. PBS&J are our consultants 10 on the environment. Crouch Environmental 11 Services is helping us with our public 12 relations work and they are primarily 13 responsible for all that goes on in the 14 preparations for the scoping meetings and 15 future public meetings that we will have. 16 Kevin Schandy is on the study team. 17 Kevin is a principal with the SWA Group, 18 and I know for a lot of you his name is 19 associated with a lot of the -- the work 20 and interest in the Houston area and the 21 bayous and creeks in the area. 22 We are beginning to coordinate with 23 the environmental agencies, the federal 24 agencies, the state agencies, and the 25 Environmental Agency Group is going to be a</p>	<p style="text-align: right;">Page 12</p> <p>1 the pertinent elements that will impact our 2 study for the entire -- for the entire 3 watershed. 4 We also have a very good study 5 process. In a sense, it's been tested by 6 time, but in another sense it's very wide- 7 open, and I think that's what's important 8 to us today. We have been studying Clear 9 Creek or involved in Clear Creek in 10 constructing part of the work on Clear 11 Creek for a number of years, but we are 12 here with this new study, as the colonel 13 mentioned just a moment ago. 14 We're in sort of a neutral position 15 right now, and that means to me that we are 16 looking at all options fairly. Everything 17 is on the table to look at to find the 18 right thing to do for the project. 19 But no matter how good our study team 20 is and no matter how good our data is, no 21 matter how good of a process we have, we 22 will not meet with success without your 23 input and we do get very good input from 24 you and it's very significant in the 25 process, and I'm very glad that you're here</p>
<p style="text-align: right;">Page 11</p> <p>1 part of the study team and will be working 2 directly with the study team. 3 I think it's a very good team. I 4 think it's a very diverse team. It brings 5 a wide spectrum of expertise, and as we 6 need additional expertise as things evolve, 7 we will not hesitate to add them, call them 8 in as they are needed. So you have a very 9 good study team for this -- for this 10 effort. 11 The study team is led by Mr. Robert 12 Van Hook, and he is going to make some 13 detailed comments in just a moment. It's a 14 team that has expertise. I think it's a 15 team that has a lot of energy. It's a team 16 that has a lot of enthusiasm about the 17 possibilities that we have to do the right 18 thing for Clear Creek, for the watershed, 19 for flood damage reduction, and as the 20 colonel mentioned, possibly for some 21 ecosystem restoration. 22 We've got a good team and we've got 23 good data. Robert's going to tell you that 24 in detail. We have new information, 25 updated information on the statistics and</p>	<p style="text-align: right;">Page 13</p> <p>1 tonight. I'm very glad that you've taken 2 time out of busy schedules to come and 3 share your different opinions, concerns, 4 and insights, because without that, the 5 good team and the good process and the good 6 data, we won't meet with success. 7 So please tell us what's on your 8 minds. Write it down in comment cards if 9 you're uncomfortable with that. We thank 10 you for coming and thank you for your time 11 and your participation in the Clear Creek 12 Study. 13 COLONEL BUECHLER: Thank you, Don. 14 (Audience applause.) 15 At this time I'm going to ask 16 Commissioner Ken Clark to make some remarks 17 that represent the -- the remarks of our 18 sponsors, and he is speaking representing 19 the County Judge, Judge Yarbrough. 20 COMMISSIONER CLARK: I'm sorry the 21 Judge can't be here to greet you, but look 22 at it this way: I'm a little bit -- a 23 little bit smaller and I've got a little 24 more hair. So he's sorry he couldn't be 25 here this evening and he had other</p>

<p style="text-align: right;">Page 14</p> <p>1 obligations he needed to attend to. I 2 would just like to welcome each of you to 3 Precinct 4. 4 We at the county are concerned about 5 the Clear Creek flood control project. 6 That's why we actively requested that the 7 Corps look at the creek and the watershed 8 and do this general reevaluation. 9 There are several things different 10 this time than when the project was 11 initially authorized in 1968. The 12 agreement was signed by Harris County and 13 Galveston County in 1986 to be cosponsors. 14 At that time Brazoria County and Fort Bend 15 County were not participants in that, and I 16 think this particular reevaluation study 17 has the benefits of all the players coming 18 to the table in a cooperative manner to 19 look at this situation and look at the 20 watershed as a whole with up-to-date 21 technology so we can make wise decisions. 22 We appreciate each of you being here 23 this evening. Your input is very important 24 to -- to us on commissioner's court as it 25 is important to this process as a whole and</p>	<p style="text-align: right;">Page 16</p> <p>1 local sponsors of the Clear Creek Project, 2 Harris County acting through the Flood 3 Control District and Galveston County, 4 requested that a six-month suspension of 5 construction be done and review be 6 performed on the channelization project 7 that had been authorized for Clear Creek. 8 This request, in response to credible, 9 responsible, and qualified objections from 10 concerned citizens, organizations, and 11 governmental entities, was made to allow 12 the local sponsors time to identify 13 proposed enhancements and updates to the 14 long authorized project. 15 The local sponsors held a series of 16 of three public meetings in 1997 to get 17 public input about flood reduction options 18 on the creek. The sponsors developed an 19 alternative plan and asked the Corps of 20 Engineers to determine if the plan was 21 within the discretionary authority of the 22 division engineer in Dallas to approve 23 under the existing authorization. 24 The Galveston District reviewed the 25 plan and determined that there was too many</p>
<p style="text-align: right;">Page 15</p> <p>1 we thank you for coming, and please make 2 your oral statements and your written 3 statements throughout this process. Thank 4 you. 5 COLONEL BUECHLER: Thank you, 6 Commissioner. 7 I'm going to ask Mr. Robert Van Hook 8 now to come up and make his presentation. 9 MR. VAN HOOK: Good evening. 10 I'm Robert Van Hook, the planning 11 lead for the Clear Creek General 12 Reevaluation Study. I'd like to take this 13 opportunity to welcome you to this Public 14 Scoping Meeting. This is the second of 15 three scoping meetings and several public 16 meetings that will be held during this 17 study effort. 18 The General Reevaluation Study, or 19 what you may hear referred to as the GRR, 20 is an evaluation of the main stem of Clear 21 Creek from the Fort Bend County line 22 downstream through Clear Lake. This 23 evening I'd like to give you an overview of 24 the General Reevaluation Study. 25 As many of you are aware, in 1997 the</p>	<p style="text-align: right;">Page 17</p> <p>1 uncertainties about cost and various 2 effects of the proposed alternative project 3 to recommend approval by the district -- by 4 the division engineer. Therefore, the 5 recommendation was made that the authorized 6 project be reevaluated, considering the 7 concerns and inputs of the public. 8 The commissioner's courts of Harris 9 and Galveston Counties passed resolutions 10 in April of 1999 requesting that the Corps 11 undertake a reevaluation of the Clear Creek 12 Project. As some of you probably saw among 13 our displays in the foyer outside, there is 14 a planning process that we in the Corps are 15 required to follow. This slide depicts 16 that planning process. 17 We have essentially performed the 18 first step, which is specify projects and 19 opportunities. We're into the second step 20 of inventory and forecast conditions and 21 will be performing step three following 22 this series of public scoping meetings. 23 As we began the study in June of 1999 24 we had many coordination meetings with the 25 local sponsors. In June of 1999 the</p>

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1 Brazoria Drainage District No. 4 joined the
2 Harris County Flood Control District and
3 Galveston County as a sponsor for the
4 reevaluation study and indicated interest
5 in reactivating their sponsorship for any
6 project resulting from the GRR.

7 The current Clear Creek Study
8 therefore includes Brazoria County in the
9 overall study area. We then began the
10 process of defining the study parameters,
11 activities, developing a schedule and costs
12 for the study. We established an
13 inter-disciplinary study team for the
14 reevaluation. The study team developed
15 preliminary goals and objectives that are
16 depicted in the foyer and on these two
17 slides. Next slide.

18 It was determined that the study
19 would be a totally new effort, that we
20 would wipe the slate clean and begin all
21 over again. Therefore, the whole study is
22 wide open with no preconceived plan that's
23 based on old data or ideas. We will use
24 all the various flood reduction tools that
25 we have in our toolbox. We will also

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1 New topographic information has been
2 collected. This will help us account for
3 aerial subsidence. New cross-sections were
4 taken along Clear Creek, through the lake,
5 and the second outlet channel. We also
6 have the latest updated bridge data.

7 The latest computer technology is
8 being used in the study. We have developed
9 a new digital terrain model which displays
10 map topography in digital form for the
11 watershed. We have performed a new survey
12 of some 3300 structures that reside within
13 the projected 25-year floodplain up and
14 down the creek and the hundred-year
15 floodplain, or plus ten, around the lake
16 area. We have obtained first-floor
17 elevations for all of these structures.
18 Next slide, please.

19 We are developing a state-of-the-art
20 Geographic Information System, or GIS, for
21 the watershed to record and store
22 information about the study area. We will
23 use this information in the analysis of all
24 new alternative plans that are developed.
25 We are using the newest up to date

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1 consider any new tools or approaches that
2 come to our attention as a result of this
3 meeting and your input.

4 The tools we currently have on our
5 list include, but are not limited to,
6 nonstructural tools such as buyout of
7 structures, flood proofing, flood alerts,
8 floodplain management and regulation, use
9 of natural resources. Structural tools
10 include channelization, detention
11 facilities, bypass channels, ridge
12 evaluations, constructions of levees and/or
13 flood walls, and building new outlets
14 and/or transition structures.

15 Then we began to look for brand new
16 information using the latest technology. A
17 new computer model was developed and used
18 for the April 1999 Clear Lake Study and
19 will be used in the evaluation of
20 additional flood reduction alternatives and
21 to assess any potential downstream impacts
22 on the Clear Lake area.

23 In February of last year the
24 watershed was flown and we now have new
25 orthophotography for the whole watershed.

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1 population and land use information. The
2 latest technology and methods will be used
3 to project the population growth and
4 long-term effects. The next slide.

5 The study is projected to be
6 completed in July of 2003. Then, if an
7 acceptable project can be found, it will be
8 implemented as soon as possible
9 thereafter. The next slide.

10 We have hired Dannenbaum Engineering
11 Corporation to develop new hydrographic and
12 hydraulic -- and hydraulic information.
13 Their work on the baseline hydrology and
14 hydrographic -- hydrographic and hydraulic
15 will be completed in the end of July. The
16 new baseline economics will then be
17 developed.

18 New baseline environmental data is
19 being developed through a contract with
20 PBS&J. They will develop environmental
21 database layers for our GIS. Following
22 this public meeting and your input, we will
23 develop the first set of new alternatives
24 for further evaluation.

25 As the colonel mentioned, we are

<p style="text-align: right;">Page 22</p> <p>1 looking at ecosystem restoration, and I 2 would like to tell you a little bit about a 3 workshop that was held in January of this 4 year at the Galveston District. The study 5 team invited some of the Corps headquarters 6 folks to come and give us an overview of 7 ecosystem restoration and how we could 8 incorporate eco-friendly flood damage 9 reduction solutions into the Clear Creek 10 Project. 11 They talked to us about the new 12 ecosystem restoration mission for the 13 Corps, our new policies, and our new 14 methodologies. Also, four of the study 15 team members from the Corps and the Harris 16 County Flood Control District went to 17 California in February to visit the Napa 18 River Flood Control Project, which is quite 19 similar to Clear Creek. We visited with 20 the project manager and the local sponsors' 21 project manager and toured the project. 22 What is important about the Napa 23 Valley Project is that the community, the 24 resource agencies, and the project sponsors 25 were all able to reach consensus about a</p>	<p style="text-align: right;">Page 24</p> <p>1 people who are on the mailing list compiled 2 by the Harris County Flood Control District 3 announcing this meeting. The current list 4 includes attendees at the three public 5 meetings from 1997, public officials in the 6 watershed or that have an interest in the 7 project, and citizens who have called or 8 written about the project. If you have 9 filled out an attendance card tonight you 10 will be included on subsequent direct 11 mailings. 12 We also sent out in February a second 13 edition of our newsletter The Clear Facts 14 on Clear Creek. Some 254,000 of these 15 newsletter inserts were distributed to the 16 local newspapers. Announcements of this 17 meeting went out in eight local papers. 18 The next slide. 19 A website has been developed for the 20 Clear Creek Study. The website, 21 www.clearcreekproject.com, was launched on 22 the 22nd of February. The website was 23 developed to serve as a source for the 24 public to obtain the latest information 25 about the Clear Creek Study and to create</p>
<p style="text-align: right;">Page 23</p> <p>1 workable, acceptable project that included 2 eco-friendly features. The next slide. 3 In 2002 we will perform economic 4 analysis on alternative plans, determine 5 the benefit-to-cost ratio for the 6 alternatives, meet with our division and 7 headquarters to discuss our formulation of 8 alternatives, and get their buy-in to our 9 process. We will determine recommended 10 project plan or plans, complete 11 coordination with the Fish and Wildlife 12 Service, evaluate the environmental impacts 13 of the proposed plan or plans, complete a 14 draft of the General Reevaluation Report 15 and a supplemental environmental impact 16 statement. The next slide. 17 In 2003 we will finalize the General 18 Reevaluation Report and supplemental and 19 environmental impact statement. We will 20 perform our Washington level project review 21 and obtain Assistant Secretary of the Army 22 for Civil Works approval. 23 We are very serious about wanting 24 your input into this study process. We 25 sent out some 3100 postcards to those</p>	<p style="text-align: right;">Page 25</p> <p>1 an additional opportunity for citizens to 2 submit questions and comments. This site 3 will be updated as new information becomes 4 available. I hope you also picked up a pen 5 in the area back there which has the 6 address on it. 7 Everyone is encouraged to visit the 8 website frequently to keep up on the status 9 of the Clear Creek Study. The study team 10 will consider all comments and ideas 11 presented in any form. The next slide. 12 There is a citizens' advisory 13 committee that was formed in 1997 by the 14 Harris County Flood Control District. This 15 group is made up of private citizens, 16 elected officials, engineers, business 17 people, environmental interests, and 18 et cetera. We will keep this committee 19 advised of the study efforts, and please 20 make them aware of any of your comments. 21 Please pick up comment cards in the 22 foyer for yourself and some to take to your 23 friends and neighbors. These cards solicit 24 input about flooding experience. They ask 25 for written comments on alternative ideas,</p>

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1 areas of environmental concern. They are
2 self-addressed and postage paid. Fill them
3 out at your leisure, but in order for them
4 to be a part of this public meeting record
5 they must be returned to us by June 8th.
6 The next slide.

7 As I mentioned earlier, we're
8 interested in eco-friendly flood damage
9 reduction solutions. Ecosystem restoration
10 is a new Corps mission. Although ecosystem
11 restoration is not an authorized purpose
12 for the Clear Creek Project, we are looking
13 at flood damage reduction tools or measures
14 which are eco-friendly.

15 We would like information on special
16 habitats such as places that you go to bird
17 watch, look at wildflowers or other
18 interesting plants, and enjoy the natural
19 beauty of the creek. Maps are available at
20 the back on which to mark special locations
21 that you are familiar with. In addition,
22 if you have specific natural resources or
23 issues you are concerned about, we would
24 appreciate your comments. The next slide.

25 As I said, this is an entirely new

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1 of rivers throughout the United States.

2 The current study does not fall under
3 the Challenge 21 program, and I'd like to
4 explain why by comparing the current study
5 with Challenge 21 for you. Both Challenge
6 21 and the Clear Creek Study emphasize
7 nonstructural flood damage reduction
8 options. Both Challenge 21 and the Clear
9 Creek Study consider structural flood
10 damage reduction options. Both Challenge
11 21 and the Clear Creek Study include
12 environmental restoration measures. Both
13 emphasize projects that minimize adverse
14 environmental flooding and social impacts.
15 Both give priority to projects that have
16 community support. Both emphasize projects
17 that complement other projects and
18 programs. Both must be justified
19 considering all costs and corresponding
20 benefits of the project.

21 The Challenge 21 has a single project
22 federal funding cap of three -- no -- \$30
23 million. The Clear Creek Project does not
24 have a federal funding limit. Challenge 21
25 does not currently have a federal funding

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1 study and we want and need citizen input.
2 We are soliciting input for the development
3 of alternative plans for flood damage
4 reduction for Clear Creek. This is a new
5 study to evaluate all options available for
6 flood damage reduction. Alternatives under
7 study involve a wide range of ideas. When
8 the study is complete the team will decide
9 if a plan exists that provides substantial
10 benefits to warrant continued
11 participation.

12 If no acceptable, beneficial plan can
13 be developed the study team may recommend
14 that the Corps take no action. A no-action
15 alternative is required to be examined by
16 the Corps. The next slide.

17 We have received a number of comments
18 from citizens regarding a new initiative
19 commonly called Challenge 21 authorized
20 under Section 212 of the Water Resources
21 Development Act of 1999. That section
22 states that the Secretary of the Army may
23 undertake a program for the purpose of
24 conducting projects to reduce flood hazards
25 and restore the natural function and values

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1 appropriation. The Clear Creek Study does
2 have a federal funding appropriation.
3 Therefore, at this time, it is better to
4 pursue the very same type of project that
5 we would consider under Challenge 21 under
6 the current Clear Creek Study
7 authorization. It's funded and there's no
8 upper limit or cap on the funding for the
9 project like there is under Challenge 21.

10 The Harris County Flood Control
11 District in an October 2nd, 2000, letter to
12 the Galveston District proposed Clear Creek
13 as a potential Challenge 21 project. In
14 their letter they stated the Harris County
15 Flood Control District does not want to
16 jeopardize the completion of the General
17 Reevaluation Report or the chance of
18 federal participation in the project under
19 existing authorization. There is a handout
20 in the foyer back there on Challenge 21.

21 That concludes my overview of the
22 reevaluation study. I will turn the
23 meeting back over to Colonel Buechler for
24 the public comments. Thank you very much.

25 COLONEL BUECHLER: Thank you,

<p style="text-align: right;">Page 30</p> <p>1 Robert.</p> <p>2 At this time we will begin with</p> <p>3 public officials making their comment, and</p> <p>4 the first I would like to invite up is</p> <p>5 Councilmember Larry Marcott. Thank you.</p> <p>6 COUNCILMEMBER MARCOTT: I'm Larry</p> <p>7 Marcott, Councilmember, City of Pearland,</p> <p>8 and also a member of the Citizens Advisory</p> <p>9 Committee for Clear Creek.</p> <p>10 I have a resolution that I would like</p> <p>11 to read from the City Council, the City of</p> <p>12 Pearland. The resolution is</p> <p>13 No. R2001-36: "A resolution of the City</p> <p>14 Council of the City of Pearland, Texas,</p> <p>15 supporting the Galveston District of the</p> <p>16 U.S. Army Corps of Engineers in conducting</p> <p>17 its General Reevaluation Project along</p> <p>18 Clear Creek.</p> <p>19 "Whereas, the City of Pearland is a</p> <p>20 home rule municipality located in northern</p> <p>21 Brazoria County, Texas; and, whereas, Clear</p> <p>22 Creek is a major drainage artery that</p> <p>23 carries floodwater through Brazoria County</p> <p>24 to Galveston Bay; and, whereas, the City</p> <p>25 has been severely affected by structural</p>	<p style="text-align: right;">Page 32</p> <p>1 approved, and adopted this 12th day of</p> <p>2 March 2001 and signed by Honorable Mayor</p> <p>3 Tom Reid.</p> <p>4 This is an important project to the</p> <p>5 City of Pearland. We are at the head</p> <p>6 waters of Clear Creek. We are a growing</p> <p>7 community, and the -- the area will not</p> <p>8 sustain us, Pearland being the repository</p> <p>9 for your retention and detention</p> <p>10 downstream.</p> <p>11 We cannot afford that. We don't have</p> <p>12 the land to do that. Land to do</p> <p>13 retention/detention in Pearland is</p> <p>14 currently running about 15 to \$17,000 an</p> <p>15 acre foot. And for you that don't</p> <p>16 understand an acre foot -- excuse me --</p> <p>17 it's roughly 43,000 square feet one foot --</p> <p>18 one foot deep. That's an acre foot, and 15</p> <p>19 to \$17,000 is a lot of money. We need this</p> <p>20 project to go forward. We don't have the</p> <p>21 money to do it. We need support from the</p> <p>22 folks downstream for the retention that we</p> <p>23 have to do. This affects both Friendswood</p> <p>24 and -- and Pearland. We are working</p> <p>25 together to do some retention, but we just</p>
<p style="text-align: right;">Page 31</p> <p>1 and nonstructural flooding along Clear</p> <p>2 Creek for over 20 years; and, whereas, the</p> <p>3 population explosion that has occurred in</p> <p>4 recent years in northern Brazoria County</p> <p>5 has greatly impacted the effectiveness of</p> <p>6 waterways and drainage facilities in this</p> <p>7 area; and, whereas, the City, on behalf of</p> <p>8 the Brazoria Drainage District No. 4 and</p> <p>9 Brazoria County, has joined the counties of</p> <p>10 Harris and Brazoria" -- I'm sorry --</p> <p>11 "Harris and Galveston as sponsors of the</p> <p>12 project because it recognizes the critical</p> <p>13 need for improvements along Clear Creek to</p> <p>14 reduce and alleviate existing and future</p> <p>15 flooding problems in these jurisdictions;</p> <p>16 now, therefore, be it resolved by the City</p> <p>17 Council of the City of Pearland, Texas,</p> <p>18 that the City hereby supports the Corps in</p> <p>19 conducting its project along Clear Creek</p> <p>20 and encouraging it to proceed expeditiously</p> <p>21 with completion of the project plan and</p> <p>22 report in an effort to protect the health,</p> <p>23 safety, and welfare of the citizenry in the</p> <p>24 the counties of Brazoria, Galveston, and</p> <p>25 Harris." This resolution was passed,</p>	<p style="text-align: right;">Page 33</p> <p>1 can't do it all and we need your support on</p> <p>2 this project.</p> <p>3 This -- this particular project, a</p> <p>4 decision of no-action will not keep your</p> <p>5 property downstream or our property</p> <p>6 upstream safe from flooding. We must have</p> <p>7 this project. Thank you.</p> <p>8 COLONEL BUECHLER: Thank you,</p> <p>9 Councilman.</p> <p>10 (Audience applause.)</p> <p>11 I'd like to invite up Councilmember</p> <p>12 Natalie Ong.</p> <p>13 COUNCILMEMBER ONG: I'm Natalie Ong,</p> <p>14 councilmember from the City of El Lago, and</p> <p>15 I commend the Corps for reevaluating this</p> <p>16 project. We need a solution for our</p> <p>17 upstream neighbors, but that solution</p> <p>18 should not subject downstream communities</p> <p>19 to additional flooding. We want to make</p> <p>20 sure that your studies take into</p> <p>21 consideration all the new development and</p> <p>22 run-off into Clear Lake from Armand Bayou,</p> <p>23 Taylor Bayou, and from the south shore of</p> <p>24 the lake.</p> <p>25 I know this is the Clear Creek</p>

<p style="text-align: right;">Page 34</p> <p>1 watershed study, but Clear Creek eventually 2 empties into Clear Lake. So we need to be 3 heard, and I hope that you would include 4 some downstream communities in your 5 stakeholder meetings. 6 What you do to Clear Creek will 7 surely affect our downstream communities. 8 If you rely only on widening and deepening, 9 water will be sent faster and more water 10 will be sent faster into Clear Lake, and it 11 will only move the flooding from upstream 12 to our downstream communities. We can't 13 have that, and I hope that you will come to 14 some sort of alternative that will satisfy 15 both upstream and downstream communities. 16 Thank you. 17 (Audience applause.) 18 COLONEL BUECHLER: Thank you, 19 Councilwoman. 20 I would like to invite up 21 Councilmember Katie Benoit. 22 COUNCILMEMBER BENOIT: Hi. My name 23 is Katie Benoit. 24 COLONEL BUECHLER: Thank you for 25 correcting me.</p>	<p style="text-align: right;">Page 36</p> <p>1 (Audience applause.) 2 COLONEL BUECHLER: Thank you, 3 Councilwoman. 4 I would like to ask if there are any 5 other elected officials or public officials, 6 that would like to make a comment that have 7 not so indicated at this point. 8 It appears there are none. At this 9 time I'm going to start taking the public 10 comment, general public comment, and I 11 will -- I'm going to call two people up, 12 put somebody in the batter's box or the 13 on-deck circle or whatever. If you could 14 just come up and sit off to the side and 15 then I'll invite another person up as we 16 go. 17 First I'd like to -- the first 18 speaker I would like to invite up is 19 William Seay. I'm not sure if that's 20 pronounced right, and I also would like to 21 invite up Julia Cook. 22 MR. SEAY: Hi. My name is Will 23 Seay. I live in the Clear Creek Village 24 subdivision, and that's just on the west 25 side of I-45. And I notice, like, along</p>
<p style="text-align: right;">Page 35</p> <p>1 COUNCILMEMBER BENOIT: I'm a 2 councilmember from League City. 3 The only thing I would want to say is 4 there is obviously a philosophical 5 difference. I have never looked at the 6 creek as strictly a drainage facility for 7 the city. For League City it is the heart 8 of the city. Yes, it's drainage, but it's 9 also a vital part of our community, and I 10 do think that the project does need to be 11 regionally driven. It needs to have all 12 the communities involved, and it doesn't 13 need to be at the expense of one community 14 for the benefit of another. 15 I do commend the Corps for doing the 16 general reevaluation. I do appreciate all 17 the input. I would like to hear some more 18 about the citizens' advisory board. I 19 haven't heard anything on council or 20 through anyone in the community about who 21 is on this committee, but League City is 22 very interested, whether it be a 23 councilmember or a citizen. If we could 24 get some more information. But thank you 25 for coming to League City.</p>	<p style="text-align: right;">Page 37</p> <p>1 Bay Area Boulevard they have created these 2 nice bridges that are nice and wide so the 3 water can come downstream, which is a good 4 thing, because I know it's going to have to 5 be a compromise between retention ponds 6 upstream and the amount that you are going 7 to want to have push water downstream. 8 But there's a problem when it comes 9 to I-45 and Clear Lake and I-45 and the 10 creek. There is a very narrow spot in the 11 creek, and what happens on the east side of 12 the bridge there at I-45 is that's where 13 the delta of the creek starts to form. 14 That's where it starts to widen out. 15 So what I would propose is that y'all 16 seriously consider correcting the bridge at 17 I-45 and making it more of a causeway, 18 because if you look to the north side of 19 where the bridge starts and it goes north 20 it's kind of a -- a delta and it's open 21 there. So you could very easily make the 22 bridge wider to allow water to flow down 23 because Clear Creek Village is right there 24 on the intersection, and any sort of water 25 that -- if you push down any more water</p>

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1 it's just going to back up into my
 2 neighborhood. And I know in 1979 I did not
 3 live there at the time, but it was my
 4 understanding that the water there, that
 5 the -- that the water is like a dam. So I
 6 encourage you to look at the bridge at I-45
 7 and Clear Creek and make the water go
 8 better through there.
 9 (Audience applause.)
 10 COLONEL BUECHLER: Thank you, Will.
 11 MS. COOK: Hello. I'm Julia Cook and
 12 also live in Clear Creek Village in League
 13 City. I just wanted to put my comments in
 14 to say that I really want to encourage you
 15 to look at the eco-friendly solutions
 16 because I really have enjoyed living on the
 17 creek for its ecology. I love seeing all
 18 the wildlife and we do live with the threat
 19 of floods, but I think that people need to
 20 realize that when they live close to an
 21 environment like that how they need to work
 22 with nature and handle it in a way that
 23 it's positive and not going to damage the
 24 environments for other things that live
 25 there too, besides human beings.

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1 I have read some history books of
 2 people that used to chronicle their travels
 3 through Texas in the 1830s and 1840s, and I
 4 found it very interesting to find out that
 5 they noted even back then before there was
 6 any development whatsoever how the plains
 7 along this coast here handled the rain
 8 water in the same way it handles it today.
 9 The nature of the soil is that it just
 10 retains water and just -- they would ride
 11 their horses through a quagmire of water
 12 after a rain, and it's -- it's the same
 13 problem they've had since the beginning of
 14 time and it's just a problem that we need
 15 to deal with in a way that we don't damage
 16 the creek and appreciate it for its beauty
 17 and the potential that it has in the future
 18 for future generations also. Thanks.
 19 (Audience applause.)
 20 COLONEL BUECHLER: Thank you, Julia.
 21 I'd like to invite up -- I'm not
 22 sure -- I think this is Abel Legendre and
 23 Mona Shoup. Did I get that first name
 24 right?
 25 MR. LEGENDRE: Very good. My name is

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1 Jay Legendre. I live in Swan Lagoon
 2 subdivision, Nassau Bay. I'm a retired
 3 professional engineer and I had some
 4 experience with some simulation. So I was
 5 curious about one item having to do with
 6 the second outlet.
 7 The brochure says that this was put
 8 in so that lake levels are not increased
 9 due to proposed upstream Clear Creek
 10 channel enlargement. I question this
 11 second outlet because just downstream from
 12 that is the low bridge on Todville Road,
 13 and before that is the feeder road under
 14 146. And any kind of debris stopping those
 15 places up the water would just continue to
 16 rise until, as I was told earlier this
 17 evening, it would overflow those. But I
 18 think perhaps in some of these simulations
 19 they might want to consider a complete
 20 stoppage of flow under those roads along
 21 there. Thank you.
 22 (Audience applause.)
 23 COLONEL BUECHLER: Thank you, Jay.
 24 MS. SHOUP: Hi. I'm Mona Shoup with
 25 Friends of Clear Creek, and I would like to

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1 thank the Corps for its data gathering
 2 efforts of the Clear Creek Restudy.
 3 The purpose of tonight's scoping
 4 meeting is to take public comment for
 5 solutions. However, before the public can
 6 truly identify and recommend alternatives,
 7 we need to know where the true damages are
 8 located and the extent of those damages.
 9 According to the Corps' work schedule, most
 10 of this data will be complete by this
 11 summer. It's at this time when a series of
 12 public meetings should be scheduled in
 13 order for the Corps to share this data with
 14 the public. It's only then that we can
 15 make recommendations and offer solutions.
 16 Right now the public is in the same
 17 position it was two and a half years ago.
 18 We don't know what the real situation is on
 19 Clear Creek. Without the picture --
 20 without a picture of the real situation, we
 21 can only give concepts of what we want. We
 22 request that the Corps put this
 23 state-of-the-art technology to good use.
 24 With this technology the public can
 25 now see what solutions will work and which

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1 won't so we don't have to waste any more
2 time or money. For instance, some
3 Friendswood residents assume that the
4 current channelization project will protect
5 their homes from flooding. However, the
6 Corps' data show that these homes, even
7 with the old channelization in place, they
8 would continue to flood. Instead of six to
9 ten feet of water, they would have one to
10 six feet of water in their homes.

11 I submit that there should be
12 extensive public involvement during the
13 formulation of the alternatives if we are
14 to come to consensus. The public is the
15 Corps' customer, and as your customer we
16 want to know what we're buying. Thank
17 you.

18 (Audience applause.)

19 COLONEL BUECHLER: Thank you, Mona.

20 I would like to call up Greg Eichhorn
21 and James Edwards.

22 MR. EICHHORN: Colonel Buechler and
23 members of the study team and the people
24 that are here tonight with interest. My
25 name is Greg Eichhorn. I live in Clear

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1 by, sometimes it's going to the left and
2 sometimes it's going to the right because
3 of the tides, and you can open that
4 floodgate down there and open it when the
5 tide's going out, and, sure, it's going to,
6 let the lake down some more. If you open
7 those flood gates when the tide's coming
8 in, guess what the water's going to do.
9 It's not going to go out. So I think to me
10 that was kind of a waste of money to begin
11 with.

12 Now, I'm no engineer. I just teach
13 school. I teach seventh grade math and --
14 so I don't know a lot about all the
15 workings of what's going on there, but I do
16 know that, as Katie said, the communities
17 need to get together on some of this
18 because some communities try and do
19 something. Other communities sit there and
20 not let anything happen.

21 We have six miles of this that go
22 through League City, and every new
23 subdivision that goes in here has not one
24 retention pond because that would cost the
25 builders money. And League City wouldn't

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1 Creek Village, probably less than a quarter
2 of a mile from the I-45 dam -- I mean --
3 bridge.

4 I have spoken before in the '97
5 meetings. I let my wants be known and I
6 spoke up in Friendswood and I -- I'm a
7 little upset that as I walked into the
8 building the Mayor of League City was
9 walking out.

10 Now, I know that he wanted to make
11 sure all the chairs were set up and
12 everything was all set to go, and I don't
13 want to bad-mouth Katie at all because
14 Katie's always here, but we don't have one
15 other board member here. The Mayor can't
16 be here.

17 Our city, as I have told you before,
18 does nothing to stop water from going to
19 the creek. Their thing is, "Let's get the
20 water in the creek real quick before the
21 flood water comes down and we'll get ours
22 out of the way." What an asinine comment
23 that is.

24 I mean, just think about it: In
25 front of my house where the creek's going

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1 want the builders not to get every penny
2 they can because they want them to build as
3 many houses here as they possibly can
4 because then we pull in more tax dollars.
5 So that saves me tax dollars, so they say,
6 but they turn around and raise my water
7 bill about \$20 a month. So I save \$10 on
8 my taxes, and, guess what, my water bill
9 went up a hundred dollars for the summer;
10 but that's another point. But I do have a
11 couple of other things here that I -- I
12 want to comment on.

13 I think that every community -- and
14 this -- this Flood Control District has so
15 many communities. I know it's very
16 difficult to get them all together on
17 anything. Some are trying hard and some
18 could care less -- just, "I want more
19 dollars in my pocket."

20 League City, for instance right now,
21 is trying to build a waterfront something
22 or other just down the road from my house
23 on the creek, and I've heard rumors that --
24 the time is up. But are you going to give
25 me a little more time to finish? Are you

<p style="text-align: right;">Page 46</p> <p>1 planning a movable flood, I want to ask.</p> <p>2 For one thing, if you decide to do</p> <p>3 something terrible to the creek upstream</p> <p>4 and we're going to run the water down to my</p> <p>5 dam, then maybe we're going to do something</p> <p>6 about our bridge. But the minute we do</p> <p>7 something about our bridge, what's going to</p> <p>8 happen down -- further down from me?</p> <p>9 I don't think that the Federal</p> <p>10 Government wants to move a flood from one</p> <p>11 place to another. If we can find something</p> <p>12 that will satisfy everybody and help the</p> <p>13 flood situation everywhere along the line,</p> <p>14 that's okay, but for Pearland here to come</p> <p>15 in and say, "Well, you people downstream</p> <p>16 have to do this so we can run our water</p> <p>17 down to you," well, I'm not so sure that</p> <p>18 that's the way that we should go.</p> <p>19 The other thing that I wonder about:</p> <p>20 The study team. Is there anybody on the</p> <p>21 study team from the Sierra Club, for</p> <p>22 instance; from the Friends of Clear Creek,</p> <p>23 or any of the bay ecology groups at all? I</p> <p>24 didn't hear anybody mentioned. There may</p> <p>25 be some on the citizens' advisory</p>	<p style="text-align: right;">Page 48</p> <p>1 COLONEL BUECHLER: Thank you, Greg.</p> <p>2 MR. EDWARDS: I'm James Edwards from</p> <p>3 Nassau Bay. Mona has stolen some of what I</p> <p>4 was going to say.</p> <p>5 I was at the Friendswood meeting and</p> <p>6 it sounded almost like what happened in</p> <p>7 '97. In other words, just a rehash of</p> <p>8 what we have heard before, what people want</p> <p>9 and don't want, but what I would like to</p> <p>10 see is the Corps furnish its data, which</p> <p>11 has been requested already. Once this data</p> <p>12 becomes available to y'all, I guess by</p> <p>13 July, then furnish us with it. Maybe we</p> <p>14 can make more meaningful recommendations or</p> <p>15 just really see what's going on.</p> <p>16 I've looked at your scope or what you</p> <p>17 have planned, but I don't really think I</p> <p>18 could make any recommendation other than,</p> <p>19 since I live on Clear Lake and the</p> <p>20 statement was made in '97 at that time when</p> <p>21 it was channelization you were going to</p> <p>22 dump all of the mud from the dredging</p> <p>23 behind my house in Clear Lake -- in other</p> <p>24 words, fill up the Clear Lake area behind</p> <p>25 my house -- I still wouldn't want that.</p>
<p style="text-align: right;">Page 47</p> <p>1 committee. I don't know that for sure.</p> <p>2 You also say you tried to find</p> <p>3 eco-friendly solutions, but we may not be</p> <p>4 able to find those. That really bothers me</p> <p>5 a lot if in the end you say, "Well, we just</p> <p>6 couldn't find anything and we're going to</p> <p>7 go ahead and do it this way."</p> <p>8 Again, I agree with Ms. Shoup that</p> <p>9 before anything else is done you come up</p> <p>10 with what damage has been done. I know my</p> <p>11 house in '79 had five and a half feet of</p> <p>12 water in it. That was a big damage. I</p> <p>13 didn't happen to live there then, but I</p> <p>14 realize that the possibility is there at</p> <p>15 any point. But what's the damage in the</p> <p>16 last ten years to whom? And if we have a</p> <p>17 group of houses flooding like crazy in</p> <p>18 Friendswood, why on earth is there a</p> <p>19 subdivision going in across the road from</p> <p>20 that? That makes no sense to me. So</p> <p>21 someplace we've got to get control of that</p> <p>22 more than we have to mess with our creek.</p> <p>23 Thank you. And I'm sorry to take so</p> <p>24 much time.</p> <p>25 (Audience applause.)</p>	<p style="text-align: right;">Page 49</p> <p>1 That would be the only recommendation I</p> <p>2 could say right now, is I'm glad that</p> <p>3 you're all looking at something new instead</p> <p>4 of that old channelization. Thank you.</p> <p>5 (Audience applause.)</p> <p>6 COLONEL BUECHLER: Thank you, James.</p> <p>7 I would like to invite up Louis Ehlers and</p> <p>8 Ron Brenman.</p> <p>9 MR. EHLERS: I'm Louis Ehlers. I</p> <p>10 live in the -- not Clear Creek. Wherever</p> <p>11 they live. I live in Clear Creek Shores.</p> <p>12 I'm back up a little bit towards</p> <p>13 Friendswood. I have a -- a suggestion.</p> <p>14 Having grown up in the Houston area</p> <p>15 I've noticed over the years that it may</p> <p>16 pour down rain in the Clear Creek watershed</p> <p>17 and they may be sunbathing out over by</p> <p>18 Brays Bayou or one of the other areas.</p> <p>19 Houston, it seems to have downpours, but it</p> <p>20 is kind of local, and I've wondered why.</p> <p>21 We -- we look at the watersheds as if on</p> <p>22 each side of the creeks or the bayous or</p> <p>23 whatever, and wherever you get to the peak</p> <p>24 of a watershed it's like it's a mountain.</p> <p>25 And in Houston -- I mean, downtown</p>

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1 Houston's 48 feet above sea level. I've
 2 got subsidence maps here, and just down the
 3 road here I think the highest it gets is
 4 around 30 or 35 feet. Well, if one creek
 5 or one bayou is flooding and the others are
 6 sitting, not dry, but, I mean, they're not
 7 flooding, why is it we can't build some
 8 diversionary channels to the other --
 9 among -- you know, just down the Houston
 10 area, down in Harris County, down in
 11 Galveston County? Why not try and take
 12 some of the water if it's flooding here and
 13 move it to another one, or why not, if it's
 14 not that deep and it's not that far down
 15 that you have to dig and you're digging in
 16 clay in between, say, Sim's Bayou and Clear
 17 Creek or in between Clear Creek and
 18 Dickinson Bayou, why can't we build some
 19 diversionary channels that just take the
 20 water straight on out, and, therefore, if
 21 one's flooding and one's not, you could
 22 either have some dams or just let the water
 23 pick out its -- its flow level and do
 24 something along those lines?
 25 You have HL&P. If you just look

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1 around, HL&P has all these high
 2 transmission power lines and they lease out
 3 the land to people with horses and to
 4 people who want to grow plants. Why not
 5 use these areas to put some channels in?
 6 I'm sure they would love to have a tax
 7 break of some sort to allow the city or the
 8 county or the state or whatever to use as
 9 diversionary channels. And that's --
 10 that's my topic number one.
 11 Topic number two was back when you
 12 were proposing the bypass channels and even
 13 with the channelization of the creek, I'm
 14 always amazed that when you -- you're going
 15 to go do a channelization or a bypass that
 16 you treat it more like a ditch, and if you
 17 were to treat it like the B-1 or the B-2
 18 bypass channels instead of as a ditch,
 19 treat it as an asset such that instead of
 20 having these, I guess, 150-foot setbacks on
 21 each side -- okay -- these 150-foot
 22 setbacks or whatever, let it be water front
 23 property. Get the tax value out of the
 24 property. Create something that
 25 communities would want to have. They may

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1 even help you go ahead and get it built,
 2 but don't sit there and kind of do a
 3 scorched earth policy on each side of it.
 4 Number three -- and I'm going to
 5 hurry real quick -- is around '94 or so I
 6 built my house. I built it in the
 7 floodway, and I know everybody kind of
 8 looks at me crazy but I took my house and
 9 built it at 21 feet -- can I finish real
 10 quick -- 21 feet above sea level.
 11 At the same time my house was built
 12 over in the park subdivision in Friendswood
 13 and they built it at slab level, and I'm
 14 not exactly sure what the elevation was,
 15 but when we had that flood in '80 -- in '94
 16 their house had a foot of water in it, and
 17 I had another seven feet to go.
 18 I do not understand why communities
 19 allow people to go ahead and build houses
 20 that low when we already know it's going to
 21 flood. That's a new house. It flooded.
 22 It wasn't even yet -- the people moved in
 23 maybe six months earlier.
 24 So just if -- I'm not against
 25 building in the floodway or the floodplain,

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1 but shouldn't we treat it like you do down
 2 at Galveston and people have to build up to
 3 a certain elevation? Thank you.
 4 (Audience applause.)
 5 COLONEL BUECHLER: Thank you, Louis.
 6 MR. BRENNAN: My name is Ron
 7 Brennan. I live in Friendswood. I've
 8 lived there for 35 years, and in my mind
 9 the only real flood control is when the
 10 cities along Clear Creek begin to take
 11 their responsibility to stop building in
 12 the floodplain entirely. I mean, it's
 13 crazy what goes on in these cities along
 14 the creek. They've got to stop building in
 15 the floodplain. That's the number one
 16 thing.
 17 As far as the Corps is concerned, I
 18 like what they're doing with Tx-DOT. They
 19 are keeping an eye on them but not close
 20 enough. Tx-DOT builds that highway out
 21 there in Fort Bend before they realized
 22 they were in the wetlands. So that stopped
 23 everything, and some of the things they've
 24 done down here too are terrible. So the
 25 Corps should concentrate on -- their

<p style="text-align: right;">Page 54</p> <p>1 efforts entirely on what Tx-DOT is doing</p> <p>2 and especially when it concerns the</p> <p>3 wetlands.</p> <p>4 And I've spoken many times at these</p> <p>5 meetings before and I've always let you</p> <p>6 know that I'm against the Corps' project,</p> <p>7 and I want to make sure that you understand</p> <p>8 that I am against the Corps' project</p> <p>9 entirely. I don't want them to touch the</p> <p>10 creek. Thank you.</p> <p>11 (Audience applause.)</p> <p>12 COLONEL BUECHLER: Thank you, Ron.</p> <p>13 I would like to call up William</p> <p>14 Taylor and Alice Bissel.</p> <p>15 MR. TAYLOR: Good evening,</p> <p>16 gentlemen. My name's Bill Taylor. I'm a</p> <p>17 Friendswood resident. I live in Polly</p> <p>18 Ranch subdivision on Clear Creek. And,</p> <p>19 Colonel, I would like to ask you a</p> <p>20 question, sir, if I may. Your study is</p> <p>21 supposed to be completed, I believe,</p> <p>22 sometime in 2003. Do you contemplate a PCS</p> <p>23 before such time, sir?</p> <p>24 COLONEL BUECHLER: My change of</p> <p>25 command is the 2nd of August of this year.</p>	<p style="text-align: right;">Page 56</p> <p>1 very much.</p> <p>2 COLONEL BUECHLER: Thank you, Bill.</p> <p>3 Alice?</p> <p>4 MS. BISSEL: I thank you for this</p> <p>5 opportunity to speak on this subject. My</p> <p>6 name is Alice Bissel and I live in the</p> <p>7 Seabrook area, actually part of Pasadena.</p> <p>8 You know, I agree with several of the</p> <p>9 people that have already spoken. The first</p> <p>10 thing, I think, that needs to be looked at</p> <p>11 is giving permits to builders that are</p> <p>12 building in floodplains. I mean, it</p> <p>13 shouldn't be the government's</p> <p>14 responsibility to pay, you know, for the</p> <p>15 results of this, from what I understand,</p> <p>16 the federal flood insurance. You know, why</p> <p>17 should the Federal Government continue to</p> <p>18 pay the claims over and over and over</p> <p>19 again, or even to build, you know, flood</p> <p>20 diversionary tactics because they've been</p> <p>21 built in the wrong area? I mean, it's just</p> <p>22 amazing to me.</p> <p>23 I have friends. One is sitting right</p> <p>24 here. She lives along one of the bayous.</p> <p>25 Well, when she built her house she made</p>
<p style="text-align: right;">Page 55</p> <p>1 MR. TAYLOR: Okay. The other thing</p> <p>2 is -- I would like to say is this: That my</p> <p>3 wife and I used to be drainage</p> <p>4 commissioners on the then Friendswood</p> <p>5 Drainage District some 20 years ago, and,</p> <p>6 you know, speaking for that, the City --</p> <p>7 the Friendswood Drainage District went</p> <p>8 ahead without any impetus from anyone and</p> <p>9 we started the process and we cleared out</p> <p>10 our own creeks. In my opinion, if we could</p> <p>11 just get the snags removed from Clear Creek</p> <p>12 and things along that line while this is</p> <p>13 going on we could be in a much better</p> <p>14 situation for water removal downstream.</p> <p>15 The other thing is that -- and I</p> <p>16 think I speak for many of my neighbors in</p> <p>17 this, one of whom here is with me -- we</p> <p>18 oppose the channelization so that Clear</p> <p>19 Creek would turn into anything like Sim's</p> <p>20 Bayou or Brays Bayou or something like</p> <p>21 that. Sure, we want to move the water, but</p> <p>22 it's a situation that everyone has to</p> <p>23 participate in together.</p> <p>24 There's a natural beauty there that</p> <p>25 should be protected and saved. Thank you</p>	<p style="text-align: right;">Page 57</p> <p>1 sure that she raised it up off the ground,</p> <p>2 you know, out of the flood area. That</p> <p>3 makes sense.</p> <p>4 To build in an area that you know is</p> <p>5 going to flood seems to be irresponsible,</p> <p>6 and I just don't understand why people keep</p> <p>7 buying in that direction and to send more</p> <p>8 water down -- downstream. I mean, someone</p> <p>9 always lives downstream. So if you solve</p> <p>10 the problem in one area you're creating a</p> <p>11 problem in another area.</p> <p>12 And I don't know how much subsidence</p> <p>13 we have in this area, but I'm real close to</p> <p>14 Kemah and I've heard that the Kemah area</p> <p>15 has subsidence problems, you know, which --</p> <p>16 is that going to change the ability for the</p> <p>17 water to actually flow out of Clear Lake?</p> <p>18 I mean, I don't really know that. I think</p> <p>19 there's a lot of questions that need to be</p> <p>20 answered, but I think you need to start</p> <p>21 with putting more control on where these</p> <p>22 homes are being built, and I thank you for</p> <p>23 your time.</p> <p>24 (Audience applause.)</p> <p>25 COLONEL BUECHLER: Thank you, Alice.</p>

<p style="text-align: right;">Page 58</p> <p>1 I have used all of the cards that I</p> <p>2 have been given. Unless there is someone</p> <p>3 else that would like to speak, we are at</p> <p>4 the end of our public comment. Is there</p> <p>5 anyone in the audience that has not spoken</p> <p>6 that would like an opportunity to speak?</p> <p>7 Yes. Go ahead. Sir, if you would</p> <p>8 when you're done, fill out a card so that</p> <p>9 we have your information.</p> <p>10 MR. NEWMISTER: I have it filled</p> <p>11 out.</p> <p>12 My name is Chuck Newmister and I also</p> <p>13 live in Polly Ranch in Friendswood and</p> <p>14 something comes to mind, that this -- it's</p> <p>15 happening all over Texas and it's happening</p> <p>16 all over the country. We're having large</p> <p>17 debates on it everywhere and it has to do</p> <p>18 with the curbing of development, and people</p> <p>19 are continuing to build.</p> <p>20 Even look at Davenport, Iowa, how</p> <p>21 they're struggling because it's -- everyone</p> <p>22 wants to live in the natural beauty, but</p> <p>23 when they get there, when we allow the</p> <p>24 commercial development with the almighty</p> <p>25 dollar -- whether it's a development, a</p>	<p style="text-align: right;">Page 60</p> <p>1 are yearning to live closer to nature. So</p> <p>2 they're building second homes in the</p> <p>3 country. They're building ranches,</p> <p>4 vacation homes everywhere, because although</p> <p>5 we live and work here it's innate in us</p> <p>6 that we don't really like it. We want to</p> <p>7 be closer to nature, and the more we do</p> <p>8 this the worse it's going to get in the</p> <p>9 long run, and that's all I have to say.</p> <p>10 Thank you.</p> <p>11 (Audience applause.)</p> <p>12 COLONEL BUECHLER: Thank you.</p> <p>13 Is there anyone else that would like</p> <p>14 to make a comment? It appears not.</p> <p>15 I would like to remind you that the</p> <p>16 official record is open and will remain</p> <p>17 open until the 8th of June, which is 30</p> <p>18 days after our third public meeting on the</p> <p>19 9th of May in Pearland.</p> <p>20 I would like to take this opportunity</p> <p>21 to thank our local sponsors for joining me</p> <p>22 this evening, and I would like to thank</p> <p>23 each of you, the members of the public, for</p> <p>24 coming and participating. This meeting is</p> <p>25 adjourned.</p>
<p style="text-align: right;">Page 59</p> <p>1 builder or developer type of situation, or</p> <p>2 whether the tax base needs to be boosted so</p> <p>3 we can have fancier schools or whatever --</p> <p>4 we end up paying more in the long run after</p> <p>5 the fact fixing everything that we did</p> <p>6 wrong. And if we -- it would be cheaper if</p> <p>7 we would just control it in the beginning</p> <p>8 up front, and a lot of this has already</p> <p>9 been acknowledged.</p> <p>10 I've lived in different parts of the</p> <p>11 country. It's the same debate over and</p> <p>12 over again. It's all about how much does</p> <p>13 the land cost; how much can the developer</p> <p>14 get for it; the city can't afford to stop</p> <p>15 it. You know, it's ongoing and it will</p> <p>16 probably never solve the situation because</p> <p>17 we live in a more open society, but I still</p> <p>18 think that if we don't put some foresight</p> <p>19 into controlling development up front,</p> <p>20 which to me makes a lot of sense, we're</p> <p>21 always going to be chasing and throwing</p> <p>22 money after fixing the problem after the</p> <p>23 fact.</p> <p>24 And, you know, I come in contact with</p> <p>25 people through my business every day that</p>	<p style="text-align: right;">Page 61</p> <p>1 (Meeting concluded at 8:10 p.m.)</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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1 STATE OF TEXAS :
2 COUNTY OF HARRIS :

3

4 REPORTER'S CERTIFICATE

5

6 I, JAMES PLAIR, a Certified Shorthand Reporter in
7 and for the State of Texas, do hereby certify that this
8 transcript is a true record of the public meeting as
9 outlined and captioned above.

10 I further certify that I am neither attorney nor
11 counsel for, related to, nor employed by any of the
12 panel members or individuals whosoever present at this
13 public meeting from which this record was made.
14 Further, I am not a relative or employee of any
15 attorney of record in this cause, nor do I have a
16 financial interest in the action.

17 Certified to on this, the _____ day of
18 _____, 2001.

19

20

21 JAMES PLAIR, CSR, RPR
22 Certification No. 4409
23 Expiration Date: 12-31-01
24 Notary Expiration Date: 10-09-01
25 United-Womack Reporting
1235 North Loop West, Suite 510
Houston, Texas 77008-4704
(713) 426-0400

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Clear Creek Public Scoping Meeting Attendees May 3, 2001

Note: When two attendees gave identical information and shared the same last name, the attendees were combined into one entry.

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Blansit, Frankie and Max	2310 Acacia	2310 Acacia	League City, TX	77573			Clear Creek Village
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Eichhorn, Greg	P.O. Box 912	323 Empress Lane	League City, TX	77573		ijichorn@yahoo.com	Clear Creek Village
Elder, Ruth	4839 Colombia Drive	4839 Colombia Drive	Pasadena, TX	77505			ABNC
Ferguson, Juanita Kay	One Penn Circle	One Penn Circle	Friendswood, TX	77546			Quakers Landing
Fitzgerald, Mike	530 Country Lane	530 Country Lane	League City, TX	77573			Countryside South
Freeman, Steven	315 Green Oaks Drive	315 Green Oaks Drive	League City, TX	77573		svfreeman@ix.netcom.com	Oak Creek
Green, James	2502 Briarbrook	2502 Briarbrook	Houston, TX	77042	713.782.4330	jbradgreen@aol.com	HCFCD - Exec, Director, Retired
Halbach, Joe	2674 Sailboat Drive	2674 Sailboat Drive	Nassau Bay, TX	77058		jjhalbsr@hal-pc.org	Nassau Bay
Jalowy, David	P.O. Box 1028	P.O. Box 1028	Rosenberg, TX	77471	281.342.9130		
Legendre, Abel	2623 Baycrest Drive	2623 Baycrest Drive	Houston, TX	77058			Nassau Bay, Swan Lagoon
Lester, Phil	2102 Ocean Viwe Drive	2102 Ocean Viwe Drive	Seabrook, TX	77586			Wildwood Subdivision
Marcott, Larry	3606 Inverness Court	3606 Inverness Court	Pearland, TX	77581		council@ci.pearland.tx.us	Rustic Oaks, City Council, Advisory Council
Martin, Betty	800 Texas Avenue	12633 Memorial Drive #227	Houston, TX	77024		betty.martin@chron.com	Houston Chronicle
Martin, Jacqueline	18290 Upper Bay #67	18290 Upper Bay #67	Nassau Bay, TX	77058		jackiewm@juno.com	Nassau Bay
Meeks, Barbara	2401 Intrepid Way	2401 Intrepid Way	League City, TX	77573	281.538.3114	meeksgirls@aol.com	
Meineke, Robert and Barbara	1701 Willits Drive	1701 Willits Drive	Pearland, TX	77581			McGinnis
Murphy, Jack	1535 Dickinson Avenue	1535 Dickinson Avenue	League City, TX	77573	281.338.4822	jackmurphy@ev1.net	City Engineer, League City
Newmister, Chuck	2105 Pine Drive	2105 Pine Drive	Friendswood, TX	77546	281.996.0581	chucknew@concentric.net	Polly Ranch Estates
O'Kane, Ramona	1814 Antigua Lane	1814 Antigua Lane	Nassau Bay, TX	77058		monaokane@earthlink.net	
Ong, Natalie	407 Willow Vista	407 Willow Vista	El Lago, TX	77586		knatalie@ev1.net	
Randall, Paula	3122 Bryant Lane	3122 Bryant Lane	Webster, TX	77598		paula@magicbookshop.com	Clear Creek Shores
Rasch, Hans and Ann	13 Ellis Road	13 Ellis Road	League City, TX	77573	281.554.7749	hans_rasch@hotmail.com	Ellis Acres

**Clear Creek Public Scoping Meeting Attendees
May 3, 2001**

Name	Mailing Address	Physical Address	City and State	Zip	Fax	Email	Subdivision
Reeves, Rose	16206 Shady Elms Drive	16206 Shady Elms Drive	Houston, TX	77059			Brook Forest
Schroeder, Bert	104 Michigan Avenue	104 Michigan Avenue	League City, TX	77573			
Seay, William	1918 Acacia	1918 Acacia	League City, TX	77573		seaycook@texas.net	Clear Creek Village
Shoup, Mona	1434 Kingstree Lane	1434 Kingstree Lane	Nassau Bay, TX	77058	281.333.2051	mona.shoup@chron.com	Friends of Clear Creek
Stegall, Deborah	14031 Lofty Mountain Court	14031 Lofty Mountain Court	Houston, TX	77062			North Forest in Clear Lake
Taylor, William and Janice	P.O. Box 1168	2103 Pine Drive	Friendswood, TX	77546	281.482.3813	waterbury3@worldnet.att.net	Polly Ranch Estates
Tetens, Richard	2105 West Mary's Creek	2105 West Mary's Creek	Pearland, TX	77581			Pearland Reporter to Clear Creek Steering Committee
Thompson, Virginia	16715 Ashmoor Court	16715 Ashmoor Court	Houston, TX	77058			University Greer
Walker, Carol							HCFCTC
Wang, Richard	10206 Kirkwren Drive	10206 Kirkwren Drive	Houston, TX	77089			
Whitaker, Harold	915 Falling Leaf	915 Falling Leaf	Friendswood, TX	77546	281.482.3902		City of Friendswood - Mayor
Wilcox, Charles	6702 Willard Ville	6702 Willard Ville	Houston, TX	77048		charleswilcox@cp1.hctx.net	
Yeagle, Ann	1008 Schubert	1008 Schubert	Dickinson, TX	77539			

**Clear Creek Public Scoping Meeting Attendees
May 3, 2001**

Name	Ever flooded?	Date	How high (relative to first floor of home or business)	Other property damaged?	How did you find out about this meeting?
Aspelin, Scott H.	Yes	June 1, 1905	Unsure - we didn't live there at the time	No	Post card in the mail
Benoit, Dick	No				Post card in the mail
Benoit, Katie	No				Post card in the mail
Bissel, Alice	No				From a friend or neighbor
Blansit, Frankie and Max	Yes, Newport Subdivision, L.C.	1973, twice in 1979	4 inches, 18 inches, 4 inches	Garage	Post card in the mail
Brennan, Ron and Mary Ellen	Yes	1979	4 inches		Insert/Post card/Friend
Brown, Harold	Yes		6 inches	Garage	Post card in the mail
Carter, Dick	No				Post card in the mail
Christensen, Scott	No				Other
Clark, Ken	No				Post card in the mail
Coloucie, Barbara	Yes	Alicia and Claudette	3 inches		Insert/Post card
Cook, Julia	No				Post card in the mail
Coward Jr., Alfred	No		within 1 inch of entering garage		Other
Cruse, Leonard	No				Insert in the newspaper
Edwards, James	No				Insert/Post card/Friend
Ehlers, Louis	No			Swimming pool	Website
Eichhorn, Greg	Yes	78 or 79	5.5 feet		Insert/Post card/Friend
Elder, Ruth	No				Insert/friend
Ferguson, Juanita Kay	Yes	1973-1994	5 feet		Insert/Post card/Friend
Fitzgerald, Mike	Yes	July 1979 (while living in Bagridge)	5 inches		??
Freeman, Steven	No			Just front edge of lawn	Post card in the mail
Green, James					From a friend or neighbor
Halbach, Joe	Yes	1998?	8 feet (est.) (1 foot into my "ground floor")	Boat lift	Post card in the mail
Jalowy, David					Post card in the mail
Legendre, Abel	No, but my neighbors have	60s, 70s, 90s			Post card in the mail
Lester, Phil	No				Post card in the mail
Marcott, Larry	No				Other
Martin, Betty	No				News Release
Martin, Jacqueline					Post card in the mail
Meeks, Barbara	No				Post card in the mail
Meineke, Robert and Barbara	No				Insert in the newspaper
Murphy, Jack	NA	NA	NA	NA	Other
Newmister, Chuck	No				From a friend or neighbor
O'Kane, Ramona	No				Insert in the newspaper
Ong, Natalie	No				Post card/Legal notice
Randall, Paula	No, property only, home is elevated				Post card in the mail
Rasch, Hans and Ann	No				Insert in the newspaper

**Clear Creek Public Scoping Meeting Attendees
May 3, 2001**

Name	Ever flooded?	Date	How high (relative to first floor of home or business)	Other property damaged?	How did you find out about this meeting?
Reeves, Rose	No. However, water has blown in.			Roof leaking in home, causing damage to sheet rock and to carpeting.	Post card in the mail
Schroeder, Bert	No				Post card in the mail
Seay, William	No				Post card in the mail
Shoup, Mona	No				Post card in the mail
Stegall, Deborah	No				From a friend or neighbor
Taylor, William and Janice	Yes	July 1979	30 inches	All	Insert, Metro section of Houston Chronicle
Tetens, Richard	Yes	July 1979 Oct 79	18 inches	Garage, pool	Insert in the newspaper
Thompson, Virginia	No			Garage	Post card in the mail
Walker, Carol					
Wang, Richard					
Whitaker, Harold	Yes	July 1979	18 inches	Garage, barn	Post card in the mail
Wilcox, Charles					
Yeagle, Ann	Yes		6-12 inches	Garage and contents of garage	Post card in the mail

Comments from The Written Transcript of the May 3, 2001 Clear Creek Public Meeting

Name	Location	Summarized Comments
Larry Marcott	Councilmember, Pearland	Pearland cannot afford and doesn't have the land to be the repository for other retention and detention downstream. We must have this project move forward.
Natalie Ong	Councilmember, El Lago	We want to make sure that in moving forward, this project takes into consideration all of the new development and run-off into Clear Lake from Armand Bayou, Taylor Bayou and from the south shore of the lake. We need to make sure we don't just move the flooding to the downstream neighbors.
Katie Benoit	Councilmember, League City	I would like to hear more about the Citizens Advisory Board. The main difference in opinion here is philosophical - the creek isn't just drainage to us, it is a vital part of our community.
William Seay	Clear Creek Village	I think there will need to be a compromise between retention and pushing water downstream. I think we need to correct the bridge at I-45 and make it more of a causeway.
Julia Cook	Clear Creek Village	We need to create an eco-friendly solution and preserve our creek.
Jay Legendre	Swan Lagoon subdivision, Nassau Bay	The second outlet was put in so that lake levels are not increased due to proposed upstream Clear Creek channel enlargement. I question this second outlet because just downstream from that is the low water bridge on Todville Road, and before that is the feeder road under 146. And any kind of debris stopping those places up the water would just continue to rise until it would overflow those. But I think perhaps in some of those simulations they might want to consider a complete stoppage of flow under those roads along there.
Mona Shoup		We cannot go forward before we have all of the data from the Corps, and that won't be until the end of the summer. Also, we need to make sure there is lots of public involvement so people really know what they are getting into.
Greg Eichhorn	Clear Creek Village	The floodgates only help according to tide. The builders aren't having to build retention ponds in League City. We are just moving the flood from one place to another.

Comments from The Written Transcript of the May 3, 2001 Clear Creek Public Meeting

Name	Location	Summarized Comments
Louis Ehlers	Clear Creek Shores	If one creek is flooding and others are flowing normally based on Houston's sporadic downpours, why can't we build some diversionary channel. What about the areas of HL&P - put some channels in there. Also, if you are thinking about channelization of the creek, why have the 150 foot setbacks - instead you could have waterfront property and get the tax value out of it. People should have to build at a certain elevation so we don't have these new houses flooding.
Ron Brennan	Friendswood	Our cities have to stop building in the floodplain. The Corps should keep a better eye on what TxDOT is doing, especially when it concerns the wetlands. I am against the Corps project entirely - I don't want them to touch the creek.
Bill Taylor	Polly Ranch - Friendswood	20 years ago the Friendswood Drainage District went ahead without any impetus from anyone - and that's what we need to do. If we could just get the snags removed from Clear Creek and things going along that line while this is going on we could be in a much situation for water removal downstream.
Alice Bissel	Seabrook Area	I think we need to start by putting more control on where new homes are being built.

Appendix A-3

May 9, 2001, Public Scoping Meeting Transcript and Summary

CLEAR CREEK FLOOD PUBLIC SCOPING MEETING

U. S. ARMY CORPS OF ENGINEERS
PUBLIC SCOPING MEETING OF THE
CLEAR CREEK FLOOD CONTROL PROJECT

(Revised June 18, 2001.)

2337 North Galveston
Pearland, Texas

May 9, 2001
7:00 p.m.

REPORTED BY:

HOLLY P. BURNS, CSR, RPR, CRR

CERTIFICATION NO. 4956

Job No. 49188

CLEAR CREEK FLOOD PUBLIC SCOPING MEETING

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 PANEL IN ATTENDANCE</p> <p>4 U. S. ARMY CORPS OF ENGINEERS</p> <p>5 GALVESTON DISTRICT</p> <p>6 Mr. Lloyd Saunders</p> <p>7</p> <p>8</p> <p>9 BRAZORIA DRAINAGE DISTRICT NO. 4</p> <p>10 COMMISSIONER</p> <p>11 Mr. Jeff Brennan</p> <p>12</p> <p>13</p> <p>14 HARRIS COUNTY FLOOD CONTROL DISTRICT</p> <p>15 Mr. Steve Fitzgerald</p> <p>16</p> <p>17</p> <p>18 COUNTY ENGINEER</p> <p>19 GALVESTON COUNTY</p> <p>20 Mr. Mike Fitzgerald</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 addressed to the various Flood Control</p> <p>2 Districts.</p> <p>3 I would like to introduce you to our</p> <p>4 local sponsors seated with me at the table</p> <p>5 this evening. On my right over here is</p> <p>6 Commissioner Jeff Brennan, Brazoria Drainage</p> <p>7 District No. 4; Steve Fitzgerald, Harris</p> <p>8 County Flood Control District; and Mike</p> <p>9 Fitzgerald, county engineer of Galveston</p> <p>10 County.</p> <p>11 I hope you had an opportunity this</p> <p>12 evening to take advantage of the open house</p> <p>13 that was set up out in the foyer. I</p> <p>14 encourage you to read all the information</p> <p>15 that's available in that area. Additional</p> <p>16 copies are available out there. If you'd</p> <p>17 like to take additional copies with you to</p> <p>18 share with family and friends, we encourage</p> <p>19 you to do that. I'm sure there were a lot of</p> <p>20 people that wanted to be here and couldn't be</p> <p>21 here tonight.</p> <p>22 We also encourage you to visit the</p> <p>23 Clear Creek Web site. For those of you who</p> <p>24 have access to computers, that address is</p> <p>25 www.clearcreekproject.com.</p>
<p style="text-align: right;">Page 3</p> <p>1 PROCEEDINGS:</p> <p>2</p> <p>3 MR. SAUNDERS: Okay. Let's go ahead</p> <p>4 and get started. Good evening, ladies and</p> <p>5 gentlemen. On behalf of Colonel Buechler,</p> <p>6 I'd like to welcome you to the third of a</p> <p>7 series of public meetings on the Clear Creek</p> <p>8 Reevaluation Study. I'm Lloyd Saunders. I'm</p> <p>9 chief of the Planning, Environment, and</p> <p>10 Regulatory Division of the Galveston District</p> <p>11 of the U.S. Army Corps of Engineers.</p> <p>12 The Corps has been asked to help with</p> <p>13 Flood Control on Clear Creek. What we're</p> <p>14 seeking is a solution that will be a</p> <p>15 community effort among all stakeholders, the</p> <p>16 local sponsors, and the Corps of Engineers.</p> <p>17 We're currently conducting a General</p> <p>18 Reevaluation Study that will consider the</p> <p>19 economic, engineering, and environmental</p> <p>20 feasibility of flood damage reduction on</p> <p>21 Clear Creek. Environmental restoration will</p> <p>22 also be an integral part of the study.</p> <p>23 This meeting is about Clear Creek, not</p> <p>24 its tributaries, not maintenance issues, not</p> <p>25 complaints that would be more properly</p>	<p style="text-align: right;">Page 5</p> <p>1 Everyone attending should have filled</p> <p>2 out a green attendance card. If you want to</p> <p>3 speak, it's absolutely essential that you</p> <p>4 have filled out this card because, unless the</p> <p>5 ladies bring me a green card indicating you</p> <p>6 want to speak, I have no indication that you</p> <p>7 wish to do so.</p> <p>8 In addition to speaking this evening,</p> <p>9 we've also provided some white cards, white</p> <p>10 comment cards. These can either be filled</p> <p>11 out and left with the ladies in the foyer or</p> <p>12 they can be mailed to us. They're frank,</p> <p>13 self-addressed to come back to us. We</p> <p>14 encourage you to take as many of these as you</p> <p>15 would like, share them with your friends and</p> <p>16 neighbors. Let us know how you feel about</p> <p>17 the project.</p> <p>18 The purpose of the meeting is to</p> <p>19 provide an opportunity to present issues,</p> <p>20 views, opinions, recommendations, and</p> <p>21 environmental concerns. Your comments will</p> <p>22 help us meet the requirements of the National</p> <p>23 Environmental Policy Act and prepare a</p> <p>24 supplement to the Environmental Impact</p> <p>25 Statement for the restudy.</p>

CLEAR CREEK FLOOD PUBLIC SCOPING MEETING

<p style="text-align: right;">Page 6</p> <p>1 This is not a voting contest. The</p> <p>2 people who speak the longest or the loudest</p> <p>3 or the most often are not the folks that are</p> <p>4 going to win. Everyone's going to win, we</p> <p>5 hope; and every -- everyone's comment is</p> <p>6 important. What we're interested in is the</p> <p>7 diversity of opinion that's out there, both</p> <p>8 pro, con. We're interested in your ideas.</p> <p>9 So, let us hear them; but please don't let us</p> <p>10 hear the same ideas over and over again.</p> <p>11 We have also with us this evening a</p> <p>12 court reporter. The meeting will be recorded</p> <p>13 verbatim. You'll see the information</p> <p>14 displayed on the screen as, as people speak.</p> <p>15 We're also using video to record some of the</p> <p>16 meeting.</p> <p>17 The meeting format will be a brief</p> <p>18 comment by Commissioner Brennan. Then Robert</p> <p>19 Van Hook will give us a study overview; and</p> <p>20 then we'll open the floor for public</p> <p>21 comments.</p> <p>22 There's an order in which we hear</p> <p>23 public comments. We generally hear from</p> <p>24 elected officials first. We hear from</p> <p>25 federal, state, and local elected officials,</p>	<p style="text-align: right;">Page 8</p> <p>1 of this General Reevaluation of Clear Creek</p> <p>2 would greatly benefit the area. I would like</p> <p>3 to thank the Corps of Engineers and the</p> <p>4 cosponsors, Harris and Galveston Counties,</p> <p>5 for having the district be a part of this</p> <p>6 ongoing study and greatly, greatly look</p> <p>7 forward to a completed project and plan.</p> <p>8 I welcome everybody to make their input</p> <p>9 known, whether on the cards or here to the</p> <p>10 public. So, thank you again for coming.</p> <p>11 MR. SAUNDERS: Thank you, Commissioner.</p> <p>12 Right now I'm going to call on Mr. Robert Van</p> <p>13 Hook, who is the planning lead for the Clear</p> <p>14 Creek Reevaluation Study. Robert.</p> <p>15 MR. VAN HOOK: Good evening. As I have</p> <p>16 been introduced, my name is Robert Van Hook</p> <p>17 and I'm the planning lead on the Clear Creek</p> <p>18 General Reevaluation Study and I would also</p> <p>19 like to welcome you to this Public Scoping</p> <p>20 Meeting.</p> <p>21 The General Reevaluation Study, or</p> <p>22 which you may hear referred to as the GRR, is</p> <p>23 an evaluation of the main stem of Clear Creek</p> <p>24 from the Fort Bend County line downstream</p> <p>25 through Clear Lake.</p>
<p style="text-align: right;">Page 7</p> <p>1 in that order. Then we hear statements from</p> <p>2 resource agencies and then the public.</p> <p>3 With that, I would like Commissioner</p> <p>4 Brennan to give us a few comments on behalf</p> <p>5 of all the sponsors of the project.</p> <p>6 COMMISSIONER BRENNAN: Thank you,</p> <p>7 Lloyd. On behalf of Brazoria Drainage</p> <p>8 District No. 4, the City of Pearland, and</p> <p>9 Pearland Independent School District, I would</p> <p>10 like to welcome you to this Corps of</p> <p>11 Engineers Public Scoping Meeting.</p> <p>12 In 1999 Brazoria Drainage District</p> <p>13 No. 4, in conjunction with the City of</p> <p>14 Pearland and Brazoria County, requested from</p> <p>15 the cosponsors, Harris County and Galveston</p> <p>16 County, along with the Corps of Engineers, to</p> <p>17 extend the project limits to the Brazoria</p> <p>18 County/Fort Bend County line and also include</p> <p>19 the district as a cosponsor to this Clear</p> <p>20 Creek project. They grace -- gratefully</p> <p>21 accepted.</p> <p>22 The drainage district, the drainage</p> <p>23 district realized that with the growth that</p> <p>24 the -- northern Brazoria County has</p> <p>25 experienced, that this -- that being a part</p>	<p style="text-align: right;">Page 9</p> <p>1 As earlier mentioned, the study team is</p> <p>2 made up of the Harris County Flood Control</p> <p>3 District, Brazoria Drainage District 4, and</p> <p>4 Galveston County. As many of you are aware,</p> <p>5 in 1997 the local sponsors of the Clear Creek</p> <p>6 project, which was Harris County, acting</p> <p>7 through the Flood Control District, and</p> <p>8 Galveston County, requested that a six-month</p> <p>9 project construction suspension and review be</p> <p>10 performed on the channelization project that</p> <p>11 had been authorized for Clear Creek. This</p> <p>12 request was made to allow the local sponsors</p> <p>13 time to identify proposed enhancements and</p> <p>14 updates to the long-authorized project.</p> <p>15 Local sponsors held a series of</p> <p>16 meetings in 1997 to get public input, and</p> <p>17 some of you may have been at those meetings.</p> <p>18 The sponsors developed an alternative plan</p> <p>19 and asked us, the Corps, to determine if the</p> <p>20 plan was within the discretionary authority</p> <p>21 of our division engineer in Dallas to approve</p> <p>22 under the existing authorization.</p> <p>23 We reviewed the plan and determined</p> <p>24 that there was too many uncertainties about</p> <p>25 cost and various effects of the proposed</p>

CLEAR CREEK FLOOD PUBLIC SCOPING MEETING

<p style="text-align: right;">Page 10</p> <p>1 alternative project to recommend approval by 2 the division engineer; therefore, our 3 recommendation was to make -- to conduct a 4 General Reevaluation of the project, 5 considering the concerns and inputs of the 6 public. The Commissioners' Courts of Harris 7 and Galveston Counties passed a resolution in 8 April of 1999 requesting that the Corps 9 undertake this reevaluation of the Clear 10 Creek project.</p> <p>11 As some of you probably saw outside in 12 the foyer, there's a planning process that 13 the Corps is required to follow. This slide 14 depicts that planning process. We have 15 essentially performed the first two steps and 16 will be performing Step 3, formulation of 17 alternative plans, following this series of 18 public scoping meetings.</p> <p>19 As we began the study in June of 1999, 20 we had many coordination meetings with the 21 local sponsors; and in June of 1999, as Jeff 22 mentioned, Brazoria Drainage District 4 23 joined the Harris County Flood Control 24 District and Galveston County as a sponsor 25 for the Reevaluation Study. The current</p>	<p style="text-align: right;">Page 12</p> <p>1 information using the latest technology. A 2 new computer model developed and used for the 3 April 1999 Clear Lake study will be used in 4 the evaluation of additional flood reduction 5 alternatives and to assess any potential 6 downstream impacts on the Clear Lake area.</p> <p>7 In February of last year, the watershed 8 was flown; and we knew -- now have new 9 orthophotography for the whole watershed. 10 New topographic information has been 11 collected, which will help us account for 12 aerial subsidence. New cross-sections were 13 taken along Clear Creek and through the lake 14 and the second outlet channel, and we have 15 new updated bridge data.</p> <p>16 The latest computer technology has been 17 used in the study. We've developed a new 18 digital terrain model which displays map 19 topography in digital form for the watershed. 20 We performed a new survey of some 3300 21 structures that reside within the projected 22 25-year floodplain up and down the creek and 23 the 100-year floodplain around the lake. We 24 have obtained first-floor elevations for all 25 of these structures.</p>
<p style="text-align: right;">Page 11</p> <p>1 Clear Creek study, therefore, includes 2 Brazoria County and the overall study area.</p> <p>3 We then began the process of defining 4 the study parameters, the activities 5 required, setting up a schedule and cost for 6 the study. We established an 7 interdisciplinary study team for the 8 reevaluation. The study team developed 9 preliminary goals and objectives, which you 10 may have seen out in the foyer and also as 11 depicted on these two slides.</p> <p>12 It was determined that the study would 13 be a totally new effort and that we would 14 wipe the slate clean and begin all over 15 again; therefore, the whole study is wide 16 open with no preconceived plans based on old 17 data or ideas.</p> <p>18 We will use all of the various flood 19 reduction tools that are in our toolbox. We 20 will also consider any new tools and 21 approaches that come to our attention as a 22 result of these scoping meetings. The tools 23 which we currently have on the list are 24 depicted on this slide.</p> <p>25 Then we began to look for brand-new</p>	<p style="text-align: right;">Page 13</p> <p>1 We have developed a state-of-the-art 2 Geographic Information System, or GIS, for 3 the watershed to record and store information 4 about the study area; and we will use this 5 information in the analysis of all new 6 alternative plans that are developed. We're 7 using the latest, newest, up-to-date 8 population and land use information. We -- 9 the latest technology and methods will be 10 used to project population growth and 11 long-term effects.</p> <p>12 The project is projected to be complete 13 in July of 2003. Then if an acceptable 14 project can be found, it will be implemented 15 as soon as possible thereafter.</p> <p>16 We have hired Dannenbaum Engineering 17 Corporation to develop our new hydrology and 18 hydraulics information. Their work on this 19 baseline hydrology and hydraulics will be 20 completed at the end of July. New baseline 21 economics will then be developed.</p> <p>22 New baseline environmental data is 23 being developed through a contract with 24 PBS&J, and they will develop environmental 25 database layers for our GIS.</p>

CLEAR CREEK FLOOD PUBLIC SCOPING MEETING

<p style="text-align: right;">Page 14</p> <p>1 Following this public meeting and your 2 input, we will develop the first set of new 3 alternatives for further evaluation. 4 An Environmental Restoration Workshop 5 was held in January of this year at the 6 Galveston District. As Lloyd mentioned, the 7 environment -- ecosystem restoration is a new 8 project mission, or a Corps mission. We 9 invited some of our headquarters folks to 10 come and give us an overview of ecosystem 11 restoration and how we could incorporate 12 eco-friendly flood damage reduction solutions 13 into the Clear Creek project. They talked to 14 us about the new ecosystem restoration 15 mission, the new policies and methodologies. 16 The study team, engineering, and 17 environmental personnel, our local sponsors, 18 and some public resource agents attended this 19 workshop. 20 In 2002 we will perform economic 21 analysis on the alternative plans and 22 determine the benefit-to-cost ratios for the 23 alternatives. We will meet with our division 24 and headquarters to discuss our formulation 25 of alternatives and get their buy-in on our</p>	<p style="text-align: right;">Page 16</p> <p>1 in sub -- subsequent direct mailings. 2 We invite you to visit our Web site. 3 This Web site was launched in February -- on 4 February the 22nd. It was developed as a 5 source for the public to obtain the latest 6 information about the Clear Creek study and 7 to create an additional opportunity for 8 citizens to submit questions and comments. 9 The site will be updated as new information 10 becomes available. I hope you also picked up 11 a pen outside on which the address is 12 written. Everyone is encouraged to visit 13 this Web site frequently to keep up with the 14 status of the Clear Creek study. The study 15 team will consider all comments and ideas 16 presented in any forum. 17 There's been a Citizens Advisory 18 Committee formed in 1997 by the Harris County 19 Flood Control District. This group is made 20 up of private citizens, elected officials, 21 engineers, business people, environmental 22 interests, so forth. We will keep this 23 committee advised of the study efforts. 24 Please make them aware of any of your 25 concerns.</p>
<p style="text-align: right;">Page 15</p> <p>1 process. We will determine recommended 2 project plan or plans. We will complete 3 coordination with the Fish and Wildlife 4 Service, evaluate the environmental impacts 5 of the proposed plan or plans, and complete a 6 draft General Reevaluation Report and 7 Supplemental Environmental Impact Statement. 8 In '03 we will finalize the GRR and 9 Supplemental Environmental Impact Statement, 10 perform our Washington-level project review, 11 and obtain the Assistant Secretary of Army 12 for Civil Works' approval. 13 We want your comments. We're very 14 serious about wanting your input into this 15 study process. We sent out some 3100 16 postcards to those folks who are on the 17 mailing list compiled by the Harris County 18 Flood Control District announcing this 19 meeting. The current list includes attendees 20 of the three public meetings held in 1997, 21 public officials in the watershed, and those 22 that are interested in the project and 23 citizens who have called or written to us 24 about the project. If you filled out an 25 attendance card tonight, you will be included</p>	<p style="text-align: right;">Page 17</p> <p>1 Please pick up comment cards in the 2 foyer for yourself and some to take to your 3 friends and neighbors. These cards solicit 4 input about flooding experience, ask for 5 written comments on alternative ideas, areas 6 of environmental concern. They are 7 self-addressed and postage paid, as 8 Mr. Saunders said. Fill them out at your 9 leisure; but in order to be part of the 10 record of this public meeting, they must be 11 returned to us by June the 8th. 12 As mentioned earlier, we're interested 13 in eco-friendly flood damage reduction 14 solutions. Ecosystem restoration is a new 15 Corps mission. Although ecosystem 16 restoration is not an authorized purpose for 17 the Clear Creek project, we are looking at 18 flood damage reduction tools and measures 19 that are eco-friendly. 20 We would like information on special 21 habitats, such as places that you would go to 22 bird-watch, look at wildflowers or other 23 interesting plants, and enjoy the natural 24 beauty of the creek. Maps are available in 25 the foyer on which to mark special locations</p>

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<p style="text-align: right;">Page 18</p> <p>1 that you are familiar with. In addition, if 2 you have specific natural resources or issues 3 you are concerned about, we would appreciate 4 your comments. 5 As I said, this is an entirely new 6 study; and we want and need citizen input. 7 We are soliciting input for the development 8 of alternative plans for flood damage 9 reduction for Clear Creek. This is a new 10 study to evaluate all options available for 11 flood damage reduction. Alternatives under 12 study involve a wide range of ideas. When 13 the study is complete, the team will decide 14 if a plan exists that provides sufficient 15 benefits to warrant continued participation. 16 If no acceptable beneficial plan can be 17 developed, the study team may recommend that 18 the Corps take no action. The "no action" 19 alternative is required to be examined by the 20 Corps. 21 We have received a number of comments 22 from citizens regarding a new initiative 23 commonly called Challenge 21, which was 24 authorized under Section 212 of the Water 25 Resources Development Act of 1999. That</p>	<p style="text-align: right;">Page 20</p> <p>1 million. The Clear Creek project does not 2 have a federal funding limit. 3 Challenge 21 does not currently have a 4 federal funding appropriation. The Clear 5 Creek study does have this federal funding 6 appropriation. 7 Therefore, at this time it is better to 8 pursue the very same project -- same type of 9 project that we would consider under 10 Challenge 21, consider it under the current 11 Clear Creek study authority. It's funded, 12 and there is no upper limit or cap on the 13 funding for the project like there is under 14 Challenge 21. 15 (Brief interruption.) 16 MR. SAUNDERS: Befuddled by technology. 17 MR. VAN HOOK: Yeah. I'm sorry about 18 that. 19 (Brief interruption.) 20 MR. VAN HOOK: I'll let you read the 21 slides. 22 The Harris County Flood Control 23 District on October 2nd last year sent a 24 letter to the Galveston District proposing 25 Clear Creek as a potential Challenge 21</p>
<p style="text-align: right;">Page 19</p> <p>1 section states that the secretary of the Army 2 may undertake a program for the purpose of 3 conducting projects to reduce flood hazards 4 and restore the natural function and values 5 of rivers throughout the United States. The 6 current study does not follow under the 7 Challenge 21 program, and I'd like to explain 8 why by comparing the current study with 9 Challenge 21 for you. 10 Both Challenge 21 and the Clear Creek 11 study emphasize nonstructural flood damage 12 reduction options. Both Challenge 21 and the 13 Clear Creek study consider structural flood 14 damage reduction options. Both Challenge 21 15 and the Clear Creek study include 16 environmental restoration measures. Both 17 emphasize projects and minimize adverse 18 environmental flooding and social impacts. 19 Both give priority to projects that have 20 community support. Both emphasize projects 21 that complement other projects and programs. 22 Both must be justified, considering all costs 23 and considering benefits of the project. 24 Challenge 21 -- but Challenge 21 has a 25 single project federal funding cap of \$30</p>	<p style="text-align: right;">Page 21</p> <p>1 project. In their letter, they stated, "The 2 Harris County Flood Control District does not 3 want to jeopardize the completion of the 4 General Reevaluation Report or the chance of 5 federal participation in the project under 6 the existing authority." 7 There's a handout in the, in the foyer 8 on Challenge 21. I hope you can pick it up. 9 I would like to thank you for your 10 input and that concludes my overview of the 11 General Reevaluation Study and I'll turn the 12 meeting back over to Mr. Lloyd Saunders for 13 public comments. Thank you. 14 MR. SAUNDERS: Thank you, Robert. 15 At this time I would like to recognize 16 some public officials who might care to 17 speak. Drainage Commissioner Roger Davis. 18 Okay. Fine. 19 How about Ben Lenamon, drainage 20 commissioner? Yes, sir. Please step up, 21 step up to the microphone, if you would. 22 COMMISSIONER LENAMON: My name is Ben 23 Lenamon. I'm chairman of Brazoria Drainage 24 District 4. On your panel there sits one of 25 our other commissioners, Commissioner</p>

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<p style="text-align: right;">Page 22</p> <p>1 Brennan, who has read a resolution of our 2 support for the GRR and the reasons we have 3 signed up as sponsor to this study. 4 Gentlemen, I'm going to be rather 5 brief, if I possibly can, referring to some 6 points that you might have heard before. I 7 was present at the March 15th meeting, and I 8 heard some very eloquent speakers there point 9 out to you that this study has continued for 10 33 years and that we have studied the problem 11 and done nothing. 12 I'd like to make three points regarding 13 this area; and as they say in real estate, 14 it's location, location, location. We are 15 residents of the Gulf Coast area. We are in 16 a low-lying area which does not have good 17 drainage under the best conditions, and 18 Drainage District 4 expends thousands of 19 dollars annually to provide the very best we 20 can for our citizens. Clear Creek is very, 21 very important to us as our primary drainage 22 artery into the Gulf of Mexico. The area 23 that we are studying is located next to the 24 fourth largest city in this United States, 25 and I think that's a factor that needs to be</p>	<p style="text-align: right;">Page 24</p> <p>1 Commissioner Jeff Brennan. 2 COMMISSIONER BRENNAN: Yes, sir. I'd 3 like to read Resolution No. 2001-006, "The 4 resolution of the Board of Commissioners of 5 Brazoria Drainage District No. 4 supporting 6 the Galveston District of the U.S. Army Corps 7 of Engineers in conducting its General 8 Reevaluation Project along Clear Creek. 9 "Whereas, the District is a 10 conservation and reclamation district located 11 in northern Brazoria County and whereas, 12 Clear Creek is a major drainage artery that 13 carries flood waters through Brazoria County 14 to Galveston Bay and whereas, the District, 15 the City of Pearland, and other parts of 16 northern Brazoria County have been severely 17 affected by structural and nonstructural 18 flooding along Clear Creek for over 20 years 19 and whereas, the population explosion that 20 has occurred in recent years in northern 21 Brazoria County has greatly impacted the 22 effectiveness of waterways and drainage 23 facilities in this area and whereas, the 24 District on behalf of Brazoria County and the 25 City of Pearland has joined the Counties of</p>
<p style="text-align: right;">Page 23</p> <p>1 very seriously considered in the GRR. 2 The habitat is such that we do not have 3 as many alligators and deer in this area as 4 we used to have as they do in other areas, 5 New York City and Los Angeles, to mention a 6 couple, because they've become habitats for 7 people; and we have tried to modify and 8 revise the habitat so that we can adapt to 9 the circumstances in the environment with -- 10 that we're given. 11 I ask that you look at these things 12 carefully and think of it in terms of an 13 analogy, that, if we had children in a 14 community and we were crowded and we didn't 15 have a place to build a school, would we let 16 our children grow up in ignorance because we 17 didn't want to destroy a wildflower? We'd 18 find a way; and that's what we're asking you 19 to do, to find a way to help us in our flood 20 control problems. We ask that you conclude 21 your study with people as the primary 22 consideration. 23 Thank you, gentlemen. 24 (Audience applause.) 25 MR. SAUNDERS: Thank you very much.</p>	<p style="text-align: right;">Page 25</p> <p>1 Harris and Galveston as sponsors of the 2 project because it recognizes the critical 3 need for improvements along Clear Creek to 4 reduce and alleviate existing and future 5 flooding problems in these jurisdictions, be 6 it hereby resolved by the Board of 7 Commissioners of Brazoria Drainage District 8 No. 4 that the District hereby supports the 9 Corps of -- Corps in conducting its project 10 along Clear Creek and encourages it to 11 proceed expeditiously with completion of the 12 project plan and report in an effort to 13 protect the health, safety, and welfare of 14 the citizenry of Counties of Brazoria, 15 Galveston, and Harris; the Dis -- that the 16 District encourages support of Challenge 21 17 by the Corps as a project which complements 18 and strengthens current efforts to reduce and 19 alleviate existing and future flooding 20 problems along Clear Creek and its 21 tributaries. Passed and approved and adopted 22 this 14th day of March, 2001," signed by the 23 Chairman, Ben Lenamon; Secretary, Jeffrey 24 Brennan; and, member, Roger Davis. 25 I'd also like to point out that there</p>

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<p style="text-align: right;">Page 26</p> <p>1 has been a number of things said at other 2 meetings in regards to not getting along with 3 other communities; and I'd like to point out 4 that, between Drainage District 4 and the 5 City of Pearland, that we required attention 6 for developments and that we would encourage 7 other communities to do the same thing. 8 Thank you very much. 9 (Audience applause.) 10 MR. SAUNDERS: Thank you very much. 11 Mr. Larry Marcott, the City of 12 Pearland. 13 MAYOR PRO TEM MARCOTT: Thank you. I 14 apologize for being late; but I was at 15 another City meeting this, this evening. I'm 16 Larry Marcott, Mayor pro tem of the City of 17 Pearland; and I have a resolution that the 18 Council passed that I'd like to read, 19 Resolution No. R2001-36, "A resolution of the 20 City -- council of the City of Pearland, 21 Texas, supporting the Galveston District of 22 the U.S. Army Corps of Engineers in 23 conducting its General Reevaluation Project 24 along Clear Creek. 25 "Whereas, the City of Pearland is a</p>	<p style="text-align: right;">Page 28</p> <p>1 project plan and report in an effort to 2 protect the health, safety, and welfare of 3 the citizenry in the Counties of Brazoria, 4 Galveston, and Houston. Passed, approved, 5 and adopted this 12th day of March, 2001," 6 signed by Mayor Tom Reid, Mayor, City of 7 Pearland. 8 Pearland is at the headwaters of Clear 9 Creek; and we, as a City, have been forced to 10 maintain and dig drainage retention ponds. 11 It is expensive for the City of Pearland 12 to -- for us to protect ourself as to protect 13 the people downstream. It costs the City of 14 Pearland approximately 15 to \$17,000 per acre 15 foot, and an acre foot is one acre of 43,000 16 square feet, a little more than that, one 17 foot deep. So, that's going and clearing the 18 ground one foot -- one foot deep over an acre 19 of ground, 43,000 square feet, and that's 15 20 to \$17,000 and the City of Pearland cannot 21 continue doing this to protect our neighbors 22 downstream. We ask the support of the people 23 downstream to help us. 24 It was at your meeting last week in 25 League City I learned that the people down</p>
<p style="text-align: right;">Page 27</p> <p>1 home rule municipality located in northern 2 Brazoria County, Texas, and whereas, Clear 3 Creek is a major drainage artery that carries 4 floodwater through Brazoria County to 5 Galveston Bay and whereas, the City has been 6 severely affected by structural and 7 nonstructural flooding along Clear Creek for 8 over 20 years and whereas, the population 9 explosion that has occurred in recent years 10 in northern Brazoria County has greatly 11 impacted the effectiveness of waterways and 12 drainage facilities in this area and whereas, 13 the City on behalf of Brazoria Drainage 14 District No. 4 in Brazoria County has joined 15 the Counties of Harris and Galveston as 16 sponsors of the project because it recognizes 17 the critical need for improvements along 18 Clear Creek to reduce and alleviate existing 19 and future flooding problems in these 20 jurisdictions; now, therefore, be it resolved 21 by the City Council of the City of Pearland, 22 Texas, that the City hereby supports the 23 Corps in conducting its project along Clear 24 Creek and encourage it to proceed 25 expeditiously with completion of the plan --</p>	<p style="text-align: right;">Page 29</p> <p>1 there are not required to do retention. We 2 require it. We work diligently with the 3 drainage district. We've come up with a set 4 of plans and specifications that we mutually 5 agree on for our community. We need help 6 clearing the creek, making it so that it can 7 drain; and we need the support of the cities 8 downstream to do their part in opening and 9 let the water flow. 10 The meeting last week talked about no 11 action being a possible decision. A "no 12 action" will not keep your property 13 downstream or our property upstream here 14 safe. You must make a decision that the 15 creek has got to be opened up. We've got to 16 have the safety of being able to prevent 17 flooding in our homes as well as the people 18 down -- downstream, and this is not a 19 situation of Brazoria County against 20 Galveston County. It's all of us working 21 together to improve the drainage of this 22 area. 23 Thank you. 24 (Audience applause.) 25 MR. SAUNDERS: Thank you very much,</p>

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<p style="text-align: right;">Page 30</p> <p>1 Mr. Marcott.</p> <p>2 Are there any more elected officials</p> <p>3 who would like to make a statement?</p> <p>4 Then, we'll move on to, to the public</p> <p>5 comment part of the, the meeting. I'd like</p> <p>6 to ask you, as you speak, to try and limit</p> <p>7 your comments to three minutes. That will</p> <p>8 give the folks who also want to speak an</p> <p>9 opportunity to be heard.</p> <p>10 Please come down to the podium, to the</p> <p>11 microphones, to make your statement. Please</p> <p>12 give us your name for the record as you open</p> <p>13 your statement.</p> <p>14 Remember that written statements can</p> <p>15 still be turned in in the foyer. If you're</p> <p>16 not making an oral statement, we'd love to</p> <p>17 have your written statements. They have the</p> <p>18 same weight as oral comments.</p> <p>19 Now call on Mr. Scott Jones.</p> <p>20 MR. JONES: Thank you. My name is</p> <p>21 Scott Jones. I thank you for the opportunity</p> <p>22 to speak tonight.</p> <p>23 I'm a resident of League City and I</p> <p>24 enjoy Clear Creek with my wife and</p> <p>25 two-and-a-half-year-old daughter and I have</p>	<p style="text-align: right;">Page 32</p> <p>1 lined channel, can be extremely detrimental</p> <p>2 to habitat, wildlife, fisheries, and water</p> <p>3 and sediment quality of the creek, be it a</p> <p>4 creek that -- be it the creek that's lined,</p> <p>5 deepened, or widened. I think all those can</p> <p>6 be detrimental. I think we would speed up,</p> <p>7 stream flows, lose habitats that occur with</p> <p>8 natural sinusoidal patterns, and lose the</p> <p>9 ability to filter pollutants in both Clear</p> <p>10 Creek, Clear Lake, and Galveston Bay.</p> <p>11 Just look at other waterways, other</p> <p>12 earthen channelized waterways in the area.</p> <p>13 They're really ditches. They're not creeks</p> <p>14 or bayous anymore.</p> <p>15 I encourage nonstructural solutions,</p> <p>16 notably buy-outs, flood-proofing, and</p> <p>17 floodplain management; and I hope we can</p> <p>18 preserve riparian zones that will help dampen</p> <p>19 flood impacts. I also support some</p> <p>20 structural solutions, mainly detention ponds</p> <p>21 and bid -- and bridge replacement, but if we</p> <p>22 have to do -- bypass channels, I hope that</p> <p>23 can be a minimum of the solution and I hope</p> <p>24 it's a last resort.</p> <p>25 I think we can utilize the detention</p>
<p style="text-align: right;">Page 31</p> <p>1 concerns about the future of Clear Creek. I</p> <p>2 was at the comment period back in 1997 and I</p> <p>3 commented then and I still have some of the</p> <p>4 same concerns.</p> <p>5 I would submit to you that we don't</p> <p>6 have a flooding problem per se, but we have a</p> <p>7 people problem, not that the folks that have</p> <p>8 endured water in their homes have done</p> <p>9 anything wrong, but, rather, there's been a</p> <p>10 lack of planning and management in the</p> <p>11 watershed that has led to this current</p> <p>12 problem we have.</p> <p>13 I do feel sympathy for the folks that</p> <p>14 have suffered from water in their homes.</p> <p>15 That being said, I do not believe that</p> <p>16 channelization of the creek should be</p> <p>17 undertaken. The general public and the</p> <p>18 environment should not pay the price for the</p> <p>19 benefit of a relative few.</p> <p>20 What kind of legacy would we leave our</p> <p>21 children and their children? I don't believe</p> <p>22 that channelizing the creek would be worth it</p> <p>23 in the long run, and I do believe that even</p> <p>24 an earthen channel -- I'm not talking about</p> <p>25 concrete -- but even an earthen channel, a</p>	<p style="text-align: right;">Page 33</p> <p>1 ponds to mitigate for a lot of the lost</p> <p>2 habitat we have in the watershed. We don't</p> <p>3 have that many of our nice wetlands left.</p> <p>4 I just hope we don't repeat the same</p> <p>5 mistakes that we see in our other area</p> <p>6 waterways. Just look as Sims Bayou, Brays</p> <p>7 Bayou, and some of the other bayous.</p> <p>8 I do trust that the study team will do</p> <p>9 the best possible job for all people in the</p> <p>10 watershed. Thank you.</p> <p>11 MR. SAUNDERS: Thank you, Mr. Jones.</p> <p>12 Now calling Ms. Barbara Hopper, I</p> <p>13 think.</p> <p>14 MS. HOPPER: I'm Barbara Hopper. I</p> <p>15 live in Friendswood. I have been flooded. I</p> <p>16 am very interested in not having -- in</p> <p>17 having -- living in a community, Friendswood,</p> <p>18 that is not a big retention pond. Now, we</p> <p>19 have had our share of the flooding and it</p> <p>20 will happen again and you-all know that and,</p> <p>21 I think, everyone here, but tonight I just</p> <p>22 really wanted to address a question that has</p> <p>23 risen -- arisen recently.</p> <p>24 I saw in the Houston paper and also in</p> <p>25 the Galveston paper that League City, which</p>

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<p style="text-align: right;">Page 34</p> <p>1 has been the most vocal in its protection of 2 the environment argument for -- against 3 channelization, is planning to build a 4 riverfront market that is going to go along 5 Clear Creek. It will, of necessity, destroy 6 the riparian forest that we have been told 7 was so valuable; and it's also going to be 8 hard-sided.</p> <p>9 Now, I don't know where this fits into 10 this whole plan, but, believe you me, if 11 Clear Creek come -- I mean, if League City 12 comes up with that plan, we are caught down 13 there at one end and then you're not allowing 14 channelization or a proper way of bringing 15 the floodwaters out of our homes in Pearland, 16 Brazoria County, and in Friendswood. So, I 17 just really wanted to pose that question; and 18 I'm hoping that I can get an answer about the 19 League City marketplace along Clear Creek.</p> <p>20 And, also, Mr. Marcott, in answering 21 his question, it brings up a question to me. 22 I've been talking to Don Allen about this 23 project for a long, long time; and it seems 24 to me from what I've heard out in the foyer 25 today that the Corps has taken -- has done an</p>	<p style="text-align: right;">Page 36</p> <p>1 League City meeting and now I've found myself 2 volunteered to show up for all my neighbors 3 that couldn't be here, but what I've been 4 asked to do is to speak for some of our, some 5 of our other concerned neighbors in Polly 6 Ranch that couldn't be here tonight mainly 7 just to reiterate our view that a minimalist 8 approach, nonstructural, is by far 9 preferable. You know, I realize we will have 10 to compromise, but we live along one of the 11 prettiest stretches of the creek and I'm 12 starting to see more and more interest in 13 some of my neighbors in what's going on.</p> <p>14 A lot of us had no idea these meetings 15 were going on. I don't know if there's a 16 better way to get the word out; but if you 17 don't take the local paper, if you don't 18 listen to the Chronicle -- or read the 19 Chronicle, I had no idea this was even going 20 on right now. So, one thing we need to do 21 is -- we're going to try and do among 22 ourselves is improve, improve communication.</p> <p>23 Our biggest thing -- I'm going to keep 24 this real brief. Our biggest thing is we've 25 got the chance to do this right now, and</p>
<p style="text-align: right;">Page 35</p> <p>1 entire flip-flop as far as flood control is 2 concerned. When I first spoke to Don Allen, 3 it was a question of moving the water as 4 quickly as possible out from these -- from 5 Chigger Creek, Coward Creek, Marys Creek, you 6 know, through Clear Creek and out into the 7 lake and then to the bay. Now I'm being told 8 that that is not the case at all, that we 9 must leave the weeds out there so that they 10 can absorb some of this terrible drenching 11 rain that we get now and then and that we 12 don't, we don't touch this riparian forest.</p> <p>13 So, I'm a little unclear about that. I 14 didn't realize that the U.S. Corps of 15 Engineers had undertaken this complete 16 flip-flop since 1990 in flood control 17 management.</p> <p>18 Thank you. 19 (Audience applause.) 20 MR. SAUNDERS: Thank you very much, 21 Ms. Hopper. 22 Mr. Chuck Newmister. 23 MR. NEWMISTER: I'm Chuck Newmister 24 with Polly Ranch in Friendswood and I really 25 just got involved in this a week ago at the</p>	<p style="text-align: right;">Page 37</p> <p>1 hopefully we've learned from the past. We 2 can use new techniques, new procedures, new 3 policies to try and get everybody satisfied; 4 but, again, it makes no sense to me -- I -- 5 this is what I thought last month -- or last 6 week after listening to everything: It makes 7 no sense to continue development in areas 8 where we're going to have a flooding problem. 9 Especially if, if League City and some of 10 these bigger developments are coming along, 11 that makes no sense. We'll end up spending 12 more money in the long run than if we just 13 try to control it a little better.</p> <p>14 So, again, I'm really just here to 15 reiterate that there is an interest in Polly 16 Ranch. Not everybody's here, being very 17 vocal. I got elected to do that in this 18 case, and I appreciate your time. 19 (Audience applause.) 20 MR. SAUNDERS: Thank you very much. 21 Mr. Gene Cook. 22 MR. COOK: My name is Gene Cook. Good 23 evening. A study of this project was 24 conducted also by an environmental group 25 claiming that their highly respected experts</p>

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<p style="text-align: right;">Page 38</p> <p>1 had concluded that the project significantly 2 worsens downstream flooding. Computers have 3 made it very easy to perform an extensive 4 search for technical articles written by 5 experts in a particular field, and a search 6 for technical articles written by these 7 so-called highly respected experts only 8 revealed restaurant reviews. 9 I do not think that the residents of 10 this watershed want the flood control 11 measures protecting their homes designed by 12 food experts. Would you want to go to the 13 moon in a spaceship designed by Julia Childs? 14 Three separate engineering analyses 15 have been conducted by the Corps in Harris 16 County and concluded that this project 17 reduces downstream flooding risk. A Bay Area 18 city councilman cautioned in the last public 19 meeting that we should be mindful that 20 measures taken upstream affect those living 21 downstream. I agree; however, I would also 22 point out that scare tactics spread by those 23 living downstream can affect those living 24 upstream. 25 Opponents of this project have tried to</p>	<p style="text-align: right;">Page 40</p> <p>1 That concludes the number of green 2 cards I have from people who want to speak. 3 Is there anyone else in the audience that 4 would like to make a statement? 5 Could I encourage you to fill out a 6 green card, please? 7 MR. McMURRAY: I will fill it out. 8 MR. SAUNDERS: Thank you very much. 9 MR. McMURRAY: Is it okay to say 10 something now I've checked the green card? 11 MR. SAUNDERS: Yes. State your name 12 for the record, please. 13 MR. McMURRAY: Charles McMurray. I 14 live in the Springfield Subdivision here in 15 Pearland; and what I want to reiterate is my 16 concern in your, in your process that you 17 want to limit -- to very strictly limit the 18 changes to the watershed so you don't affect 19 the environment. And what I don't understand 20 is why we have to so strongly limit what 21 we're going to do to the watershed on the 22 environment when every time a new home is 23 built the environment is changing. 24 And I just want to beseech y'all not to 25 turn around and say, "I want to see the whole</p>
<p style="text-align: right;">Page 39</p> <p>1 portray the same technology that protects 2 their homes as a mistake and old and claim 3 that homeowners, including those in Polly 4 Ranch Estates, even though they are not aware 5 of it, should be bought out. Destroying the 6 homes and taking the property of innocent 7 people while saying it is voluntary is not 8 new technology, either. The Nazis were doing 9 that 60 years ago. 10 Opponents have done everything in their 11 power to block this project, voiced no 12 objection until nearly \$39 million was spent 13 completing locks and channels downstream to 14 protect their homes. As you evaluate the 15 in -- inputs from your January meeting with 16 tax-exempt environmental, quote, unquote, 17 experts and not the residents that are paying 18 for this -- and it is our homes -- you should 19 also consider those that oppose it are living 20 in homes that are protected from flooding by 21 structural flood control measures they are 22 trying to block from protecting the rest of 23 us. Thank you. 24 (Audience applause.) 25 MR. SAUNDERS: Thank you, Mr. Cook.</p>	<p style="text-align: right;">Page 41</p> <p>1 thing straightened into a straight line like 2 a pencil and lined with concrete from the 3 outflow into the Galveston Bay all the way 4 upstream" but that we're going to have to 5 make some real thoughtful engineering changes 6 into the Clear Creek watershed so to provide 7 effective drainage. We cannot essentially 8 say that it must -- all the water must be 9 retained and that you can't make any changes 10 in the, in the watershed because the number 11 of people moving into the area is not being 12 constricted because we're a free country. 13 And I do not say that I want the 14 environment to be dammed or ignored, but 15 that, with the number of people moving into 16 the area, is -- like the subdivision which I 17 live in, we spent between 90 to \$100,000 to 18 maintain and upgrade our detention pond. Our 19 ability to do that is limited and we need to 20 be able to have proper flow of that water to 21 Clear Lake, Galveston Bay and I'm concerned 22 that I -- that you're being constricted or 23 being limited for whatever reasons in that. 24 And I would hope that those -- that the 25 engineering of it, while being respectful of</p>

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<p style="text-align: right;">Page 42</p> <p>1 the environment, remember that the people 2 coming here -- we must be respectful of the 3 environmental changes being brought about by 4 the large number of homeowners coming here; 5 and that's my strong concern, that we not 6 arbitrarily and capriciously restrict what 7 will effectively provide the engineering to 8 give us drainage. And that, that's my reason 9 for coming down here and speaking tonight. 10 And thank you for your time. 11 MR. SAUNDERS: Thank you very much for 12 your comments, sir. 13 (Audience applause.) 14 MR. SAUNDERS: Anyone else like to 15 speak? You have to make a lot of movement 16 because I can barely see you with all these 17 lights. 18 Okay. Having seen no other indication 19 of speakers, let me say for the record that 20 this Public Scoping Meeting was convened at 21 Pearland, Texas, on the 9th of May, 2001. 22 The official record will remain open for 30 23 days until June 8th. That means until June 24 8th we will still accept written comments 25 from the public. So, again, I encourage you,</p>	<p style="text-align: right;">Page 44</p> <p>1 STATE OF TEXAS : 2 COUNTY OF HARRIS : 3 4 REPORTER'S CERTIFICATE 5 6 I, HOLLY P. BURNS, Certified Shorthand Reporter 7 in and for the State of Texas, do hereby certify that 8 this transcript is a true record of the public meeting 9 as outlined and captioned above. 10 I further certify that I am neither attorney nor 11 counsel for, related to, nor employed by any of the 12 panel members or individuals whosoever present at this 13 public meeting from which this record was made. 14 Further, I am not a relative or employee of any 15 attorney of record in this cause, nor do I have a 16 financial interest in the action. 17 Certified to on this, the _____ day of 18 _____, 2001. 19 20 21 22 HOLLY P. BURNS, Texas CSR 4956 23 Expiration Date: 12-31-01 24 United-Womack Reporting 25 1235 North Loop West, Suite 510 Houston, Texas 77008 (713) 426-0400</p>
<p style="text-align: right;">Page 43</p> <p>1 if, if you have friends or neighbors that 2 might be interested in providing a comment, 3 please, please look out for them by providing 4 them with one of these cards. 5 I'd like to thank the local sponsors 6 for joining us tonight, participating in the 7 study. I'd like to thank Kay Crouch and all 8 the staff of both the Corps and the Flood 9 Control Districts and everyone else who 10 helped with the publicity and the logistics 11 of this meeting. 12 Again I encourage you to visit the Web 13 site, www.clearcreekproject.com. That has 14 the announcement of all the meetings that we 15 have on Clear Creek and a lot of other 16 valuable information. People with access to 17 the Internet should be able to know when 18 we're having these meetings. 19 I want to thank everyone who spoke and 20 everyone who attended for joining us this 21 evening. This meeting is adjourned. 22 (Audience applause.) 23 (Meeting concluded at 7:51 p.m.) 24 25</p>	

Clear Creek Public Scoping Meeting Attendees
May 9, 2001

Note: When two attendees gave identical information and shared the same last name, the attendees were combined into one entry.

Name	Mailing Address	Physical Address	City and State	Zip	Fax	Email	Subdivision	Ever flooded?	Date	How high (relative to first floor of home or business)	Other property damaged?	How did you find out about this meeting?
Boykin, Cecil	13130 Max Road	13130 Max Road	Brookside Village, TX	77581				Yes	1979 and 1994	4 inches, 15 inches	Farm eqpt, lawn eqpt, auto	Insert card in the newspaper
Cook, Gene	114 Imperial Drive	114 Imperial Drive	Friendswood, TX	77546		gc98@iuno.com	Imperial Estates	Yes	and November 1994	3 feet	Vehicles, photos	Post card in the mail
Cunningham, Luther	2416 South Washington	2416 South Washington	Pearland, TX	77581	281.485.6509			Yes	1979	About 1 inch in my office, none in my home	Office is an outbuilding	From a friend or neighbor
Cunningham, Peter and Marilyn	P.O. Box 2012	5219 Shady Oaks Lane	Friendswood, TX	77549		pscunningham@prodigy.net , mlcunningham@prodigy.net	Wedgewood Village	Yes		40 inches		Insert/Post card
Danz, Suzanne	1357 Stone Road	1357 Stone Road	Pearland, TX	77581		suzanne.danz@enron.com		Yes	1994	4 inches	None	Insert card in the newspaper
Davis, Roger	2811 North Peach Hollow Circle	2811 North Peach Hollow Circle	Pearland, TX	77581		rdavis2811@aol.com		No				
Decourcy, Veronica	3814 Berkley Place Court	3814 Berkley Place Court	Houston, TX	77058		dixiedec@aol.com	Bella Vita - East Capri Drive (at Green Tee)	No				News Release
Donath, Calvin and Marie	8315 Gulf Spring	8315 Gulf Spring	Houston, TX	77075		cdonathsr@aol.com	Gulf Meadows	No				Insert card in the newspaper
Erickson, Jon	10218 Sagedowne Lane	10218 Sagedowne Lane	Houston, TX	77089								Post card in the mail
Hahn, Oscar	#8 Whittier Drive	#8 Whittier Drive	Friendswood, TX	77546				Yes	1979	30 inches	Vehicle	Post card in the mail
Harrison, Ray	3211 Wheatridge	3211 Wheatridge	Pearland, TX	77581				Yes	79-94	5 inches		Other
Hopper, Carl and Barbara	155 Imperial Drive	155 Imperial Drive	Friendswood, TX	77546		bfair@pdq.net	Imperial Estates	Yes	1979, 1985, 1989, 1994	4.5 feet, 1-6 inches, 15 inches		Insert/Post card
Illerich, Daniel	P.O. Box 1093	121 Cherry Tree Lane	Friendswood, TX	77546			Enchanted Woods	Yes	1994	2-4 inches		Post card in the mail
Jaloway, David	P.O. Box 1028	P.O. Box 1028	Rosenberg, TX	77471	281.342.9130							Post card in the mail
Jones, Scott	2210 Bennigan Street	2210 Bennigan Street	League City, TX	77573		scottsurfer@aol.com		No				Website
Keschinger, Richard	2011 Sleepy Hollow Drive	2011 Sleepy Hollow Drive	Pearland, TX	77581			Sleepy Hollow	Yes	July 1979	24 inches		Post card in the mail
Leheny, Lisa	3220 Coral Ridge Court	3220 Coral Ridge Court	League City, TX	77573		lehenytx@ev1.net				Cul-de-sac floods past curb and sometimes outside everytime we have a heavy rain		Post card in the mail
Lenamon, Ben	2325 Hatfield	2325 Hatfield	Pearland, TX					No				Other
Marcott, Larry	3606 Inverness Court	3606 Inverness Court	Pearland, TX				Councilmember - Pearland, Clear Creek Citizen Advisory Committee					
Martin, Betty	12633 Memorial #227	12633 Memorial #227	Houston, TX			betty.martin@chron.com						Other
McMurrey, Charles	5209 Spring Branch	5209 Spring Branch	Pearland, TX	77584		cmcmurrey@nwebs						Post card in the mail
Mooney, Sonny	7917 Brookside	7917 Brookside	Pearland, TX	77581		eemooney@quik.net	County area	No				Jeff Brennan
Newmister, Chuck	2105 Pine Drive	2105 Pine Drive	Friendswood, TX	77546	281.996.0581	chucknew@concentric.net	Polly Ranch	No				From a friend or neighbor
O'Day, Mike	2357 Garden Road	2357 Garden Road	Pearland, TX	77581	281.485.0962			No				Post card in the mail
Partridge, Paul	2005 Sleepy Hollow Drive	2005 Sleepy Hollow Drive	Pearland, TX	77581	281.412.0561	partech@ev1.net	Sleepy Hollow	Yes (before I bought)	79 and either 89 or 92	~1 foot		Post card in the mail
Reed, Christine	10823 Kirkwell	10823 Kirkwell	Houston, TX	77089			Kirkwood South - Forest Bend	Yes	July 1979	8 inches		Post card in the mail
Reisert, Donald	1307 Deepwood Drive	1307 Deepwood Drive	Friendswood, TX	77546				Yes	1979	20 inches inside. Floor is 12 feet above ground		Post card in the mail
Roder, Charles	8219 Mistyvale Lane	8219 Mistyvale Lane	Houston, TX	77075			Gulf Meadows					Post card in the mail
Roque, Edward and Leslie	506 Clearview	506 Clearview	Friendswood, TX	77546		lesned@pdq.net	Empere Chateau	Yes	1979	31 inches	Garage	Insert card in the newspaper
Scopel, Carolyn	P.O. Box 223	P.O. Box 223	Marvel, TX	77578	281.485.0065			Yes	June 1979	3 feet		From a friend or neighbor
Stasky, Ronald	3313 Robinson	3313 Robinson	Pearland, TX	77581		staro@netzero.net	Twin Creek Woods	Yes	Oct 1994	3 inches	Storage shed, garage	Post card in the mail
Sullivan, Tom	6930 West Lea	6930 West Lea	Pearland, TX	77584		tsulliva@flash.net	West Lea	Yes	79, 89, 94	4-6 inches	Lawn equipment	Insert/Post card
Sutherland, Juanita	2458 Country Club Drive	2458 Country Club Drive	Pearland, TX	77581			Green Tee	No				
Tetens, Richard	2105 West Mary's Creek	2105 West Mary's Creek	Pearland, TX	77581								
Wells, Kathy	3203 Randall	3203 Randall	Pearland, TX	77581	281.485.0065		Regency Park Subdivision	No				Post card in the mail
Yost, Mike	4805 West Broadway	4805 West Broadway	Pearland, TX	77581	281.485.1434		BDD #4	No				Other

Clear Creek Public Scoping Meeting Citizen Comments
May 9, 2001

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Gene	Cook	114 Imperial Drive	114 Imperial Drive	Friendswood	TX	77546	Yes - 3 feet	An opponent of this project works for the Houston Chronicle which did not distribute flyers about these meeting. The Corps has shot lasers at the doorsteps of people whose homes are being considered for buyout but only sent flyers to attendees <u>and environmental activists</u> that pay <u>no</u> taxes.	Concerned about homeowners targeted for buyout not receiving notification of meeting
Chuck	Newmister	2105 Pine Drive	2105 Pine Drive	Friendswood	TX	77546	No, before my time	We have a chance now to take a reasoned approach to this issue. Not a knee jerk reaction. We need to take a minimalist approach, a non-structural approach. Let's not let commercial development interests be the over-riding concern (for once). This is a jewel (the creek), one of the last in this area. Shame on us, if we let it slip away.	Favors non-structural alternatives.
Luther	Cunningham	2416 South Washington	2416 South Washington	Pearland	TX	77581	Yes	I envision Clear Creek being made to resemble Sims Bayou in Harris County.	
Ben	Lenamon	2325 Hatfield	2325 Hatfield	Pearland	TX	77581	No	Clear the Creek!!	Wants the creek cleared.
Leslie	Roque	506 Clearview	506 Clearview	Friendswood	TX	77546	Yes	This has been an amazing 31 year broken promise to mitigate for flood. The current study and delay is old and tired news. We need to actually believe that SOMETHING will be done in the near future. Our home should not be the method chosen as a retention pond.	Wants something done soon.
Tom	Sullivan	6930 Westlea	6930 Westlea	Pearland	TX	77584	Yes	Everyone has studied the problem costing millions of dollars. Developments are built and more water is released but no one else is following the ruled not releasing more water. We don't need the Corps, BDD #4, Pearland or Brazoria telling citizens that we have a problem. The question is who is going to decide what needs to be done. After all the studies we should have at least four or five plans with cost to be presented to citizens for vote for the solution.	Wants something done soon.
Edward	Roque	506 Clearview	506 Clearview	Friendswood	TX	77546	Yes - home	After having researched the area carefully in the 1970s, we were assured that the Corps of Engineers was going to mitigate flooding along Clear Creek. I followed all city codes and even exceed them by building my home on a 12 foot slab. After all these years of dreading summer storm seasons, we are again being told that we're "wiping the slate clean" and start new studies. I FEEL BETRAYED by the very people that were supposed to protect us. Have a moratorium on construction until this problem is solved! I have a very strong feeling that the solutions will come pouring in! Yes, I am discouraged and disappointed. God help us if we ever have another Claudette (1979). Dr. Edward F. Roque	Favors a moratorium on construction.
Calvin	Donath	8315 Gulf Spring Lane	8315 Gulf Spring Lane	Houston	TX	77075	No	Water in street for 7 days last time. Mitchell School flooded for a week. Contacted flood control in 1975 about creek.	

Clear Creek Public Scoping Meeting Citizen Comments
May 9, 2001

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Marilyn	Cunningham	P.O. Box 2012	5219 Shady Oaks Lane	Friendswood	TX	77549	Yes	<p>We have lived in our current home since 1970. It has many features that appeal to us including the tree shaded environment provided by nearby Clear Creek. Before we bought, however, we checked all available sources concerning the flooding potential at this elevation in the flood plain. We felt we would be OK. When the Corps of Engineers presented their plans in 1974/1975 for flood control along the creek we opposed the "Updated Authorized Plan" featuring channelization and favored a by-pass solution instead, as did a majority of people who were involved with the creek. At the time this plan was considered too costly, and modified channelization plans were pursued. Since then over 26 years have passed and there is still no solution; the costs have increased and development has continued. Land that might have been used for by-passes has been put to other use.</p> <p>We do not oppose flood control. We do oppose environmentally insensitive measures that have been proven not to work. We feel that simple measures such as clearing the creek of debris dumped there by builders and other persons (we have seen this) who feel throwing unwanted trash into the creek takes it "out of sight, out of mind", as well as modifying some of the more tortuous bends of the creek, would help greatly in creating a better flow. In the past some work has been done by various local entities to improve creek flow. Smaller trees were removed and brush cleared away. This work has been sporadic and of dubious long term value. Without natural support the large trees tend to fall into the creek creating another problem. Unless the brush is routinely removed, it grows back even more densely in the cleared areas. Over the course of years, nature may do what the environmentalists fear: that trees and wildlife will diminish in the area, as these measures continue. Obviously, a larger plan than this is needed that will encompass the entire watershed so that efforts on one part of the creek will not impact someone elsewhere. There will continue to be high water levels in the creek during storms. We have had water rise up to our house and cover the patio in 1973, 1979, 1989 and 1994.</p>	Favors clearing creek of debris, opposed to continuation of development and wants Corps to use natural resources as much as possible.
Marilyn	Cunningham							<p>(Continued from previous entry) In 1979 it came into the house to a depth of approximately 40 inches. It is an experience we do not wish to repeat if at all possible. We have noticed that in recent years the run-off into the creek occurs more rapidly than in the past. We feel continual development of areas impacting the creek are responsible. Streets have been lowered to allow them to serve as drainage ditches during heavy rainfall, and grassy areas have been paved over. We appreciate the feelings of those individuals who want to leave the creek "as is". We, too, do not want to lose the beauty and benefits of living in such an appealing environment. However, the creek will grow increasingly less appealing unless something is done to change the current situation. It will also become more costly as flooding impacts more people whose property, once safe, no longer is. As long term residents we are aware of the problems of both doing nothing and doing too much. We ask that the Corps study the changes that have occurred and that they do pursue solutions for flood control that use natural resources in so far as possible. We do not feel that further delay will benefit anybody.</p>	

Clear Creek Public Scoping Meeting Citizen Comments
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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Will	Harrison	3211 Wheatridge	3211 Wheatridge	Pearland	TX	77581	Yes 1979? 1994?	Clear Creek has to be cleaned out to alleviate the home flooding in the area. This stream continues to fill in and now trees are growing in the creek which impedes the water flow. I believe the rights and needs of the many who live in the area should prevail over the desires with people who's property is not being flooded. We need help and looking forward to your cooperation in this matter. When this project is completed, it will save many hundreds of thousands of dollars for the many people who live in the flood area. Thanks Will Ray Harrison P.S. We hope you understand our problems and needs.	Favors clearing out creek and giving the same weight to everyone's rights and needs.
Richard	Keschinger	2011 Sleepy Hollow Drive	2011 Sleepy Hollow Drive	Pearland	TX	77581	Yes	My house is located on Sleepy Hollow Drive and my backyard extends to Clear Creek. Many homes on Sleepy Hollow were flooded in 1979 and 1994. As you know a Flood Control Act was passed by Congress in 1968 authorizing the Clear Creek Project to proceed. Now in 2001 - after 33 years and thousands of manhours you are going to disregard all that has been accomplished and start with a "CLEAN SLATE". I cannot believe this. Then on top of this if no acceptable (acceptable to who) beneficial plan can be developed by 2003 the study team may recommend that "NO ACTION" be taken. After 35 years no solution can be found - UNBELIEVABLE. What you are saying is you don't want to upset the environmentalists so let us forget the whole idea and the millions of dollars and manhours put into this project will go down the drain. Without correcting the situation many people will lose their homes. Is this your solution?	Discouraged by the lack of action taken after several years and thousands of manhours have been spent looking for a solution.
Byron	Sutherland	2458 Country Club Drive	1342 Stone Road	Pearland	TX	77581	No, it has never even come close.		
Charles	Mullen	204 Yacht Club Lane	204 Yacht Club Lane	Seabrook	TX	77586	No	Despite many years of public meetings and numerous expensive studies, there seems to be no solution to the floodplain problems of Clear Creek that is acceptable to the residents of that beautiful area. Perhaps designing a number of holding ponds to look like lakes <u>connected to each other</u> and the river is the answer. For example, if developers in the area were required to follow a USACE plan of creating a chain of small, permanent lakes functioning as holding ponds, but designed to fill up permanently during flood conditions. Lake Livingston, Conroe and Houston were created that way and are considered indispensable today. Not only could the chain of lakes divide a 12-foot flood crest heading toward Clear Creek into two 6-foot crests, but the new lots on the lakes could triple (or more) in value. The more expensive homes that would be built would further increase real estate taxes collected to offset some of the cost of excavating the lakes and raising the adjacent lots with fill. The new homes on the lakes should be set back from the water surface so that additional tree area would not only add beauty, but be able to handle any flood waters that might expand that lakes' surface, temporarily	Favors the creation of a chain of small permanent lakes that function as holding ponds.

Clear Creek Public Scoping Meeting Citizen Comments
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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Lucy	Padilla	1142 Stone Road	1142 Stone Road	Pearland	TX	77581	I have had flood water all around my house but not inside my house.	I have some 5 line skinks (neon blue stripes and black bodies) living on my property. I also feed the humming birds and feed many of the wild birds. This year I saw a pyrrhuloxia at a feeder and two all black woodducks in the creek for about two months. Please tell me more about the proposed green zone along the creek and does Harris County have the same proposed green zone on the Houston side of creek. Thank you, Lucy Padilla	Wants to know more about the proposed green zone along the creek.
Jacqueline	Martin	18290 Upper Bay #64	18290 Upper Bay #64	Nassau Bay	TX	77058	No - 1967-1985 - Live on Carriage Court never flooded	Having lived in Nassau Bay many years, I have seen some very sad flooding, but under normal conditions heavy rain can be coped with the way the creek is now. There really should be a "green belt" here as in Michigan - but since that has not been required. I do feel very strongly that the little cities along Clear Creek's outlet need protection. Retention ponds along the creek in the communities can be a thing of beauty for each community as well as slowing the flow of a flooded creek. The many bayous that have flooded residents should have taught an important lesson. Let's prevent CLEAR CREEK from causing such problems and save the beauty of the creek and habitats of our lovely wildlife. Please make it for the residents and let builders help.	Favors a green belt and retention ponds.
Ronald	Stasky	3313 Robinson	3313 Robinson	Pearland	TX	77581	Yes 1994 1-2"	In past decades, people pitched in to assist neighbors who suffered from natural disasters. In the year 2001, the citizens of League City, Clear Lake and Polly Ranch not only want to watch the birds while their Pearland, Brookside, and Friendswood neighbors clean up from flood damage, they speak out in public to forstall the system that has been proven in other areas to stop the misery of those upstream. How has society become so crass that the "Love Thy Neighbor" commandment no longer means anything? I ashamed of our downstream neighbors. R S Stasky	Ashamed of downstream neighbors for not helping after flooding.
William	Seay	1918 Acacia	1918 Acacia	League City	TX	77573	No	Widen the bridge at I-45 and Clear Creek. If a solution is found I am sure that it will be a combination of moving water faster down the creek and retention ponds. The bridge acts like a dam. Extend the bridge northward to take advantage of the naturally occurring flood plain. Make it more causeway like.	Wants the I-45/Clear Creek bridge widened and favors retention ponds.
James	Nowlin	#5 Earlham Drive	#5 Earlham Drive	Friendswood	TX	77546	Yes - 4 feet in July 1979	1) Please increase construction activity on your plan as developed. 2) Civilian construction continues at a very rapid pace west of Friendswood. 3) Please pressure (or whatever) on Harris County Flood Control District to maintain clear banks on Harris County side of Clear Creek so that water can have free flow toward Clear Lake. 4) Please "control" new development in Clear Creek watershed to mitigate runoff from newly developed areas - such as Beltway 8 project. 5) Project NOW 25 years old? Move on to complete this phase - let any new considerations be a part of a <u>new study - go forward - stop standing still!!!!</u>	Wants creek banks maintained and new development to be controlled.

Clear Creek Public Scoping Meeting Citizen Comments
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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EVER FLOODED?	COMMENTS	COMMENT SUMMARY
Phil	Lester	2102 Ocean View Drive	2102 Ocean View Drive	Seabrook	TX	77586	No	According to your stats - 50 % the homeowners have lived there less than 5 years. Clear Creek should be cleaned of debris and new bridge built where it crosses under Interstate 45 with no other improvements. Leave it for future generations to observe and enjoy the beauty of the creek.	Wants creek cleared of debris and a new bridge at I-45.
Oscar	Hahn	#8 Whittier	#8 Whittier	Friendswood	TX	77546	Yes - 30 inches in the home in '79 flood	My suggestion is that there be some sort of easement arrangement to prevent property owners from installing fences all the way to the normal shoreline, so that trash gathers and creates choke points that compound the flooding.	Wants easement arrangement so fences cannot be built to shoreline and collect trash.
Charles	Roder	8219 Misty Vale Lane	8219 Misty Vale Lane	Houston	TX	77075		New construction on property will cause flooding to drainage to ditch A-125 on Gulf Meadows Subdivision. This drainage ditch has flooded causing flooding in Gulf Meadows during the 1994 flood. New home construction cannot handle flooding on ditch A-125 which flows to Clear Creek.	Favors a moratorium on construction.

Persons who indicated special habitats or environmentally sensitive areas along the creek:

Chuck Newmister
Barbara Hopper
Gene Cook
Lucy Padilla

Persons who signed the Petition: HELP SAVE THE NATURAL BEAUTY OF CLEAR CREEK

We, the undersigned, request the Corp of Engineers to tailor the Challenge 21 program to meet the communities' needs, unlike a one-size-fits-all channelization project. We urge the nonstructural program under Challenge 21 be implemented by the Corps and save Clear Creek.

Through Challenge 21, land could be purchased upstream for detention/retention sites (to safely hold flood waters) in Brazoria County; flood victims could be offered such help as voluntary buyout at fair market pre-flood value, or flood-proofing where feasible, and erosion control and natural flood control benefits could be gained through restoration of the creek's banks and flood plain.

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	PHONE NUMBER
Margie	Adkisson	2338 Farriers Bend		Friendswood	TX	77546	281.482.6646
Louise	Stevens	15210 St. Cloud		Houston	TX	77062	281.488.0698
Laddie	Stevens	15211 St. Cloud		Houston	TX	77063	
Elaine	Maxwell	3801 Bayou Circle		Dickinson	TX	77539	
(Illegible)	(Illegible)	1722 Diamond Brook		Houston	TX	77062	
Joann	Salazar	310 Morningside Drive		Friendswood	TX	77546	
(Illegible)	(Illegible)	711 Ramada		Houston	TX	77062	
Kenda	Darden	1210 Eagle Lakes		Friendswood	TX	77546	
Virginia	Broussard	319 Lakeside Lane		Houston	TX	77058	
Joel	Holland	10927 Bazin		Houston	TX	77089	
Anita	Daniel	10928 Bazin		Houston	TX	77090	
(Illegible)	McClelland	83 El Dorado		Friendswood	TX	77546	
Alice	Savoie	15019 Tarry Pines		Houston	TX	77062	
Christina	Scott	830 S. Friendswood Dr		Friendswood	TX	77546	
A	Williams	1734 Linfield Way		Houston	TX	77058	
Meredith	Lipal	3103 Nottingham		Pearland	TX	77581	
Marla	Pomeroy	3040 Frisk #1863		Pearland	TX	77584	
Cynthia	Hiege	18223 Carriage Lane		Houston	TX	77058	
Jeremy	Sprague	121 East Wildwinn Drive		Alvin	TX	77511	
(Illegible)	(Illegible)	229 Bora Bora		Tiki Island	TX	77554	
(Illegible)	(Illegible)	505 (Illegible)			TX	77546	

**Clear Creek Public Scoping Meeting Citizen Comments
May 9, 2001**

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	PHONE NUMBER
Ed	Paize	201 S. Heights Blvd #1635		Houston	TX	77007	
(Illegible)	(Illegible)	11818 Ryewater Drive		Houston	TX	77089	
Sunny	Stevens	5458 Apple Blossom		Friendswood	TX	77546	
Leslie	Upton	710 Quintana Roo		Seabrook	TX		281.291.0197
Walter	Mangum	15910 Laurelfeld		Houston	TX		281.486.9421
David	Luyben	15515 Pensgate		Houston	TX	77062	281.286.6317
Judy	(Illegible)	501 Castllake		Friendswood	TX		281.482.4389
James	Johnson	2502 Tall Ships Drive		Friendswood	TX		281.996.7471
Nancy	Mangum	15910 Laurelfeld		Houston	TX		281.486.9421
Ima	Janoe	210 Hidden Pines		League City	TX		281.316.2664
Melay	Seman	16903 Sandy Reef Court		Friendswood	TX		281.996.0112
Karen	Winfield	14177 El Camino Real			TX		281.486.1596
Sandee	Lyates	1501 Deer Ave		Deer Park	TX	77536	
Dawn	Besch	450 El Dorado Blvd #1116			TX	77598	281.286.0627
Richard	Sullivan	2323 Ramada Drive		Houston	TX	77062	281.280.0887
Tina	Hoskins	1004 Middle Creek			TX		281.992.7636
Sandra	Bolton	16807 Nina		Friendswood	TX		281.992.1979
Kim	Kochner	2014 Fairwind		Houston	TX	77062	281.480.2393
Diana	(Illegible)	14926 (Illegible)			TX		281.286.8190
Barbara	Barre	5002 Abercreek		Friendswood	TX		281.648.1167
Beth	Gill	423 Sandy Ridge		League City	TX		281.538.2907
Bette	Olson	121 East Wildwinn Drive		Alvin	TX		281.585.0827
Penny	Wilkinson	307 Thistlewind		League City	TX		281.538.6885
Bruce	(Illegible)	1430 Indian Autumn		Houston	TX		213.816.2992
Brandi	Sprague	121 East Wildwinn Drive		Alvin	TX		281.585.0827
Sharon	Jones	2908 Country Club Drive		Pearland	TX		281.412.2113
Kathlene	Thompson	905 Rigel		Friendswood	TX	77546	281.648.1714
Betty	(Illegible)	1302 FM 528		Friendswood	TX	77546	281.482.1234
Zinnia	Guerrero	4702 Royal Dornoch		Pasadena	TX	77505	281.998.2955
Marcie	Kimball	1650 East South Street		Alvin	TX	77511	281.824.9071
Gayle	Brown	404 Silverleaf		Friendswood	TX	77546	281.992.3022
Bobbi	Dunn	75 El Dorado		Friendswood	TX	77546	281.482.8145
Becky	Bailey	260 El Dorado		Webster	TX	77598	281.218.7440

Persons who signed the form letter:

I am writing to you to express my support for the expedient implementation of the Clear Creek Project and for taking immediate action to reduce flooding risk to my community. I do not support the cancellation of this project and the conversion of it into a buyout.

Analysis by the Corps and Harris County has shown that if this project had been implemented in a timely manner, it would have lowered the water level during flood conditions by 3 to 5 feet in the watershed and in the Bay Area. This would have precluded almost all flood insurance claims in the Clear Creek watershed and the Bay Area. This project was on hold for five years due to a right of way dispute with a railroad and groups that oppose this project said nothing during this period but chose to withhold their objections until precisely when construction was scheduled to resume. This orchestrated delay will drastically prolonging the process and any future flooding will be a direct result of delays in implementation of this project, nothing else.

Media coverage of this issue in my view has been biased toward buyout proponents that do not even live in the area. Their colleagues are now actively lobbying with congress to severely restrict flood insurance which will preclude thousands of Harris and Galveston County residents from getting flood insurance so they will be forced to have their homes bought out. This will not happen if timely action had been taken to correct this problem. Harris County now informs us that the Corps is predicting that a buyout of homes would only be approximately 40 homes similar to what was experienced on Cypress Creek which will preclude the remainder of homes in our town from receiving any benefit.

I respectfully request that take whatever measures are necessary to get this project moving. I support the proposal by Harris County Flood Control to continue the project using local funding if the reevaluation of the project is performed. I strongly support the consideration of interim measures such as enhancing and maintaining existing bypasses and installing also new ones to reduce flooding risk.

This project is very important to our community so I would really appreciate it if you would consider giving the citizens of our community the influence over the welfare of our community that has to date been give to interest groups that do not live in the area.

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	PHONE NUMBER	ADDITIONAL COMMENTS
Donald	Wade	310 West Castlewood		Friendswood	TX	77546		
John	Benson	15511 Wandering Trail		Friendswood	TX	77546	281.482.0152	

Clear Creek Public Scoping Meeting Citizen Comments
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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	PHONE NUMBER	ADDITIONAL COMMENTS
Craig	Hardwick	15502 Wandering Trail		Friendswood	TX	77546	281.996.5310	
William and S	Greene	15426 Wandering Trail		Friendswood	TX	77546		
E.F.	Hart				TX			
Alfred	Wieser	209 Winding Road		Friendswood	TX	77546	281.482.3850	
Mark and She	Jennigan				TX			
Richard	Jasson	1510 Camelia Court		Friendswood	TX	77546		The steps to improve Clear Lake flooding have already been implemented. It is appropriate to begin moving the implementation upstream to Clear Creek. Do not be overinfluenced by a vocal minority that is opposed to any improvements.
CJ and Debb	Coolidge	714 Quaker Drive		Friendswood	TX	77546		
David	Wade	810 Essex Drive		Friendswood	TX	77546		
Randy	Wade	1310 Osborne Drive		Friendswood	TX	77546		
Michael	Wade	1110 Tipperary		Friendswood	TX	77546		
Max and Carl	Kilbourn	615 East Castle Harbour		Friendswood	TX	77546		
Josephine	Kyle	106 Diamond Lane		Friendswood	TX	77546		
Richard	McDowell	15507 Wandering Trail		Friendswood	TX	77546	281.482-3144	I am one of the home owners who was flooded in 1979 and have seen my neighbors across the street flooded many times since then.
Ralph	Sawyer	P.O. Box 630		Friendswood	TX	77549		
Jess	Wilheim	503 Clearview		Friendswood	TX	77546		
Judith and Jo	Egerton	803 Common Creek Drive		Friendswood	TX	77546		
Helen	Sawyer	510 North Shadowbend		Friendswood	TX	77546		
John	Koppler						281.482.0767	
Craig	Hardwick	15502 Wandering Trail		Friendswood	TX	77546		
RM	Blackstock	15611 Wandering Trail		Friendswood	TX	77546		
(Illegible)	(Illegible)	15607 Wandering Trail		Friendswood	TX	77546	281.482.1906	
Janet	Wade	310 West Castlewood		Friendswood	TX	77546		
Clemmie	Wallroth	105 Stonestrow		Friendswood	TX	77546		
Lily Beth	Lovett	105 Stonestrow #101		Friendswood	TX	77546		
(Illegible)	(Illegible)							
Jerry and Ch	Schroder	15526 Wandering Trail		Friendswood	TX	77546		
(Illegible)	(Illegible)							
Kimberley	Dfeld							
Daniel	Illerich	121 Cherry Tree Lane		Friendswood	TX	77546	281.996.1939	Lt. Col. Illerich stated at the end of the form letter: From the attached editorial, taken from the March 20, 1999 edition of the GALVESTON DAILY NEWS, we note that state Reps. Patricia Gray and Craig Eiland have introduced a bill that would give Texas a permanent erosion fund, which would allow the state to tap into federal coastal erosion funds for saving the Galveston County Beaches and that Commissioners Court is willing to spend \$650,000 at Pirates' Beach to save beach front property. It is beyond our understanding that the same Commissioners Court and state Reps. cannot come up with the funds to mitigate the risk of Clear Creek flooding in Galveston County, particularly in the Friendswood/League City flood areas. We respectfully request that Commissioners Court take whatever measures are necessary to get the Clear Creek Project moving as soon as possible. We support the proposal by Harris County Flood Control District to continue the project, using local funding, if the reevaluation of the project is going to take the estimated 3 years to complete e.g. such as enhancing and maintaining existing by-passes and installing new by-passes, as deemed necessary, to reduce the flooding risk to the property owners of Friendswood and on downstream.

Clear Creek Public Scoping Meeting Citizen Comments
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Persons who submitted comments in letter form:

Kevin	Shanley	P.O. Box 131563		Houston	TX	77219	713.529.6443	Mr. Stanley of the Bayou Preservation Association wrote to ask the Corps of Engineers to consider the following issues 1) Solution to reduce flood damages along the main stem of Clear Creek should address possible projects along the tributaries and the watershed in general. 2) The Corps should retain a consultant to develop a Pre-Development Model of the Watershed and a Pre-Development Floodplain Map in order to show what impact development has had on the floodplain and build a consensus within the community. 3) Floodplain buyout and large scale detention basins should be evaluated for raw water storage capacity, damage reduction, and economic impact on surrounding community. 4) Construction cost of large scale detention basins should include analysis of alternatives that include the purchase of abutting and adjacent land to permanently spoil excavated material. 5) Impacts to water quality should be evaluated in each component of the project. 6) The Corps should integrate its Eco-System Restoration principles into the project and use flood damage reduction funds for an additional Eco-System Restoration program. 7) BPA is very concerned about the project's impact on the estuarial and riparian habitats in the middle and lower reaches of the stream.
Richard	Jasson	1505 Camelia Court		Friendswood	TX	77546		Mr. Jasson wrote the urge the project forward, and to ignore the special interest groups as they do not represent the interests of the community.
Gene	Cook	114 Imperial Ave		Friendswood	TX	77546		Mr. Cook wrote to express his disturbance that the people that are currently being protected by structural flood control measures seem to be getting more "say" about the project as it develops.
Linda	Shead				TX			Ms. Shead wrote the express the support of the Galveston Bay Foundation for the re-study of flooding issues on Clear Creek. She also stated that the General Reevaluation Report should use the newest data
Jana	Vander Lee	Precinct 166			TX			Ms. Vander Lee wrote to support solutions/programs that expand water quantity and quality, upgrade building/construction codes, and enforce realistic flood plain preservation.
Scott	Aspelin	304 Lafayette Lane		League City	TX	77573	281.338.1171	Mr. Aspelin wrote to express his concern that tax payers will be paying for a flooding remedy that benefits people who took the risk in living on Clear Creek. He also writes to support the "First Come, First Served" concept - homes that existed first on the Creek should be given the first right to decide what is done to the creek. Mr. Aspelin does not support and
Robert	Kosar	503 Whitecap Drive		Seabrook	TX	77586		Mr. Kosar wrote to question why the Armand Bayou Nature Reserve and surrounding areas were not included in the study map for the project. He wants to know if the restudy includes flows into the watershed other than
Peter	Guglielino	221 Michigan Avenue		League City	TX	77573		Mr. Guglielino wrote to express his support for the Challenge 21 program and that she believes we should be using our resources to preserve and restore Clear Creek.
William	Seay	1918 Acacia		League City	TX	77573	281.338.7329	Mr. Seay proposes widening the I-45/Clear Creek bridge northward to take advantage of exiting floodplain. He supports nonstructural projects and the Challenge 21 concepts.
Kenneth	Kaye	4115 Manorfield Drive		Seabrook	TX	77586		Mr. Kaye does not support channelizing Clear Creek because he believes this will only cause flooding on Clear Lake. He supports leaving the areas within Clear Creek's floodplain undeveloped or turning them into greenspace, playgrounds, or parks.

Appendix A-4

February 24, 2004, Public Meeting Attendees and Comment Summary

Clear Creek Public Scoping Meeting Citizen Attendees February 24, 2004

Note: When two attendees gave identical information and shared the same last name, the attendees were combined into one entry.

Name	Mailing Address	Physical Address	City and State	Zip	Email
Adams, Stacy	3301 Jacquelyn Rd		Pearland, TX	77581	comishadams@aol.com
Amengual, Carolina	3000 FM 1764		La Marque, TX		carolina.amengual@galvnews.com
Anderson, Thomas & Patricia	P.O. Box 594	309 N. Shadowbend	Friendswood, TX	77549	
Barker, Glen	705 Leisure Lane		Friendswood, TX	77546	
Becker, Al	11110 Sageriver Drive		Houston, TX	77089	
Becker, Sandra	11110 Sageriver Drive		Houston, TX	77089	
Benner, Tricia & Steve	105 Myrtlewood		Friendswood, TX	77546	tab@ev1.net
Berlitz, Richard	11915 Kirkway		Houston, TX	77089	reberlitz@netzero.net
Bludworth, Richard	2118 Country Club Dr.		Pearland, TX		rbludworth@hotmail.com
Blumentritt, David	1008 Cowards Creek Ct.		Friendswood, TX	77546	dblumentr@msn.com
Bluntzer, Tessa	15402 Penn Hills Ln		Houston, TX	77062	grapefruit33@hotmail.com
Brennan, Jeff	16930 CO.RD. 127		Pearland, TX	77581	
Brown, Colleen	11918 Kirknoll		Houston, TX	77089	
Brown, Delbert	11918 Kirknoll		Houston, TX	77089	
Buckman, Steve & Kelly	10230 Sagemark		Houston, TX	77089	stebuck108@aol.com
Butler, Gorge	320 Saint Cloud Drive		Friendswood, TX	77546	
Caldwell, Mary C.	10030 Santa Monica Blvd.		Houston, TX	77089	lamary60@aol.com
Carraway, Rosemary	11515 Sabo Road		Houston, TX	77059	dswanson@hal-pc.org
Carter, Dick	1206 Candlewood		League City, TX	77573	rcarter10@houston.rr.com
Chang, Nelson	14518 Redwood Bend Trail		Houston, TX	77062	supalifu@hotmail.com
Christen, Barry & Elizabeth	10223 Sagecourt Drive		Houston, TX	77089	bwchristen@ev1.net
Christensen, Janice & Marc	1001 Union Valley		Pearland, TX	77581	janicemarie@yahoo.com
Clapper, James W.	P.O. Box 368	1307 Thomas	Friendswood, TX	77549	
Clayton, Zach	15907 Larkfield		Houston, TX	77059	clsurferos@aol.com
Clipper, Marilyn	P.O. Box 368	1307 Thomas	Friendswood, TX	77549	
Cramer, Jim & Vicki	402 Falling Leaf		Friendswood, TX	77546	
Crawford, John	409 Live Oak Ln		Friendswood, TX	77546	
Crocker, Glen	1650 W. Bay Area Blvd. #350		Friendswood, TX	77546	crocker@cdc-houston.com
Crouch, Billy	3208 Bishopston		Pearland, TX	77581	
Davis, Roger	2811 N. Peach Hollow Cir.		Pearland, TX	77584	
Deshotel, Russell	410 Faling Leaf		Friendswood, TX	77546	
Dickenson, Richard	10515 Rambling Trail		Houston, TX	77089	user564136@cs.com
Dujay, Kenneth	20 Massengale Ln.		Webster, TX	77598	
Edwards, Bill	8006 Gulfex		Houston, TX	77075	bill-elain@prodigy.net
Efird, Justin	3239 Pleasant Cove, Ct.		Houston, TX	77059	
Eisen, Bill	3519 Liberty Dr.		Pearland, TX	77581	beisen@ci.pearland.tx.us
Erickson, Jon	10218 Sagedowne Lane		Houston, TX	77089	jerick5481@aol.com
Evans, Troy	408 Richmond Ln		Friendswood, TX	77546	tevans@kronos.com
Fitzgerald, Mike	530 Country Lane		League City, TX	77573	
Flickinger, David	10302 Sagebrook		Houston, TX	77089	
Flickinger, Marie	11555 Beamer		Houston, TX	77089	mynews@southbeltleader.com

**Clear Creek Public Scoping Meeting Citizen Attendees
February 24, 2004**

Name	Mailing Address	Physical Address	City and State	Zip	Email
Flowers, Jim & Caty	16714 Hibiscus Ln		Friendswood, TX	77546	jncroses@ev1.net
Frankie, Edward	102 Imperial		Friendswood, TX	77546	ecfrankie@aol.com
Freeman, Stephen	315 Green Oak Dr.		League City, TX	77573	svfreemn@ix.netcom.com
Gatten, Kenneth	704 North Clear Creek Dr.		Friendswood, TX	77546	kgatten@sbcglobal.net
Greer, Faye & Lewis	5231 Appleblossom		Friendswood, TX	77546	fgreer2@houston.rr.com
Gupta, Rohan	16202 El Camino Real, Apt #1322		Houston, TX	77062	rohan4011@hotmail.com
Hadash, Erwin	10803 Green Arbor Dr.		Houston, TX	77089	
Hammond, Mark	403 North Shadowbend		Friendswood, TX	77546	mhammond57@aol.com
Hanks, Wayne	11922 Kirkway		Houston, TX	77089	wshanks11922@sbcglobal.net
Hannah, John	11671 Sabo Road		Houston, TX	77089	jchannah@hal-pc.org
Harris, Gary	406 Fallow Lane		Friendswood, TX	77546	
Hatchett, Thomas & Lou Ellen	16811 Paint Rock Rd		Friendswood, TX	77546	greenhouse1938@sbcglobal.net
Heinly, Joanie	1505 Glenwood Dr.		Friendswood, TX	77546	
Henkel, Lyle	3000 Wilcrest, Suite 200		Houston, TX		leh@terraassoc.com
Hill, Carl & Connie	5207 Shady Oaks		Friendswood, TX	77546	
Hodge, Mike	1306 Deepwood		Friendswood, TX	77546	mhodge@ci.friendswood.tx.us
Holbrook, Ray	1420 Ave L		Santa Fe, TX		craymary@mac.com
Horecky, Carl	415 Live Oak Ln		Friendswood, TX	77546	horecky@sbcglobal.net
Hughes, James & Shirley	2517 N. Rachel Ct.		Pearland, TX	77581	
Imogene (Jean), Dusek	10910 Sagedowne Ln		Houston, TX	77089	
Iyer, Aishwarya	3215 Scenic Elm		Houston, TX	77059	oraclez837@yahoo.com
James, George & Sonia	1512 Garden Lakes Dr.		Friendswood, TX	77546	GHJames3@aol.com
Johnson, Don	P.O. Box 555		Friendswood, TX	77546	don-johnson7@yahoo.com
Johnson, Mark	10434 Alta Loma Way		Houston, TX	77075	
Jyotin, Joseph	16439 El Camino Real #12		Houston, TX	77062	josephjatin@hotmail.com
Keele, Betty & Bevard	3307 Robinson Dr.		Pearland, TX	77581	
King, Craig	15419 Wandering Trail		Friendswood, TX	77546	craig.king@3lg.com
Kliwer, Christal	910 Friendswood Dr.		Friendswood, TX	77546	ckliwer@ci.friendswood.tx.us
Kneeland, Arthur	2626 Thelma Drive		Pearland, TX	77581	
Kneeland, Janice	2626 Thelma Drive		Pearland, TX	77581	
Kocurek, David	12403 CR 280		Alvin, TX	77511	davidk@argolink.net
Krejei, Mike	10815 Kirktown		Houston, TX	77089	
Larsen, Ivar	304 Live Oak Lane		Friendswood, TX	77546	
Lelsz, David	11211 Sagehill		Houston, TX	77089	
Marcott, Larry	3606 Inverness Court		Pearland, TX	77581	
Marlow, Marie	412 So. Shadowbend		Friendswood, TX	77546	fmm412@aol.com
Martin, Trent	8018 Misty Vale		Houston, TX	77075	
Marx, Peter	1800 NASA Parkway		Nassau Bay, TX	77058	Peter.marx@nassaubay.com
Matter, Donald	2011 Sea Cove		Nassau Bay, TX	77058	
Mattula, Joseph J.	2804 Neches River Dr.		Pearland, TX	77584	
McGaughy, Belinda	603 Leisure Ln		Friendswood, TX	77546	bmccaughy@earthlink.net
McLeon, Pat	904 Winchester Court		Friendswood, TX	77546	patmcleod@yahoo.com
McMaster, Dan & Connie	2614 Thelma		Pearland, TX	77581	mcmasterdan@hotmail.com
Measeles, Melvin	1203 Timber		Friendswood, TX	77546	measeles@swbell.net
Meineke, Robert & Barbara	1701 Willits		Pearland, TX	77581	

**Clear Creek Public Scoping Meeting Citizen Attendees
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Name	Mailing Address	Physical Address	City and State	Zip	Email
Morgan, Joe & Pat	10911 Sageleaf		Houston, TX	77089	jpmorgan@ev1.net
Morris, Bea	110 Westfield Lane		Friendswood, TX	77546	bibimorris@pdq.net
Morrison, Thomas & Marnie	11303 Sageview Dr.		Houston, TX	77089	tkm5444@sbcglobal.net
Mullins, Erin	847 Seafoam		Houston, TX	77062	ominouscalypso@aol.com
Orsak, Charles	1706 Orlando Street		Friendswood, TX	77546	afoclo@ev1.net
Pautsch, Richard & Nancy	411 Scenic View		Friendswood, TX	77546	nancypautsch@yahoo.com
Pederson, Gordon	910 Bay Area Blvd		Houston, TX	77058	gpeters@gcwda.com
Pool, Tom	2120 Country Club		Pearland, TX	77581	tpool@earthlink.net
Ratcliff, Jeremy	7901 El Rio		Houston, TX	77054	jradcliff2003@yahoo.com
Rhodes, Donald & Gisela	3007 Chester		Pearland, TX	77584	donr3007@aol.com
Robb, Sandra	11302 Sageview Dr.		Houston, TX	77089	stwaugh1@sbcglobal.net
Robinson, John & Bertha Lee	11229 Dumas St.		Houston, TX	77034	jrobinson2@ev1.net
Rodriguez, Angela	9929 Mango St.		Houston, TX		
Runco, Naomi & Pete	19099 CR 669 A		Alvin, TX		runco2@msn.com
Scogins, Carolyn	20 Massengale Ln.		Webster, TX	77598	grannysfour@worldnet.att.net
Sederdahl, Pamela	3418 Shadycrest Dr.		Pearland, TX	77581	dons@LDCM.com
Seyb, Spencer	502 Fairdale		Friendswood, TX	77546	sseyb@houston.rr.com
Shead, Linda	1113 Vine Street		Houston, TX	77002	linda.shead@tpl.org
Shores, Kenneth	6 Emerald Circle		Friendswood, TX	77546	kshores@wt.net
Sickels, Jerilu	10422 Sagestar Lane		Houston, TX	77089	
Smith, Barbara	1803 Oak Tree		Pearland, TX	77581	bigsmith@ghg.net
Smith, David	1110 Middlecreek		Friendswood, TX	77546	davesmith@houston.rr.com
Smith, Edward	404 Falling Leaf		Friendswood, TX	77546	W1FU@earthlink.net
Spaunhorst, Clark	604 South Clear Creek		Friendswood, TX	77546	cspaunhorst@houston.rr.com
Stevens, Chris	4800 Dakota		Dickinson, TX	77539	
Stokan, Marie & Gerald	11423 Sagegrove Ln		Houston, TX	77089	stokan@hal-pc.org
Stuart, Ed	P.O. Box 22	200 Pine Drive	Friendswood, TX	77549	
Tabor, Farris & Mary	309 Carey Ln		Friendswood, TX	77546	ftabor@swbell.net
Taylor, Larry	P.O. Box 1208	1222 Winding Way	Friendswood, TX	77546	ln9Surf@aol.com
Trapman, August & Jeanie	16902 Creeklane Dr.		Friendswood, TX	77546	rjtrapman@netscape.net
Trocheset, Shannon	P.O. Box 2223	904 W. Edgewood	Friendswood, TX	77549	strocheset@houston.rr.com
Turberville, Mary	505 Leisure Ln		Friendswood, TX	77546	
Underwood, David	2709 Pine Cone Lane		Pearland, TX	77581	dave@caffrey.net
Wagner, Liz	4427 Peridot Ln		Friendswood, TX	77546	
Walker, George	221 Carey Ln		Friendswood, TX	77546	
Warren, Al	4402 Saffron Lane		Friendswood, TX	77546	aewmow@aol.com
Warren, Mary B.	4402 Saffron Lane		Friendswood, TX	77546	aewmbw@aol.com
Warren, Mary B.	4402 Saffron Lane		Friendswood, TX	77546	
Whitaker, Harold	915 Falling Leaf		Friendswood, TX	77546	half97@sbcglobal.net
Wiesenborn, Robert	1710 Orlando Street		Friendswood, TX	77546	wiesbob@aol.com
Wilcox, Charles	7901 El Rio		Houston, TX	77054	
Williams, Ken	506 Independence		Friendswood, TX	77546	ktwill506@aol.com
Wilson, Jack & Carol	2438 CR 391		Pearland, TX	77581	archiejwilson@msn.com

**Clear Creek Public Scoping Meeting Citizen Attendees
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Name	Mailing Address	Physical Address	City and State	Zip	Email
Wind, Ethel & Erwin	3014 Green Tee Dr.		Pearland, TX	77581	
Yandell, Sandra	1126 Sageknight		Houston, TX	77089	yandellsold@aol.com
Yarberry, Dan	1006 Clover Ridge Avenue		Friendswood, TX	77546	dyarberry@pdq.net
Zavalla, Judy	Friendswood Journal, 2206 Broadway, Suite A		Pearland, TX	77546	izavalla@earthlink.net

**Clear Creek
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FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	February 24, 2004 STATE ZIP EMAIL	COMMENTS	COMMENT SUMMARY
Lou Ellen	Hatchett	16811 Point Rock Road		Friendswood	Tx 77546-4226	Problems created by flat upstream development issues!! Fix problems upstream first!! More extensively!! Do not convert personal private property into commercial recreational opportunities!! Tourists attractions such as in "Kemah" not negotiable!! along residential areas. This seems to be "an opportunity" to create profitable commercial recreational areas! The government "seems" to have found a way to take personal property from homeowners! Don't call it (our homes) a watershed, we are a "region" of three counties, we are not a government project!!! Film not informative!!! For a film what I wanted to see was a map to indicate each measure placement pointed out for each of "A list of Initial Flood Damage Reduction Measures being Evaluated and Considered!!!	
Mike	Stokan	11423 Sagegrove Ln		Houston	Tx 77089-462	stokan@houston.com I moved to Sagemont Subdivision in Winter 1966. The first street flood was May 1968. On numerous occasions the street flooded following that. July 1979 we had 3' water in the house for 4 days. Six weeks later the waters surrounded the house; followed by 2' in the house in September 1979-again for 4 days. Many times I had to park my car, sometimes 2 miles away on Fuqua, to walk home in waist-deep water. Tropical Storm Allison gave us over 2' water in house. We had to pull out the walls and lived in 1 room for 5 months. We then moved to my daughter's home in Sugarland while we waited for a contractor, then cabinets & other fixtures to be installed. We moved back in March 2002 with boxes to cover windows for more months. We are almost back to normal 3 years later. I believe that even cleaning out the ditches 2-3 times per year would help. Also, the retention pond @ Scousdal/Blackhawk helped but now that has been depleted of trees and now homes, schools, and boulevard are going up, not only taking away the beauty but adding to the flooding problem & move concrete.	
Krejci	Mike	10815 Kirktown Dr.		Houston	Tx 77089	Found Open House very informative - hopefully the plan for future improvements will be implemented soon. SEPARATE COMMENTS SUBMITTED- I have concerns about flooding around my community that I have monitored for 8 years. The basic concerns are as follows. Major construction of thousands of new homes in the area and commercial development has added larger rain run-off problems to existing drainage in place, which is basically creeks, ditches, bayous and a few retention ponds. A major exit-way to needed to route large volumes of flood water out to Galveston Bay during high rain periods that we have during hurricane season. The addition of Beltway 8 into this area several years ago has also added additional development and major rain run-off problems to the already low-lying area. A long-term major flood drainage-damage reduction plan is severely needed and should be implemented as soon as possible to accommodate present and future development needs of the people. I think money spent on flood control would be a good investment for the government, other than spending FEMA money to repair flooding damaged neighborhoods, homes and businesses after the next big flood event.	

**Clear Creek
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Citizen Comments**

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	February 24, 2004 ZIP	EMAIL	COMMENTS	COMMENT SUMMARY
John	Crawford	409 Live Oak Ln		Friendswood	Tx	77546		Study, Study, Study!!! For over 40 years I've heard nothing but study! It's time to stop studying the problem & move some dirt! Clean out the creek like Sims Bayou was cleaned & the problem of flooding would be solved. Stop listening to the tree-huggers & get busy!! Build massive detention ponds in the upper reaches of the creek, with locks & let the water flow slowly into the creek. Build outlet channels in the Dixie Farm Rd area to Galveston Bay.	
Thomas	Anderson	P.O. Box 594	309 N. Shadowbend	Friendswood	Tx	77546		Please continue aiding Galveston County Drainage District with their fine work projects. It would be very helpful if you expedite the start of a proposed retention pond in Imperial Estates Sect. I.	
Richard (Dick)	Dickenson	10515 Rambling Trail		Houston	Tx	77089	user56413	Thank you for having the open house. Would have enjoyed more if there had been a formal presentation with a question/answer session. I feel that the time for studies is over and we need some action done to alleviate the flooding here to the Sagemont/Ellington area. I would much prefer to have my taxes go to action rather than more studies by tax paid govt. employees. My neighbors strongly feel the same way. I bought a home in Sagemont in 1968 and that house flooded 7 times. It is now a vacant lot. I moved into this area in 1958 and have yet to see any constructive work done by the govt. to help out with flooding. All that I have seen done has been more studies - more studies. Typical govt. wast of time and money - hopefully this time we may get some action- folks are getting fed up. - Dick Dickenson (President, Beverly Hills Civic Club, Past President of Super Neighbors, South/Belt/Ellington	
Albert	Becker	11110 Sageriver Dr.		Houston	Tx	77089		I understand the current study does not include the Turkey Creek, Mud Gully, and the Beamer Ditch (A120) Drainage Areas. These areas must be included. The drainage problems in this area (Southbelt) have been studied for forty years. It is time to stop studying the problems and do some work to fix them, mainly open up (straighten and significantly widen) the Clear Creek Drainage area from where Mud Gully, Turkey Creek and the Beamer Ditch converge to Clear Lake.	
Sandra	Becker	11110 Sageriver Dr.		Houston	Tx	77089		The southbelt area drainage problems have been studied for forty years. Our home was affected by the floods in '79 and again in 2001. I understand the current study does not included the turkey creek, mud gully, Beamer ditch (A120) drainage areas. These areas should be included. It is time to stop studying the problems and do somework to fix them. We sepecially need these flood prone area ditches and drainage to be kept clean so that they can drain as efficiently as possible when we get rain.	
Mary R.	Jones	11418 Sagegrove Lane		Houston	Tx	77089		Dear Sir, Those of us that live in the Sagemont area were flooded just as bad, if not worse as the families in Clear Lake. We need help with the flooding in this area. When it rains for a long period of time we begin to have a certain amount of flooding. Please look into our area so that we can get help and not be afraid every time it rains or we get a storm. May God bless you with this decision.	

**Clear Creek
Open House
Citizen Comments**

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	February 24, 2004 ZIP	EMAIL	COMMENTS	COMMENT SUMMARY
Sonia	James	1512 Garden Lakes Drive		Friendswood	Tx	77546	slried@pdc	At an earlier meeting, someone suggested using existing right-of-ways in addition to the creek study currently being done. For example, if there is an abandoned road or railroad track - it could be dug out & used as a channel for drainage. Perhaps none of these exist in or near this watershed? My father was unable to attend this meeting, but he would like more emphasis to be made on reducing flood damage than protecting grasses. He's been fortunate to never have floodwater in his home in Friendswood, but Chigger Creek & Coward's Creek 'met at our house' on Murphy Lane in 1979. Water was on the front sidewalk & stoop. We were a brick away from flooding. I thought the video was very good tonight. We took a copy for my parents to see. I especially liked seeing the posterboards with maps & comparative photos, as well as the types of ecosystems. Thank ya'll for putting everything together.	
James	Hughes	2517 N. Rachel Ct.		Pearland	Tx	77581		We have lived on Clear Creek for 30 years, and flooded twice, until moving. This has been studied and talked about for too long. Nothing has been accomplished on the creek to correct the problem. Stop talking and studying and do something tangible.	
Pat	McLeod	904 Winchester		Friendswood	Tx	77546	pat.mcleod	I am so glad the houses were bought out. I hope you will restore the land for our birds and make more park land. Please take steps to	
Provided comments in letter form									
Mary	Warren	4402 Saffron Lane		Friendswood	Tx	77546		1. February 9-11, 2004 we had only 2.36 inches of rain. As the ground was saturated from rain the previous week, the creek rose to 7.96 feet above sea level (or NGVD, US Geological Survey term for Sea Level) at 10:30 AM, February 11, 2004, from a low of .45 feet NGVD at 7 PM on Monday, February 9, 2004. This was at the rate of 3.18 feet per inch of rain! As Clear Creek Flood Stage is 12 feet above sea level, it would have taken only 1.27 more inches of rain to have reached Flood Stage! Fortunately, we did not get the 4-5 inches of rainfall they estimated some areas might get. The creek was very slow to go down. It averaged a reduction of .15 feet or 1.8 inches per hour for a total of 3.69 feet after rising to 7.96 feet above sea level, Wednesday, February 11, 2003, 24 hours earlier. Improvements are urgently needed to improve the discharge of the creek so that the creek is much slower to rise to flood stage. QUESTION: What will it take to speed up the improvements to improve the discharge of the creek to greatly reduce the possibility of flooding, especially with all the land development that c	

**Clear Creek
Open House
Citizen Comments**

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	February 24, 2004 ZIP	EMAIL	COMMENTS	COMMENT SUMMARY
								<p>2. The attempt to publicize the Clear Creek Open Public Meeting by using a large post card inserted in the Friendswood Journal that is sold through the local Convenience Stores such as the one on Friendswood Link Road and Oxnard, is dependent on people: A. Going to a local convenience store the week that the meeting announcement is published. B. Buying the paper. C. Homeowners reading the paper. D. According to my previously flooded Forest Bend neighbors and friends, they rarely purchase the paper. In our case, my husband happened to go to the convenience store and on impulse bought the paper containing the post card announcement. QUESTION: Since the notice was printed as a post card, why wasn't there a mailing to notify Home Owners who were flooded? Surely, you have maps of the streets that flooded or other ways to identify houses that were flooded. The post could have been addressed "Home Owner" (Realizing property owners change), House Number, Street, Friendswood, TX. 3. The short article (copy attached) in the Friendswood Reporter:</p> <p>A. The article did not say "Come any time between 5:30 PM and 9 PM!" , "A short video...will be available for viewing approximately every 30 minutes." Instead, stated "...Both wil run from 5:30 pm to 9:00" making it seem it would be a long, drawn out affair. Working people, who do not get home until 6 or later, would feel it was too late to make the Open House. It is hard to get a babysitter on a school night. If homeowners know about the 30-minute sessions, they can make arrangements to babysit each others children for different sessions. B. The article omitted: 1. "Staff members...will be available for one-on-one discussion." 2. "If you cannot attend either open house, you may request a copy of the video (DVD format) and may also submit written comments." along with the address of the U.S. Army Corps of Engineers. 3. No maps/driving instructions to show the locations of the Clear Creek Public Open Houses. Forest Bend students do not attend Friendswood High School as they are in the Clear Creek School District. Most Forest Bend homeowners would not know where the Frie</p> <p>C. Unfortunately, a lot of people do not read the Friendswood Reporter. People either leave it in their driveway and pick it up on trash day to throw it away or pick it up and throw it in the trash the same day it is delivered. Those who did read it did not get the information they needed to make the decision to attend or not. Also, the majority of homeowners work and do not have time to read the Houston Chronicle let alone a local paper. QUESTION: What information was given to the Friendswood Reporter? The topic of Flood Control should be Front Page News! Flood damage in our area was in the millions. If they rewrote it, they did a lousy job of it. Or did they get the information right before going to press and had to "squeeze it in"? In conclusion, after reviewing both methods of publicizing the Open Houses, I feel as a PROPERTY TAXPAYER WHO PAYS PROPERTY TAXES AND FOR FEDERALLY BACKED FLOOD INSURANCE (FEDERALLY BACKED FLOOD INSURANCE) and who has dealt with two floods, I feel y'all were penny-wise and dollar foolish with our tax money when a much better method of informing the Property owners is to mail notices of such</p>	

**Clear Creek
Open House
Citizen Comments**

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	February 24, 2004 ZIP	EMAIL	COMMENTS	COMMENT SUMMARY
Arlane	Boing	11927 Flushing Meadows		Houston	Tx	77089-6323		I could not make either of the two meeting that were just held so I went to the website read it and submitted my comments there like your newsletter stated but there is something wrong with it. I sent the comments three times and each time they were rejected. I live in the: Scarsdale Subdivision. I have been flooded 3 times: June or July 1979 (3 feet), Sept. 1979 (2 inches), June 2001 (8 inches). Other property	
Mary B. (lette	Warren	4402 Saffron Lane		Friendswood	Tx	77546		<p>If my husband had not purchased the Friendswood Journal last night at the local convenience store, we would not have known about the Clear Creek Public Open Houses. The insert had a return address of "Crouch Environmental Services, 402 Teetshorn, Houston, Tx 77009", along with a box indicating postage. There was plenty of room for a mailing label. Question: Since this insert was set up for a mass mailing, why wasn't there a mass mailing to all the people in our area, particularly where the homes got flooded? My impression is y'all do not want a good turnout or too many questions asked. This way you can still way, "we did notify the public about the Clear Creek Public Open Houses through the local paper and it is not our fault that people did no show up or contact us." The local paper is a poor choice for notification as not everybody goes to the local convenience store adjacent to our sub-division on a regular basis, nor is it purchased by those who need to know. Having gone through two floods, Claudette in 1979 and Allison in 2001 along with my neighbors, we have a vested interest in kr</p> <p>The problems of potential flooding again has greatly increased. Recently with the ground saturated with rain from last week and only 2.36 inches of rain February 9 through February 11, 2004, the creek rose to 7.96 feet above NGVD at 10:30 AM, February 11, 2004, from a low of .45 feet NGVD at 7 PM on Monday, February 9, 2004. That is at the rate of 3.18 feet per inch of rain. However, the creek is very slow to go down. On February 12, 2004, 10:15 AM, the creek was at 4.32 feet above NGVD only averaging a reduction of .15 feet or 1.8 inches per hour since rising to 7.96 feet above NGVD 24 hours earlier! Obviously, something needs to be done ASAP to avoid the consequences of another flood in our area. We don't need another long drawn out reevaluation of flood damage reuduction, we need action taken now to prevent flood damage! It is perfectly obvious that the creek is too slow to handle the run off, not only from our area but upstream, where the population explosion has increased residential and business development. This drastically heightens our potential for flooding more</p>	

Appendix A-5

February 26, 2004, Public Meeting Attendees and Comment Summary

Clear Creek Public Scoping Meeting Citizen Attendees February 26, 2004

Note: When two attendees gave identical information and shared the same last name, the attendees were combined into one entry.

Name	Mailing Address	Physical Address	City and State	Zip	Email
Hudson, Wade & Nancy	11414 Kirkwyn		Houston, TX	77089	nancy.r.hudson@sbcglobal.net
Shaw, Billy	3510 Linwood Dr.		Pearland, TX	77581	
Island, Gordon	1913 Canyon Creek Ct.		Pearland, TX	77581	gisland@ci.pearland.tx.us
Richey Jr, Robert	414 Dallas St.		Clear Creek, TX	77573	robertofriends@yahoo.com
Kelly, Carol	2301 W. Nasa Blvd.		Webster, TX	77598	
Taylor, Joel	507 Houston		League City, TX	77573	johill@aol.com
Spencer, Nina & Ty	2012 La Salle		League City, TX	77573	
Klaus, Michael	5016 Groveton		Pearland, TX	77584	likeos2@aol.com
Hambright, Betty & Rhea	12702 Max Rd		Brookside Village, TX	77581	
Dodson, Mary	9618 Longmont Dr.		Houston, TX	77063	mafray@aol.com
Ong, Natalie K.	407 Willow Vista Dr.		Seabrook, TX	77586	knatalie@ev1.net
Dudney, Newton E.	P.O. Box 816	708 W. Main	League City, TX	77574	
Craig, Brian	126 Hillside Dr.		Liberty, TX	77575	aggiebfc@hotmail.com
Murphy, Jackie L.	1535 Dickinson		League City, TX	77573	jmurphy@leaguecity.com
Randall, Charlie	3122 Bryant Lane		Webster, TX	77598	charlie@magicbookshop.com
Sharp, Joanna	502 Orleans		League City, TX	77573	jsharp828@yahoo.com
Weisiger, Craig & Sheri	1906 Claiborne		League City, TX	77573	ccvca@ev1.net
Broussard, Dwight J. & Ann	152 Moss Point		Friendswood, TX	77546	DJB1@worldnet.att.net
Halle, Roy & Carole	912 Davis		League City, TX	77573	
Treiman, Diane Humes & Allan	4319 Stacy		Seabrook, TX	77586	treimanhumes@earthlink.net
Jenkins, Mike	18310 Anne Dr.		Houston, TX	77058	
Hamilton, Vaness	526 E. Shore Dr.		Clear Lake Shores, TX	77565	vanesshamilton@mac.com
Goodman, Teri	P.O. Box 924	174 Calder	League City, TX	77573	Teri.goodman@house.state.tx.us
Jenkins, Mabelee	15522 Diana Lane		Houston, TX	77062	
Keeney, Jon	121 Wood Hollow		League City, TX	77573	jon@itsolutionstx.com
Tobin, Laurence	317 Lakeshore Dr.		Taylor Lake Village, TX	77586	lwrturbin@tlu-tx.us
Sepulveda, Carl	5157 Woodway	3607 North Braeswood Blvd	Houston, TX	77025	carl.sepulveda@tcb.aecom.com
Meinhardt, Cliff	5104 Carefree Dr.		League City, TX	77573	cmeinhardt@houston.rr.com
Talje, Sam	7721 Washington Ave		Houston, TX	77251	stalje@dot.state.tx.us
Aspelin, Scott & Cheree	304 Lafayette		League City, TX	77573	aspelins304@yahoo.com
Salatkowski, Ken	2010 Airline Dr.		Friendswood, TX	77546	
Goldberg, Alisha	1027 63rd		Galveston, TX	77551	argld@aol.com
McCrary, Rod	11422 Kirkwyn		Houston, TX	77089	rod.mccrary@tcb.aecom.com
Roder, Charles	8219 Misty Vale		Houston, TX	77075	
Marx, Peter	1800 Nasa Parkway		Nassau Bay, TX	77058	peter.marx@nassaubay.com
Zeigler, Ila & John	2207 Coryell		League City, TX	77573	izeigler@houston.rr.com
Vargas, Karen	310 Green Cedar		League City, TX	77573	
Galvan III, Henry	826 Wave Crest Ln.		Houston, TX	77062	hq3@flash.net
Cuculis, Mr. E.J. (Tery) & Velda	306 Bayou Country Drive		Alvin, TX		eicuculis@ghg.net
Kneupper, Doug	3519 Liberty Dr.		Pearland, TX	77581	Ddkneupper@ci.pearland.tx.us
Marcott, Larry	3606 Inverness Ct.		Pearland, TX	77581	

Clear Creek Public Scoping Meeting Citizen Attendees
February 26, 2004

Name	Mailing Address	Physical Address	City and State	Zip	Email
Jones, Scott	2210 Bennigan St.		League City, TX	77573	scotntonia@juno.com
Taylor, Charles & Susan	2414 Baycrest		Nassau Bay, TX	77058	ctaylor16@houston.rr.com
Burns, Don & Millicent	Box 1556	2018 Yorktown Court North	League City, TX	77574	
Rosen, Judy	601 David Ave.		League City, TX	77573	cjrosen@earthlink.net
Dudney, Fay	P.O. Box 816	708 W. Main	League City, TX	77573	
Meeks, Barbara	2401 Intrepid Way		League City, TX	77573	council7@ev1.net
Lang, L.G.	9823 Sage Leed		Houston, TX	77089	
McCloskey, Meghan	15319 Penn Hills Ln		Houston, TX	77062	
Bevill, Anna	15918 Diane Ln.		Houston, TX	77062	chg.up02@sbcglobal.net
Morris, Marth	1500 Bay Area Blvd. I #242		Houston, TX	77058	
McKinney, Umphrey E.	P.O. box 8868	1005 Sunset	San Leon, TX	77539	umphrey99@aol.com
Pautsch, R.J.	411 Scenic View		Friendswood, TX	77546	
Sweeney, Doug	2314 Brae Lane		League City, TX	77573	
Wiest, Natalie	2615 Jeb Stuart		League City, TX	77573	wiestn@tamug.edu
Baughman, Michael	21620 Gulf Freeway		Webster, TX	77598	baumikecan@aol.com
Harris, Jack & Mary Ellen	1258 Stone Road		Pearland, TX	77581	
Ehlers, Louis	3135 Massengale L.N.		Webster, TX	77598	lehlers@houston.rr.com
Garner, B.J. & Laura	11408 Hughes Road	2412 Eagles Way	Houston, TX	77089	
Seidensticker, Eddie	7705 W. Bay Road		Baytown, TX	77520	eddie.seidensticker@tx.usda.gov
Hood, Jeremy & Janet Grobe	2710 St. Andrews Place		League City, TX	77573	
Salmen, Fred	2005 LaSalle Lane		League City, TX	77573	
Stokes, Janelle	2024 Castle		League City, TX	77573	
Tully, John	310 Cedar Lane		El Lago, TX	77586	
Scott, Lamoin	210 Enterprise Ave #600-A		League City, TX	77573	lamoin.scott@senate.state.tx.us
Callaway, Glenda	2727 Kirby, Suite 523		Houston, TX	77098	Glencall@aol.com

**Clear Creek
Open House
Citizen Comments
February 26, 2004**

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EMAIL	COMMENTS	COMMENT SUMMARY
Allan	Treiman	4319 Stacy Ln		Seabrook	Tx	77586	treimanhumes@earthlink.net	The engineering work on the CCP is quite impressive, and I think the plans and environmental/parkland planning is much better than the earlier plan. Congratulations! I am still concerned that unchecked development in the upper reaches of the watershed will violate your planning assumption, and make the system much more 'flashy' than in the models. Houston area communities and developers have, in the past, shown no regard for long-term plans or economics, opting always for the very shortest term gain. This will mean denser development, less greenspace, and less water retention. I don't see that relying on city governments will work - an upstream city has no incentive at all to reduce growth to protect downstream!!	
Scott	Jones	2210 Bennigan Street		League City	Tx	77573	scotrtoni@juno.com	Thank you for providing this forum! One item (and a major one) is the lack of monetary value of environmental resources. Your economic analysis of the flood control project is incomplete unless you calculate the cost of destroyed or damaged by channels (earthen-lined or concrete), by-passes, forest removal, prairie inundation, water quality, reduction as you speed the flow of water to the bay; reduced fisheries resources, etc. You put a lot of time into costs of mandatory buyouts, etc. Do the same for the environment. This monetary value is sorely lacking!!! There are dollar figures for fisheries, recreation, pollutant removal, etc. I encourage the Corps to investigate these values since too many times the changes you create render a natural stream just a ditch. Please do not turn Clear Creek into another Sims Bayou, Brays Bayou or White Oak Creek. This doesn't mean concrete-a trapezoidal stream lined with grass is just as ruined as a concrete ditch. Please focus on non-structural tools. Thanks for the opportunity to comment. A very nice open house.	
Wade	Hudson	11414 Kirkwyn		Houston	Tx	77089		A coordinated and objective approach is required to meet the needs of flood victims and the overall drainage problems of this area. We need action, not studies.	
Nancy	Hudson	11411 Kirkwyn		Houston	Tx	77089	nancy.r.hudson@sbcglobal.net	Our house has flooded 3 times (2 from Allison). After the beltway was completed our drainage is not adequate. A maximum of 6 homes flooded in our neighborhood. With Allison 40 homes flooded. The amount of rain was less than previous rains in our area. We have lived in our home 36 years. One hope is that the Clear Creek project will remove water from our area. Kirkwood & Sagemont areas need major improvements in flood control. We need more retention areas. The builders of Beltway 8 promised us adequate drainage and the opposite was given to us - more water with no where for it to go except our homes. We have become a retention pond!	
Rod	McCrary	11422 Kirkwyn		Houston	Tx	77089	rod.mccrary@tcb.aecom.com	This meeting seems to be slanted in presentation to environmental preservation. Flood control is what is needed! What is being done to promote flood control projects? What is the time table for these projects? My home was not in the flood plain when constructed in 1971. Later map revisions now have it in the floodplain. Tropical Storm Allison data when released will probably show even greater areas in the flood plain. Flood protection improvements are needed immediately to reduce the floodplain and protect our homes.	

**Clear Creek
Open House
Citizen Comments
February 26, 2004**

FIRST NAME	LAST NAME	MAILING ADDRESS	PHYSICAL ADDRESS	CITY	STATE	ZIP	EMAIL	COMMENTS	COMMENT SUMMARY
Robert & Lisa	Wagget	2315 Oboe Trail		League City	Tx	77573	lawagget@renlearn.com	Please consider to dredge Robinson Bayou - Egret Bay Blvd to the lake. It is recorded that Shrimp Boat and other large vessels used to come up into this area, yet since residential, commercial and road buildup there is considerable silt and build up in the bayou that small recreational vehicles cannot even get through. Also, please review the watershed line for this area.	
Susan	Taylor	2414 Baycrest		Nassau Bay	Tx	77058		Continue to use detention upstream as much as possible. An objective of 'no new flooding downstream' should be added to your objectives list. Salt grass plantings should be carefully considered for sides of Clear Creek. We strongly oppose filling in any parts of Clear Lake including Swan Lagoon which is a water recreational area for small boaters. This area is the only part of Clear Lake safe for small boaters.	

Appendix A-6

1990s Public Involvement



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counties (Fort Bend, Brazoria and Galveston) before flowing into Clear Lake and, eventually, into Galveston Bay.

But it is a 14-mile segment that flows from west of FM Highway 2351 in Friendswood into Clear Lake that has pitted "upstream" neighbors against those living "downstream," and environmentalists and outdoor enthusiasts against the Harris County Flood Control District and the U.S. Army Corps of Engineers.

For advocates of deepening, widening and straightening this stretch of the creek - a process known as channelization - it is a simple issue. Even though only 15 percent of the 260-square-mile watershed is developed, new subdivisions and shopping centers are springing up daily. Open land that once sopped up rainwater has been replaced with paved parking lots that funnel the rain quickly into the swelling creek.

Due to flat topography, rampant growth and inadequate planning through the years, the area is prone to flooding, particularly around Friendswood, where the Harris County Flood Control District estimates there are about 500 houses in the 100-year flood plain along Clear Creek.

"It's not like getting your carpet wet," says Barbara Hopper, whose home in Friendswood has been flooded four times in 18 years. "It's disastrous and threatening."

Advocates such as Hopper believe the creek must be channelized like most of the bayous throughout Houston, so residents can feel safer when rains come as development continues.

"It's always been one of those pipe dreams: You can stay here and live because one day your channel will come," says Leslie Roque, a Friendswood resident who doesn't feel safe in her house from the threat of flooding, even though it is built 12-feet off the ground.

But others say the issue is much more complicated. Many who live closer to Clear Lake are worried that plans to channelize the creek will actually force water down their way faster, greatly increasing the potential for flooding the "downstream" communities, which are only from 8 feet to 11 feet above sea level.

"We're very wary when they tell us they're going to increase the flow coming down Clear Creek into an area that is prone to flooding already," says Gary Groover, mayor of Clear Lake Shores, who has lived in the area most of his life.

Personal-property issues aside, there is also a hotly debated environmental question: Will one of the area's most beautiful assets be lost forever by sending the bulldozers in?

Some area residents, backed by Texas Parks and Wildlife officials, claim channelization will wipe out valuable forests

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and rapidly vanishing wetlands that prevent erosion and serve as a habitat for birds and fish. They predict the channel will devastate tidal pools along the creek, where such aquatic life as speckled trout, redfish, flounder, shrimp and blue crabs grow up, and could cripple the area fishing industry.

"The estuaries (shallow tidal pools) serve as a nursery area. They give the young fish a chance to mature before they come into the larger system (in Galveston Bay). Without that critical link, those species will begin to decline," says Mark Kramer, stewardship coordinator at Armand Bayou Nature Center.

Some elected officials also worry about the effect channelization would have on the growing eco-tourism industry in the area. "A huge number of birdwatchers come down here and last year they spent \$3 million. That's a measurable item and that's just for birders," says Taylor Lake Village city council member Natalie O'Neill.

Ted Eubanks, a consultant to the state's efforts to promote nature-related tourism, is incredulous that officials would consider reducing the hardwood forests that attract hundreds of species of migrating birds.

"Here we are debating ditching some more of this habitat rather than trying to figure out how to enhance it and make it more attractive for tourists," says Eubanks. "We're literally running out of these habitats. As you lose those riparian woods, you lose those freeways for birds. Once they're gone, they're gone."

Jarrett "Woody" Woodrow, regional coordinator for resource protection of Texas Parks and Wildlife Seabrook Marine Laboratory, agrees that these areas are particularly valuable for wildlife because as coastal Texas has become more developed, the lush forests that once predominated are nearly gone.

"Everyone worries about the rain forest, but this Texas hardwood bottomland forest is under constant threat," he says.

Woodrow says it would take at a minimum from 80 to 100 years to begin to replace such forests, and even then, there is no guarantee that the entire ecosystem could be reproduced.

But Galveston County Commissioner Ed Stuart, who lives on the creek in Friendswood and has been a proponent of channelizing it since the idea was first broached in the 1960s,

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says trees grow fast.

Stuart says he planted 6-foot live oak saplings 16 years ago on some of his properties and they have grown to 20 feet tall with 12-inch trunks.

"Even live oaks can be grown to a full stature in one generation," he says. "I'm a realist. You have to realize what the real world is. This is not the Garden of Eden."

But for Lynne Aldrich and her husband, Peter Gottschling, it is. Ten years ago, the couple bought their home in Friendswood because it backs onto Clear Creek.

"We like natural things," she says. "I think that's why a lot of people live here."

Living near the Texas Medical Center would have been more convenient because Aldrich works as a hospital administrator, but the couple were put off by the concrete starkness of Braes Bayou.

Now, Aldrich winces as she passes by Braes Bayou because she thinks of what Clear Creek might become. "They made Braes Bayou into a ditch, and it still floods," she says.

The couple canoes regularly on the creek, where they delight in counting birds and relaxing from the stresses of urban life. But if it becomes channelized, they don't plan to go onto the creek again.

"Who wants to canoe in a ditch?" Gottschling says.

Worries about flooding and the best way to control it have dominated Houston from its inception in 1836, when the Allen brothers founded the city where two "wild rivers," Buffalo and White Oak bayous, meet. All in all, more than 6,500 bayous, streams, creeks and ditches flow through Harris County.

At first the land along the bayous and streams became a focal point for parks and fine homes. But floods in 1929 and 1935 left two-thirds of Houston underwater and so much silt in the ship channel that it took eight months to dredge it out.

Reeling from two such disasters in a short period of time, the city called in the U.S. Army Corps of Engineers to come up with a flood-control plan, and in 1937 the state Legislature created the Harris County Flood Control District to help implement any plan.

Looking at the area's high annual rainfall (48 inches, compared to 32 inches in Austin and 27 in San Antonio), flat topography and lumpy clay soil that drains poorly, the corps decided the best way to solve the flooding problem was to "rectify" or straighten out the bayous and, in most cases, concrete their banks.

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During the next 40 years, Brays, Sims and White Oak Bayous were "rectified" to increase the capacity for storm-sewer runoff. The process also often included cutting down trees and ground cover in an area 300 feet wide of the newly paved ditches.

In 1966, the corps proposed to do the same with a 10-mile stretch of Buffalo Bayou, from Shepherd Drive to West Belt. But a group of neighborhood residents calling themselves the Buffalo Bayou Preservation Association persuaded their congressman, George Bush, to call for the corps to restudy the project. Terry Hershey, who led the fight, says the project was eventually killed after "we pointed out the tremendous loss in property values around a concrete channel."

At about the same time, the flood control district aimed its attention at controlling flooding around the sparsely populated area of Clear Creek. In 1968, Congress authorized a federal flood control project along the creek from the Brazoria County line near Dixie Farm Road to the western edge of Clear Lake.

Even with the project authorized, it took nearly 20 years and several public meetings before the Harris County Flood Control District and Galveston County entered into an agreement with the U.S. Army Corps of Engineers in 1986 for a \$129 million project to channelize a 14.3-mile stretch of the creek, with \$75 million coming from the federal government.

Officials spent much of the past 10 years acquiring rights-of-way for the project. In 1989, the corps began constructing a \$20 million outlet near Seabrook to discharge storm water from Clear Lake into Galveston Bay. The outlet, which has six gates and is half the width of a football field, is a key - and controversial - element of the master plan because, without it, corps officials estimate Clear Lake likely will overflow from the increased runoff of water from the channelized creek.

But when dredging machines were spotted near the Kemah bridge earlier this year to complete the outlet project, Harris County Flood Control Director Art Storey began to hear from irate residents.

So Storey decided to review the project, which has thus far cost \$40 million, to determine if it should proceed as planned, be modified or abandoned. The move was hailed by many in the "downstream" communities of Clear Lake Shores, Nassau Bay, Taylor Lake Village, League City, El Lago and Seabrook,

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who worry about the project's impact.

Meanwhile, many residents of Friendswood were incensed that the project was being reexamined, although Storey said the review would not hinder the timetable of completion by 2006.

During the past six months, Storey held three public meetings and received more than 2,000 letters and phone calls, with opinions sharply divided. After a meticulous review process, Storey came up with a redesigned plan aimed at retaining federal funds for construction while lessening the environmental impact. Under the new plan, a five-mile stretch of the creek near Challenger Seven Memorial Park would be spared. Instead, a bypass channel would be dug to divert excess storm runoff from the creek.

The plan proposes reducing the width of the channel by 100 feet at the widest point and leaving some oxbows and natural meanderings of the stream in their natural state upstream of FM 528 near Friendswood. In addition, it calls for widening one side of the creek while leaving the other side intact in places, and performing maintenance work from a barge in the water, thus eliminating access roads. Concrete would be used only at bridges and not along the creek.

The changes in the plan would save 90 acres of forests and 50 acres of wetlands from destruction; however it still calls for 190 acres of forests and wetlands to be removed. New marsh sites from soil and dredgings along the creek would help mitigate the loss, according to the plan.

Storey, who still must persuade the corps of engineers that the new plan does not go outside the guidelines of the authorized project, is convinced it is the best solution available.

"I'm not going to say that widening a stream to twice its present cross section is not going to impact the character of the stream, but I think we can preserve its basic integrity," he says.

To some opponents, however, the new plan is little more than a gussied-up channelization project that does little to alleviate fears of flooding, particularly during high tides.

"Clearly some of the creek is being protected that might not be protected otherwise, but I'm not so sure, that, on balance, we're any further along than we were," says Jim Blackburn, an environmental attorney and adviser to Friends of Clear Creek, a grass-roots citizens group opposed to the project.

"On the one hand, I applaud Art Storey for being willing to reconsider. But to some extent where he has ended up is almost the worst of all possible worlds because he held out a promise of doing better."

In deciding to review the project, Storey was acknowledging a



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national trend to look at new ways to effectively manage flood-prone areas besides "rectifying" streams.

A key change in thinking occurred after floods along the Mississippi River devastated much of the upper Midwest in 1993. President Clinton authorized a high-level review committee headed by U.S. Army Brigadier Gen. Gerald Galloway to look at the major causes and consequences of the flooding.

The review committee determined that flood control projects had at times exacerbated flooding by attracting people to high-risk areas and creating greater exposure to future damages. In a report it called for "full consideration" to non-structural alternatives such as moving people out of the flood plain and building detention ponds to hold the water and release it at a later time.

In a telephone interview from his Washington, D.C.-area home, Galloway said it is no longer accepted policy to assume that such high-dollar projects as channelization and levees will prevent flooding by themselves.

"There is no one solution to any flood program," he says. "You start with the basics and ask yourself, are you protecting activities that really don't need to be in the flood plain?"

Structural solutions, such as channels, bypass channels and levees, should not be ruled out, Galloway says, but should be closely examined. "Sometimes when you do structural approaches, you create problems for other people in the system. You don't just design one part of your solution to the problem because for every action there is a reaction. So you better know what the cumulative effect of all those actions is before you jump into something."

A cumulative effect of chief concern to downstream residents is how much the enlarged Clear Creek channel would increase flood levels in Clear Lake. Hydrologists for the flood control district utilized numerous computer models to indicate there would be little or no effect, particularly with the recently constructed second outlet, which, when operational, will allow excess storm water to flow from Clear Lake into Galveston Bay.

However, Larry Dunbar, a respected hydrologist hired by Friends of Clear Creek, reviewed the information and says he found a "significant" discrepancy of as much as 1 1/2 feet in

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lake levels between studies done by the corps and the flood control district.

He also reviewed studies of the potential effects of the second outlet. The corps constructed the outlet because without it, they predict the level of water in Clear Lake could rise from 2 1/2 feet to 3 feet due to additional storm water runoff from the channelized creek. The outlet was designed with gates that open and close to maintain existing levels between the bay and the lake.

But the flood control district has thus far not been able to produce a computer model predicting what would happen if the gates are closed and the bay is higher than the lake - a common occurrence in the winter months, with wind-driven storms that raise tide levels, according to longtime residents.

"It doesn't take an engineer to figure out if the gates are closed and we get more water coming in, isn't the lake going to get higher than it would have without the project?" Dunbar says. "The answer is 'yes.' And that's the concern."

Flood control district officials believe the scenario is unlikely. "I don't think any of us have ever denied that out of a possible 1 million scenarios there's not a select few where the lake rises," says senior engineer Burton Johnson.

Opponents of the revised plan also criticize it because it does not include federal funds for detention ponds and buyout of homes in the flood plain.

The new plan calls for \$22 million in additional local tax dollars to buy 800 acres for two sites to detain storm water and to purchase homes in the flood plain that would not receive relief under the plan. But it does not specify where the additional local funds will come from.

Storey says the project likely cannot be changed to include federal funds for buyout and detention without going to Congress for re-authorization of the project. In that case, he fears the project could be canceled altogether.

But Linda Shead, executive director of the Galveston Bay Foundation, believes Storey's timidity has caused a flawed plan by not making a case for the latest recognized options to prevent floods.

"They were basically unwilling to look at anything that might risk the current federal authorization, even though our congressional delegation has been very supportive of changes in projects that really do show improvement and reflect widespread community support," she says.

Storey says other proposed alternatives, such as a second bypass channel around Friendswood that would spare an additional four miles of the creek, would cost an additional \$40 million and require cutting through natural gas fields.



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Detention areas without channelization would require three times as much land area as Clear Lake, he says.

"It's real easy to say, 'Let's get a better project' but this argument has been had twice . . . , and the project is under construction," Storey says. "Is there a better solution available? Not that I can find."

If Harris and Galveston Counties and the corps of engineers approve the plan, design modifications could begin right away and construction could begin in the next 18 to 24 months, says Storey.

But murmurs of lawsuits to stop the project are being heard from some residents along the creek. And a four-letter word - Brio - hangs heavy over any project. The abandoned Brio hazardous waste site in southeast Harris County drains into Clear Creek, and there are fears that dredging the creek will stir up any toxins imbedded in the mud and spread them throughout the watershed. The site was placed on a national priority list for cleanup in 1984, but no plan has been agreed upon.

Meanwhile, a central question remains: Is Clear Creek worth saving?

Even Storey says that, while the creek isn't like it was when the pioneers found it, it is "the last remnants of natural area in Harris County." For some, that's a strong argument for doing more to save it. For others, that's no reason at all.

"I like beauty," says Hopper, the Friendswood woman who lives in a house that has been flooded four times. "But this size watershed with this much population can't be a nature park."

But others believe messing with such a delicate ecosystem is a prescription for disaster and wonder if we have learned anything from the past.

"The creek is irreplaceable and much of the land is in the flood plain. I would question the rationality of anyone deciding to build in a flood plain," says Armand Bayou's Kramer. "Even the Krankawa Indians, who were the first inhabitants, knew better than to build in places that flooded."

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Changing the Channel

For years, homeowners, developers, environmentalists and the federal government have wrangled over a flood-control plan for Clear Creek. Now a compromise is in view -- but the creek's future is murkier than ever.

By Bob Burtman
published: December 25, 1997



Thirty years ago, the Army Corps of Engineers drafted a plan to solve flooding problems along Clear Creek. About 500 homes in the fledgling communities of Friendswood and Pearland had been built directly in the creek's floodplain, and those homes had suffered damage after especially heavy rains. With the area primed for continued development, the problems would only intensify. The homeowners wanted relief. With the backing of Harris and Galveston counties, the Corps agreed to design a solution. Like most of the Corps' plans at the time, the one for Clear Creek involved bulldozing and dredging much of the waterway into a glorified drainage ditch, as the agency had done with Brays, White Oak and other area bayous. In 1968, Congress authorized funding for the project.

But federal projects have a tendency to drag, and the channelization of Clear Creek was no exception: Except for a few minor revisions, some preliminary design work and an almost-finished second outlet between Clear Lake and Galveston Bay that will help drain storm water from the lake, little work has been done on the plan.

While the project has languished, much has changed in the Clear Creek watershed. Sections of the once-pastoral creek, which divides Harris County from Fort Bend, Brazoria and Galveston counties before spilling into Clear Lake and then Galveston Bay, have become part of the suburban landscape. The population of the communities around the lake has grown to 175,000. Housing developments and shopping centers dot the 47 upstream miles, with dozens more under construction or in the planning stage.

Development means more runoff when it rains, which in turn means more water flowing into Clear Creek. Major storms in 1979, 1983, 1989 and 1994 had the inevitable results -- hundreds of insurance claims by flooded homeowners and an increasing clamor for the Corps to get on with the flood-control project.

But pressures have also been exerted in the opposite direction. As one natural river system after another in the region has been claimed by the bulldozer, Clear Creek's value as an ecological and recreational resource has increased exponentially.

Spend an afternoon canoeing the quiet meanders of Clear Creek, and it's easy to see why. Pink and orange sprays of wild morning glories and trumpet vines line the verdant banks; the silence is broken occasionally by the flapping of a great blue heron or a roseate spoonbill. The creek's murky waters

harbor 50 species of salt- and freshwater fish. Last year, according to creekside resident and fisherman Marty Nottbohm, one angler landed a 53-pound catfish. Catching a ten-pounder "isn't unusual at all," says Nottbohm.

For the residents and other users who value the creek's treasures, the prospect of a channelized Clear Creek is unacceptable. "Channelization has destroyed the majority of Harris County's other creeks and bayous," says Mona Shoup of the Friends of Clear Creek, a grassroots group that wants to preserve the creek as it is. "Why will this project be any different?"

But the project will be different, at least according to its backers. The Harris County Flood Control District recently completed a six-month review of Clear Creek, and the district has recommended an alternative to the Corps plan that will be considerably less traumatic to the creek. At least some of those involved in the debate have endorsed it. "I'm very supportive of the proposal," says Marie Flickinger, who chairs a regional watershed board and co-owns and publishes the South Belt-Ellington Leader, a community newspaper. "I think they came up with a proposal that people can live with."

That remains to be seen. While the majority of people who had objected to the Corps plan agree with the flood-control district's direction, many say the compromise doesn't go far enough. Improved as the district plan may be, it still calls for channelization, which opponents argue is an obsolete and ineffective method of flood control. "There's still a lot of problems with the alternative," says Ted Scruggs, a Clear Creek resident who served on a citizens' advisory committee established during the review.

And for those who agree with the general concepts of the plan, a number of concerns remain. Foremost among them is the risk of environmental damage and the possibility that the project will increase the risk of flooding downstream in the Clear Lake area. "These issues weren't really answered to my satisfaction," says Galveston County Commissioner Wayne Johnson, who had the concerns formally adopted at a recent Commissioners Court meeting. "They really don't know."

Johnson may have identified the one sure thing in the whole Clear Creek debate: No one can say for certain just what effect the flood-control district's alternative plan would have on the creek, how much it will cost and who will pay for it --or whether it will even control flooding to any significant degree.

Nor is it clear that the Corps will accept all or even part of the district's recommendations. Because the agency follows a rigid set of criteria, Corps officials rejected the chance for a workable compromise that all parties might truly embrace. And changing course in midstream, especially after so many years, may prove too difficult for the Corps, which has earned a reputation over the years as a hidebound bureaucracy unwilling to accept new ideas. "It's easy for a project to acquire a life of its own when it comes with tens of millions of federal dollars attached to it," says Johnson.

The conflict has pitted neighbor against neighbor and exacerbated tensions between the upstream and downstream communities. During the six-month review, the five cities around Clear Lake passed resolutions opposing the Corps plan, while League City, Friendswood, Pearland and Brazoria County all went on record supporting it.

With various interest groups prepared to take more dramatic measures to see their visions for the creek realized, the issue may soon come to a head, possibly in the courts. But that may only serve to mire any resolution in a legal bog for years. In the meantime, as development continues at a rapid clip and opportunities to save the creek erode, everyone will end up the loser.

"Something has to get done," says Nassau Bay mayor Don Matter, who favors the flood-control district's alternative. "Nothing getting done is the worst of all possible worlds."

Surrounded by stacks of paper, boxes and books that fill almost every inch of open space in her

cramped office, Terry Hershey digs through her Clear Creek files. They're thick: Hershey has been fighting the Army Corps channelization project since it first took shape in 1968. "It's a bad project," Hershey says. "It always was a bad project, and it's still a bad project."

Perhaps Houston's most effective environmental advocate, Hershey knows a bit about bayous and flood control. In 1966, she co-founded the Bayou Preservation Association and helped stop a similar Corps plan to channelize a significant portion of Buffalo Bayou. And she was recently appointed to the board of the Association of State Floodplain Managers Foundation, a national organization involved with floodplain issues.

To Hershey and most everyone else involved with floodplain management, the old idea that channelizing bayous is an effective means of flood control has given way to alternative methods that preserve the natural waterways -- regional detention ponds, bypass channels, restrictions on development in the floodplain and buyouts of those who should never have built there in the first place. "The floodplain is the river's detention basin," says Hershey. "We ought to stay out of it."

That view has gained almost universal acceptance in the wake of the disastrous Mississippi River floods of 1993. But Hershey and her allies used those same arguments back when the Clear Creek project was first unveiled. "We spoke from common sense in the '60s and '70s," Hershey says. "Our common sense told us it was stupid to channelize rivers and streams. In the '90s we speak with a lot more authority."

Common sense failed to carry the day, however. To the Corps, flood control and channelization were inseparable, and Clear Creek would simply have to conform to conventional wisdom. The Corps and Harris and Galveston counties held public hearings and other meetings to rehash the issue in 1974, 1976 and again in 1982, and each time environmental groups offered alternatives. Invariably, the Corps dismissed them as impractical. "They said, 'All we can do is channelize the creek,'" recalls Mary Ellen Brennan, a Friendswood resident who has opposed the project since its inception.

Finally, in 1986, the Corps signed a contract with the Harris County Flood Control District and Galveston County to build a channel that would extend from Clear Lake to the Brazoria-Galveston County line. The feds would provide \$69 million of the estimated \$83 million total, with the two counties splitting the difference. Though reduced in scope from the original plan, the strategy remained the same -- bend the creek to the will of the people.

Slowed by a lawsuit over right-of-way acquisition, the project plodded along for another decade. The design for the three project segments was approved, and in July 1996 the Corps began to construct the second outlet between Clear Lake and Galveston Bay.

Though many opponents of the project were skeptical that the Clear Creek project would ever get off the ground, the construction work on the second outlet convinced them otherwise. A flurry of calls to flood-control district executive director Art Storey ensued. The outcry was loud enough and the arguments salient enough that Storey asked last April for a six-month hiatus to consider the situation. "It is never too late to abandon a wrong course of action," he said on several occasions.

Storey assembled a project review team to study alternatives and staged several public meetings to air opinions. Once again, opponents called for modern flood-control methods to supplant channelization. This time, they had more ammunition: Across the country, cities and counties are rejecting the old methods as outdated and are increasingly employing detention, buyouts and land-use management as the primary tools to control flooding.

In part, the change is practical -- not only has channelization destroyed the ecological benefits of waterways, but in many cases it did little to alleviate flooding. Brays Bayou, an ugly concrete monument to misguided thinking, was supposed to take care of flooding problems along its banks. Instead, neighborhood streets have filled up with Brays water on several occasions, and the entire

Medical Center goes into a panic every time there's a major downpour.

Even the Corps has altered its view of the world, though usually in response to lawsuits and court orders. In Florida, California and Tennessee, the agency is actually tearing out channelized projects and restoring the rivers and streams to their original condition.

But to some extent, the Corps remains stuck in time. In order to remain eligible for federal funding, the Clear Creek project must meet strict guidelines, one of which requires a minimum benefit/cost ratio. (The estimated cost of the project now stands at \$129 million, with \$74 million the current federal share.)

But the agency's definition of benefits rests on the presumed decrease in flood insurance claims and doesn't include the economic value of the watershed environment. So even though channelization could severely damage Clear Creek's worth as a fish hatchery and recreational area, that cost isn't included in the benefit/cost analysis. "It can't be quantified the same way as you can quantify a dollar reduction in damages," says Sid Tanner, who heads the Coastal Planning Branch of the Corps' Galveston district.

What that essentially means is that if additional dollars are spent to protect the environment, it can skew the benefit/cost ratio and kill federal funding.

During the six-month time-out, the project review team looked at a number of alternative elements that would satisfy the concerns about the environmental impact. Among the most attractive was a bypass channel, known as B-1, that would steer excess water east of Friendswood and leave the sensitive upper reaches of the creek essentially unspoiled. The bypass had broad-based support, and although it ran through some Exxon property, preliminary discussions with the oil company indicated that the route shouldn't prove too serious an obstacle.

But there was a problem: The bypass would increase the project cost by at least \$14 million, which would throw the benefit/cost ratio out of whack. Can't do it, said the Corps.

The flood-control district offered an easy out: The local communities would pick up the difference, so no new federal money would be required. Everyone could go home a winner.

But the Corps rejected that idea as well. The benefit/cost ratio is calculated on the basis of the overall cost. Who pays for what, explains Sid Tanner, is "beside the point."

When the flood-control district issued its alternative plan, B-1 was missing.

Art Storey could have blown off the federal funding, an option he mentioned early on as one of several to consider in order to get the best project possible. As late as August, a Clear Creek review team report noted that keeping the money was a "secondary" consideration. Soon thereafter, however, adhering to the Corps guidelines became a given, which condemned B-1 and other alternatives to the scrap heap. Many people believe that Storey, who answers to the Harris County Commissioners Court, was pressured to take that position as well as keep to the existing project schedule. That left him little room to maneuver a truly acceptable alternative. "In the box he found himself with elected officials, I think he has improved the project as much as possible," says a source familiar with the issue.

Storey denies that politics had anything to do with it. The decision, he says, was made internally by the review team. "I guess I had an attack of realism that forced me to recognize that this is a federal project," Storey says, "and that federal rules do matter."

Art Storey speaks with the care of someone used to having his words picked apart syllable by syllable. During his agency's review of Clear Creek, Storey had to steer a treacherous course between demanding

politicians, angry residents on all sides of the issue, developers, environmentalists and just about everyone with an interest in the creek.

Anxious to spin the district's alternative proposal for Clear Creek in glowing terms, Storey acknowledges that it's impossible to satisfy everyone, especially the "dyed-in-the-woolers" who will accept no compromise whatsoever. But he says the plan hammered out over the last six months represents a solid compromise that meets the needs of the majority. "Probably 80 percent of the groups ended the process delighted with the consensus building that went on," Storey says.

That figure is hard to verify, though early returns from groups weighing in on the proposal affirm the claim. "We applaud HCFCD executive director Art Storey and the HCFCD project team for their efforts to involve the community in improving the project and in responding to citizen concerns," wrote Linda Shead, the executive director of the Galveston Bay Foundation, in a recent letter to Harris County Judge Robert Eckels.

And almost everyone agrees that the district proposal is an improvement on what the Corps had in mind. "The current plan is light years ahead of what they started with," says Clear Lake Shores Mayor Gary Groover.

But while Storey gets a virtual standing ovation for his political tightrope walk, the compromise plan has failed to ease the anxieties of those who opposed the Corps project in the first place. "My position has not changed," says Taylor Lake Village Councilwoman Natalie O'Neill. "The council's position has not changed."

That position, shared by most of the Clear Lake communities, centers on a concern that channelizing the creek will create a virtual chute that will speed floodwaters directly to the lake. Combined with additional runoff from ongoing development upstream, the project could raise lake levels several inches during a heavy rain. Several inches is more than enough to push the water into kitchens and living rooms.

Art Storey and his project team think they've got that problem licked. While their computer models showed that the old Corps plan might indeed raise lake levels from one to four inches in adverse conditions, the alternative plan reduces the creek's flow by 25 percent, and the models show no increase in lake levels.

That's not quite good enough for Larry Dunbar, an engineer and environmental consultant hired by the Friends of Clear Creek to scrutinize the district's findings. For several reasons, however, Dunbar doesn't trust the district's calculations, which conflict with previous Army Corps analyses. "I think there's a problem with their model," he says.

Even the staunchest proponents of channelization agree that the flooding question will have to be answered by the Corps before the project can move forward. But assurances can only go so far -- in order to work, the plan presumes that dozens of variables will fall into place over a 50-year period, a risky assumption at best.

For example, the Corps calculates stormwater flows based on its prediction of how much development will occur in the watershed, and its track record on that issue is shaky. "I would challenge those assumptions," says Kevin Shanley, the incoming president of the Bayou Preservation Association. "They have demonstrated to me that they are incapable of coming up with full development numbers that are accurate."

Besides, the Corps has determined in the past that downstream flooding wouldn't be a problem with Brays Bayou and other projects, only to find out otherwise. If the models prove faulty after the fact, the fallout could last for decades. "The people down here ask me, 'If we flood, who do we sue?'" says Gary

Groover.

Flooding may be the biggest worry for Clear Lake area residents, but it's not the only one. The massive amount of dredging needed to deepen and widen the channel, even under the alternative plan, will likely result in tons of sediment being deposited downstream in the lake. Gary Groover notes that natural buildup has already made the private Clear Lake Hilton marina impassable for larger boats. Groover fears the consequences if the lake starts to fill up as a result of the project, especially since neither the Corps nor the flood-control district has addressed the issue. "This is a major flaw in the plan," he says. "In any channelization plan, for that matter."

To some residents along the creek, the potential volume of sediment pales in comparison to another misgiving about dredging the channel. Just upstream from Friendswood on the north side of Clear Creek sits Brio, one of the nation's worst toxic sites. Migrating carcinogens and other poisons from Brio, home to a series of now-defunct chemical companies, forced the evacuation of dozens of homes in the adjacent South Bend subdivision and the closure of an elementary school in the 1970s. Though added to the Superfund list 13 years ago, Brio has yet to be cleaned up.

Meanwhile, Brio's 22 unlined chemical pits continue to leak. Some of the effluent seeps into Mud Gulley, which runs through Brio and dumps directly into Clear Creek. In addition, numerous documented spills while the chemical plants were still operational flowed into the creek, and some of that material remains buried in the creek bed.

In November 1993, elevated levels of carcinogens in fish captured downstream from Brio prompted the state health commissioner to issue a "zero consumption" warning against eating fish from the creek. Two years later, flood-control district workers encountered a noxious patch of sediment while clearing the creek south of FM 2351, a couple of miles downstream from Brio. Though preliminary tests found no immediate threat from the patch, various state and local agencies recommended further analysis to determine the extent of the potential hazard. That analysis has yet to be done.

The potential health threat if dredging disturbs chemical deposits from Brio is enough for some residents to insist on an alternative to dredging, or at least a comprehensive environmental study to determine the extent of the deposits. And while those pushing to proceed with the channelization say the Brio argument is just a concoction to block the project, local officials aren't so sure. In an April letter to the EPA concerning the Superfund cleanup, Harris County Pollution Control Department director R.L. Barrett expressed his concerns about Brio's impact on the creek. "The presence of the contaminated sediments in Clear Creek, the extent of which is not fully defined, represents a challenge to anyone involved with or proposing construction activity that disturbs the contaminated sediments," Barrett wrote.

And Steve Fitzgerald of the flood-control district says the Corps will have to resolve the Brio issue before the project can proceed, whether or not the district's alternative is adopted. "We're concerned," Fitzgerald says.

Even if the questions over downstream flooding and Brio can be answered with some degree of certainty, the repercussions from channelizing Clear Creek could still be substantial. Toying with the sensitive estuarian zone in the central part of the creek, a major breeding ground for shrimp, blue crab and other staples of Galveston Bay's seafood industry, could seriously hurt the fishery and those who depend on it to make a living. The effect of removing significant wetland and forest acreage on the 125 species of resident and migratory birds who use the Clear Creek habitat is also unknown, and could in turn damage the area's burgeoning eco-tourism trade, which Taylor Lake Village's Natalie O'Neill says brought \$3 million to local communities last year and continues to grow.

Though unpredictable, the effects on the creek will be significant, and perhaps irreversible, even if the Corps accepts the more environmentally friendly alternative proposed by the flood-control district.

"Regrettably," says Art Storey, "there still are some [impacts]."

During the six-month review, Art Storey managed to instill an air of civility into the proceedings. At public hearings, speakers politely stated their cases for a hundred different variations of a dozen different themes, usually careful to praise the process and thank everyone in sight. But the passions that inflame most everyone with an interest in Clear Creek have bubbled near the surface for 30 years, and though he has tried to tout the alternative as a consensus plan, Storey will have a tough time keeping the peace when it's time to actually move forward.

The most obvious tension exists between the upstream and downstream communities. Friendswood and Pearland have experienced the worst of the flooding; many residents in those towns want the project to move ahead as quickly as possible. They see the objections from the Clear Lake area as obstructionist and self-serving.

In a letter to the Clear Creek project team after one public meeting, Brazoria County Commissioner Jack Harris identified a block of adversaries as "a large group of downstream residents using specious environmental arguments (Brio site, etc.) to oppose the project because they do not trust your engineering calculations and are more than happy to allow those upstream to suffer so that they may continue to have their creature comforts and protection."

Conversely, it's not surprising that residents around Clear Lake should be suspicious of the project and those who favor it. After all, the channelization of Clear Creek was specifically designed to alleviate the flooding in Friendswood, not Kemah or Seabrook. They resent the idea that they should pay for poor land-use planning and uncontrolled development upstream. "You're just moving the problem from upstream to downstream," said Nassau Bay resident Lou DeVita at a public meeting in League City last July.

If the conflicts were as simple as upstream versus downstream, Storey might have a relatively easy time reaching consensus. But a host of other interests break geographic boundaries and muddy the waters. While some Friendswood residents only want protection from the creek's floodwaters, others insist on preserving the natural beauty and character that drew them to the creek in the first place. "We are vehemently opposed to the whole concept of a channel," says Patricia Rosendahl, president of the Laurelfeld Homeowners Association, a Friendswood subdivision.

The list goes on. Preservationists decry the continued loss of wetlands and riparian forests. Out-of-towners want Clear Creek available for boating, fishing and other recreational activities, opportunities for which continue to dwindle as Houston's urban sprawl pushes ever outward. Fishermen want to ensure the health of the estuarine system.

Ultimately, though, the interest that will best be served by either channelization plan has been conspicuously silent during the review. It's not the downstream communities, who will be at some risk for increased flooding for decades to come. It's certainly not the preservation faction, which can only hope that the degradation of the creek environment won't be too severe.

And it's not the flood victims who have been the hardest hit and whose stories of suffering have fueled the project from the outset. Both plans call for a buyout of the 50 or so homes most susceptible to flooding, though no one has yet said specifically which ones. But at least some of them are in the Imperial Estates subdivision, located at the junction of Clear Creek and St. Mary's Creek, where residents have been among the most vocal in support of the Corps plan.

Instead, the biggest beneficiaries of the channelization of Clear Creek will be the development interests that have most contributed to the flooding problems in the first place. "You inevitably provide additional land for development when you protect houses that are already in the floodplain," says Art Storey.

Just how many houses will be protected from flooding when the project is done is a matter of conjecture. The Corps says 2,000. The flood-control district says between 400 and 500. "We were a little curious about how they got their numbers," says the flood-control district's Steve Fitzgerald.

One thing is more certain. Of the 12,800 acres in the watershed's 100-year floodplain, more than 60 percent will be removed after the regional detention plan and federal project are in place. The federal project alone will reduce the floodplain along Clear Creek itself by 74 percent. That land, freed from the restrictions that make construction inside the floodplain much more costly, will soon be on its way to what the Corps glibly calls "ultimate build-out."

A good chunk of the developable land lies in Brazoria County, which will receive roughly 30 percent of the benefits from the project, according to Corps calculations. But Brazoria County pulled out of the project in 1986, citing a lack of financial resources. Brazoria officials have nonetheless been quite active in pushing for its implementation. "We are concerned that if nothing is done, more and more of our citizens will suffer, and we can no longer accept that as a reasonable alternative," wrote County Commissioner Jack Harris in a letter urging forward motion. "The property rights of Brazoria County citizens are no less valuable than the rights of those downstream."

That Storey has cobbled together even a semblance of cooperation among these seemingly irreconcilable camps qualifies him for an ambassadorship. But while the various parties pay lip service to regional cooperation, the coalition is fragile at best and may dissolve as soon as the Corps announces its intentions, which may take up to 18 months. "We're all in this together," says Nassau Bay Mayor Don Matter, who was active in the review. "You're either part of the solution or you're part of the problem."

On the other hand, says Matter, perhaps voicing the sentiment of everyone connected to the creek, "We're gonna continue to look out for our own necks."

Not far south of Clear Creek, Dickinson Bayou flows through Galveston County and empties into the bay near San Leon. Like Clear Creek, Dickinson remains largely unspoiled and provides valuable environmental and recreational benefits to the community. But unlike Clear Creek, Dickinson has a flood-control plan that almost everyone has accepted.

Oddly, the plan looks much like the one Terry Hershey was pushing for Clear Creek 30 years ago. Relying mostly on detention and land-use controls, the project completely avoids any alterations of the main bayou channel. "We started by rejecting some of the assumptions on which the Clear Creek flood-control plan was built," says Galveston County Commissioner Wayne Johnson, who spearheaded the plan.

The cities in the Dickinson Bayou watershed have signed an accord that guarantees protections for the downstream communities, and plans are being readied for a bond vote to acquire the necessary regional detention sites. Environmental interests are pleased. Everyone is pleased.

So why can't that happen with Clear Creek?

"It's too late to do a detention project on Clear Creek," says Johnson. "We had the freedom to start from a fresh perspective."

Johnson may be right: The Dickinson plan was hatched in 1989, with the benefit of modern flood-control thinking and without any federal baggage to weigh it down. After 30 years, the Clear Creek project may simply be the victim of bad timing, too firmly entrenched to discard no matter how much better the options may be. The pressure to move forward with some plan is tremendous, and the Corps project and flood-control district alternative are the only ones on paper.

But as each day passes, getting either of those projects built becomes an increasingly tricky proposition.

For one thing, the costs have escalated. The federal project, penciled in for \$83 million in 1986, now has a \$129 million price tag, with the local communities expected to pick up most of the difference. That may not be an easy thing: Galveston County has already spent the money its county commissioners allocated to the project and will have to pass a referendum to authorize more.

That cost doesn't include maintenance of the project, which the locals must also absorb and could total millions annually. Under the flood-control district alternative, those costs are even higher, because maintenance will be done from the water instead of the land in order to keep the channel narrower. Project review team leader Steve Fitzgerald won't even hazard a guess as to what the annual bill might be.

In addition, the amount of land available for detention, wetlands mitigation, reforestation and dredge disposal -- significant requirements for either channelization project -- continues to shrink. At one point during the six-month review, a 900-acre tract thought to be ideal as a detention site was targeted as a possibility. By the time someone inquired about it, a third of the property had been sold to a developer who plans a 200-home subdivision on the site. The absence of any specific plan to buy detention sites or mitigate for environmental damage could seriously jeopardize the project.

Nor does the cost estimate include a \$519 million regional watershed flood-control plan for the creek that was developed in 1992, which depends on construction of the federal project for success.

Even if the technical issues can somehow be resolved, opponents stand ready to block the project if the Corps comes back with a decision they find unacceptable -- a virtual certainty. "I don't think the Corps project will ever go through," says Mona Shoup of the Friends of Clear Creek. Shoup says her group will continue to press forward with demands that channelization be abandoned.

Opponents will also try to sway public opinion against funding of the project. That may not be too difficult, especially if the downstream communities lack confidence that their interests will be protected. "A lack of local funds can stop the project," observes Wayne Johnson.

But starting from scratch with a Dickinson-style approach would require the cooperation of everyone involved, an equally unlikely scenario. And the costs of such a plan could well equal or exceed those of the current project. In the chess game that Clear Creek has become, a stalemate looms.

Developers aren't waiting around for a resolution. And residents in the area report that new subdivisions and shopping centers are digging ditches that feed into Clear Creek, to handle runoff. Sometimes there are no rules such as mandatory onsite detention to prevent it; other times, developers circumvent the rules. "Everywhere you turn, they're trying something to get around putting in detention systems," says Clear Creek Drainage District board member Ray Rogers, who has tried to hold developers to the letter of the law. "They know every trick."

So the flooding problems in Friendswood and Pearland will continue to spread. Residents can only hope that the next deluge is a long way off, and they're frustrated that there's no resolution on the horizon. "I believe that the majority of the people who live in this region demand a solution to our flooding problems now, and it should be achieved in the most economical and practical way possible," wrote Pearland resident Thomas Alexander in a letter to Art Storey supporting the Corps plan. "There will always be special interest groups opposed to some or possibly all proposed improvements to the watershed, but in a democracy, the majority's interest should come first."

Alexander's remarks raise an interesting question -- to what extent should public opinion matter? Judging from the tally of phone calls, letters and other reaction the flood-control district received during its review, Alexander might not like the outcome if channelization were put up for a vote. Less than a third of the comments supported the Corps project, and most folks seemed to favor an environmentally stronger solution than the flood-control district alternative.

And even if it were possible to let the majority rule, who should be allowed to cast a vote? Though some would argue it should be up to the communities adjacent to the creek, others suggest that the stakeholders should be defined more broadly.

"The river does not belong to the people who live next to it," says Terry Hershey. "It belongs to everybody."



Galveston Bay
Conservation and
Preservation Association

THE ECOLOGICAL ROLES OF THE CLEAR CREEK ECOSYSTEM



Robert W. McFarlane, Ph.D.
McFarlane & Associates
Houston, Texas
April 1998

Executive Summary

Clear Creek and its stream-side vegetation comprise a rare, and rapidly disappearing, riparian ecosystem valuable to terrestrial organisms, in-stream finfishes and shellfishes, and the significant commercial and recreational fisheries of Galveston Bay. Clear Creek in its natural state provides valuable ecosystem services at no cost to taxpayers, such as flood control, surface and subsurface water storage, sediment retention, nutrient and contaminant removal, maintenance of water quality, and habitat for plants and both resident and migrant animals. Channelization of Clear Creek for flood control purposes will, by design, reduce or remove virtually all beneficial aspects of this riparian ecosystem.

Introduction

The purpose of this report is to summarize the ecological roles of the Clear Creek ecosystem; to illustrate their importance to the surrounding uplands, clear Lake, and the Galveston Bay ecosystem; and to predict the resultant impact of the proposed channelization of Clear creek upon these adjoining ecosystems.

The land adjacent to a stream or river is often called a riparian zone or a riparian ecosystem. The *riparian zone* is a characteristic association of soils, plants and animals within the 100-year floodplain of a stream¹. Riparian ecosystems are maintained by high water tables and periodic flooding. Riparian zones have a multitude of ecological functions including surface and subsurface water storage, sediment retention, nutrient and contaminant removal, and the maintenance of habitat for plants and animals¹. Riparian zones suppress the undesirable effects of flooding, maintain water quality, and serve as centers of biological diversity. There are continuous interactions between the riparian, aquatic and upland terrestrial ecosystems through exchanges of energy, nutrients, and species. Riparian ecosystems are characterized by the combination of high species diversity, the density of organisms, and the productivity of the system. These ecosystems receive seasonal or periodic pulses of water level that are delivered from overbank flows carrying nutrients and organic matter¹.

Riparian ecosystems have a linear form as a consequence of their proximity to rivers and streams. The energy and material from the surrounding landscape converge and pass through riparian systems in much greater amounts than other wetlands. Riparian systems are open systems. They are functionally connected to upstream

and downstream ecosystems and are laterally connected to upslope (upland) and downslope (aquatic) ecosystems².

The Hydrologic Role

Riparian ecosystems have a high water table because of their close proximity to the adjacent stream. Their periodic, sometimes lengthy, inundation leads to the development of anaerobic conditions in the soil. Thus plants must be adapted to both inundation by water and a lack of oxygen in the soil. Flooding creates natural levees along the streambank as floodwaters spread out and lose velocity, allowing larger sediment particles to settle out. These levees then retard the flow of water back into the stream as floodwaters recede, resulting in further sedimentation. This provides a source of topsoil eroding from nearby uplands, and a source of moisture during drier periods, promoting the growth of trees and herbaceous vegetation. As the leaves and stems fall to the ground seasonally, decomposition is aided by the moist conditions and abundant soil organisms. The result is a rich organic soil, which frequently acts as a sponge to retain moisture.

This periodic flooding is necessary to maintain the riparian forest. In return, the floodplain forest accommodates large volumes of water, reducing the peak flood, recharging the groundwater, and slowly feeding the water back to the stream system, minus that amount which evaporates, is transpired to the atmosphere by the riparian vegetation, or is absorbed as groundwater. By creating meanders and oxbows, the stream further slows the downstream water flow. Streamside vegetation shades the stream, reducing water temperatures during the warm season.

Because of its proximity to Clear Lake and Galveston Bay, Clear Creek has a salt wedge as a result of the density gradient. This produces an upstream flow of salt or brackish water along the bottom of the creek at the same time that freshwater is flowing downstream at the surface. The saltwater wedge is influenced by downstream flow and tidal action, and its upstream limit oscillates between the mouth of Chigger Creek and FM 528. As a result, typical marine organisms can venture far upstream in the creek.

The Nutrient Role

The Clear Creek riparian ecosystem serves as both a sink and a source of nutrients. It continually receives nutrients in precipitation runoff from the adjacent uplands which lie upslope. It periodically receives nutrients from floodwaters which top the natural bankside levees, as sediments settle out. It stores organic materials from leaf fall and remineralizes inorganic nutrients through the decomposer organisms on the forest floor. As floodwaters recede from the forest, organic and inorganic nutrients, particulate materials, and larger detritus are carried downstream to Clear Lake and Galveston Bay.

It is important to differentiate between the nutrient cycling of the creek ecosystem compared to the lake and bay ecosystems. This creek receives all of its nutrients from the terrestrial portions of the watershed (technically described as a **heterotrophic** ecosystem) where the photosynthesizing organisms are terrestrial plants. The lake and the bay, which experience much slower water movement, are supported by two nutrient cycles. One cycle involves phytoplankton which use direct sunlight for photosynthesis (an **autotrophic** system) and the food chain includes zooplankton, small fishes, bigger fishes, etc. The other cycle is based on the consumption of detritus (decomposing plant and animal material), much of which is imported from the streams and rivers discharging into the bay. Many marine organisms, such as shrimp, crabs, catfish and mullet, are consumers of detritus³.

The numerous side bays and oxbows of Clear Creek play an important role in nutrient and detritus production. The freshwater, intermediate, and brackish marshes, which are prominent in these locations, are important contributors of organic and inorganic nutrients, particulate matter and large detritus. The different plant species die back at different times, decompose at different rates, and together provide nutrients and detritus to the creek over an extended period of the year. These sidebays and marshes are important nursery areas for postlarval and juvenile shrimp, crabs, and numerous fish species. For this reason they are very important to the extensive fisheries of Galveston Bay. In reality, the bay begins in the upstream headwaters of its creeks and rivers.

The Water Treatment Role

Riparian floodplains improve water quality by removing suspended solids, nutrients and contaminants. Pollutants

that are attached to clay particles precipitate with the sediment and remain in the forest soil layer for varying periods of time. The forest vegetation removes soil particles eroding from the adjacent uplands. This important role of riparian vegetation has been recognized across the nation, and steps to improve or replace riparian habitat are underway. Improving fish habitat frequently begins by fencing cattle away from stream edges.

The Biodiversity Role

Some of the highest densities of breeding birds in North America are found in riparian habitats. Streamside vegetation is very important in determining the structure and function of stream ecosystems. A riparian forest provides habitat for nesting and food acquisition that is absent from the surrounding prairie (originally), agricultural land, and developed areas. As in the stream banks slowly erode, trees topple into the stream, still attached to the bank, and create habitat for many stream organisms. Algae and many small invertebrate animals attach to the trunk, branches and exposed roots. In turn, these provide food and shelter to small fishes, which are fed upon by larger fishes, reptiles, birds and mammals. These toppled trees, sometimes called snags, create habitat by slowing down the flow of water and providing eddies of backflow. Fishes, and fishermen, are attracted to these habitats, as their attached hooks, lures and fishing line will attest.

Many freshwater fishes occur in the surface water while estuarine fishes are found in saltier water along the bottom. Some estuarine organisms, like menhaden, mullet, hogchokers and blue crabs, penetrate far upstream into fresh water. When the floodplain is under water, both freshwater and estuarine species spread out across the floodplain to feed on newly available forest floor organisms. Large fishes which have grown up in isolated oxbow lakes are able to escape to the stream, while the supply of new small fishes in the lakes is replenished.

The fishes of Clear Creek and Clear Lake are both abundant and diverse. Fifty-eight species of fish have been captured in Clear Lake. The following table describes the number and quantity of fishes, which are impinged on the trash-removal screens for cooling water drawn into the HL&P Webster Generating Station in one year⁵. The intake canal for this plant is located at Mile 7.8 on the lower reach of Clear Creek. Most of the impinged fishes are small, for larger fish are able to escape the water velocity, which draws them into the screens. The number of detritivores and bottom-feeding fish is striking. These organisms are all dependent on detritus and food organisms carried downstream by the creek. All of these estuarine finfishes and shellfishes had entered Clear Creek.

Species	Number of Finfish/Shellfish	Weight of Fish (Pounds)
Brown Shrimp	1,213,007	12,597
White Shrimp	1,115,552	7,112
Blue Crab	625,891	52,699
Gulf Menhaden	1,696,029	12,901
Gizzard Shad	4,071	1,186
Bay Anchovy	90,731	443
Sea Catfish	16,804	1,839
Sand Seatrout	36,851	1,451
Spotted Seatrout	36,851	1,451
Spot	33,454	2,511
Atlantic Croaker	1,211,660	10,957
Black Drum	1,418	359
Red Drum	4,197	49
Striped Mullet	38,072	8,977

The Environmental Impact of Stream Channelization

The channelization of Clear Creek will reduce or remove virtually all of the beneficial aspects of riparian habitat. It is designed to do exactly that. It will be built to accommodate a rear event. Major flooding seldom occurs. It happened in 1932, 1940, 1942, 1946, 1959, 1973, 1976, 1979 (twice), 1989, and 1994; or 11 times in 65 years. It results from people building homes in an inappropriate area, the floodplain.

Channelization will shorten and straighten the stream. This will result in more water moving downstream faster. Less water will reach the floodplain. Less water will infiltrate to become groundwater. Less sediment, and fewer contaminants, will be deposited on the floodplain. The lateral flow of water from adjacent uplands will be diverted by the new levees. Less nutrient and detritus will be carried downstream to nursery areas, Clear Lake and the bay. Important microbial decomposition processes that depend on in-stream travel time will be shortened. Since the Texas Department of health has issued a fish consumption advisory for Clear Creek due to contamination from the Brio superfund site on Mud Gully, any contaminants stirred up during channelization will quickly reach Clear Lake and Galveston Bay.

Channelization will lower the stream. During low stream flow (that is to say, most of the time) the water level will be at a lower elevation. This will dewater the adjacent floodplain by lowering the water table. Existing floodplain vegetation will be greatly affected. Since the entrance to oxbow lakes will be lowered to the new channel depth, these lakes will also dewater during low flow periods.

Channelization will widen the stream. This will necessarily remove much of the floodplain vegetation. Even if the impact is restricted to just one-half of the floodplain, (one side) it will decrease the riparian habitat by half. By greatly reducing the streamside trees and vegetation, and the shade they create, it will increase water temperature during the summer, and increase the amount of light reaching the stream at all times of the year. Widening the stream will necessarily decrease the depth of water during normal flow, further increasing water temperature and light exposure, fostering the growth of noxious algae.

Channelization will remove in-stream snags, which are the prime fish habitat. In fact, channelization removes the stream, converting it into a ditch. Channelization will fragment the existing riparian habitat. Since this habitat is already rare, and rapidly disappearing, organisms which are dependent upon this habitat will find it more difficult to locate, and to move between fragments, which will be farther apart. Channelization is designed to narrow the floodplain, making more land available for development, which indirectly will further reduce and fragment the riparian ecosystem.

Channelization will not achieve its stated objectives of enhancement of fish and wildlife resource (attract more and varied species), recreation, water quality, and preservation and protection of natural and cultural resources for public education and historical appreciation⁶. In fact, channelization will reduce fish and wildlife diversity, recreation and water quality, and destroy the natural resources of the riparian ecosystem.

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2. Mitsch, W.J., & J. G. Gosselink. 1993. Wetlands. 2nd edition. Van Nostrand Reinhold, New York.
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4. Ohmart, R.D., & B.W. Anderson, 1986. Riparian habitat. P. 169-199 in Inventory and Monitoring of Wildlife Habitat (A.Y. Cooperride, R. J. Boyd & H.R. Stuart, eds.) U.S. Dept. Interior, Bureau of Land Management.
5. Palafox, D. 1993. Non-fishing Human Induced Mortality of Fisheries Resources in Galveston Bay. Galveston Bay National Estuary Program GBNEP-29.
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Appendix A-7

Notification of Availability of the DSEIS and Public Hearing

Register. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: December 13, 2011.

Michael Yudin,

Acting Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2011-32249 Filed 12-15-11; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: U.S. Department of Energy.

ACTION: Submission for Office of Management and Budget (OMB) review; comment request.

SUMMARY: The Department of Energy (DOE) has submitted an information collection request to the OMB for extension under the provisions of the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of its "Technology Partnerships Ombudsmen Reporting Requirements", OMB Control Number 1910-5188. This information collection request covers information necessary to implement a statutory requirement that the Technology Transfer Ombudsmen report quarterly on complaints they receive.

DATES: Comments regarding this collection must be received on or before January 17, 2012. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the OMB Desk Officer of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at (202) 395-4650.

ADDRESSES: Written comments should be sent to the:
DOE Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New

Executive Office Building, Room 10102, 735 17th Street NW., Washington, DC 20503; and to Kathleen M. Binder, HG-6, Director, Office of Conflict Prevention and Resolution, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, Kathleen.binder@hq.doe.gov, (202) 287-1415 (facsimile).

FOR FURTHER INFORMATION CONTACT:

Kathleen M. Binder at the address listed in **ADDRESSES**.

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) *OMB No.* 1910-5188; (2) *Information Collection Request Title:* Technology Transfer Ombudsmen Reporting Requirements; (3) *Type of Request:* Renewal; (4) *Purpose:* The information collected will be used to determine whether the Technology Partnerships Ombudsmen are properly helping to resolve complaints from outside organizations regarding laboratory policies and actions with respect to technology partnerships; (5) *Annual Estimated Number of Respondents:* 22; (6) *Annual Estimated Number of Total Responses:* 88; (7) *Annual Estimated Number of Burden Hours:* 50; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* 0.

Statutory Authority: Section 11 of the Technology Transfer Commercialization Act of 2000, Public Law 106-404, codified at 42 U.S.C. 7261(c)(3)(C).

Issued at Washington, DC, on December 13, 2011.

Kathleen M. Binder,

Director, Office of Conflict Prevention and Resolution, Office of Hearings and Appeals.

[FR Doc. 2011-32251 Filed 12-15-11; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Nuclear Energy Advisory Committee

AGENCY: Department of Energy, Office of Nuclear Energy.

ACTION: Notice of Renewal.

SUMMARY: Pursuant to Section 14(a)(2)(A) of the Federal Advisory Committee Act, App. 2, and Section 102-3.65(a), Title 41, Code of Federal Regulations, and following consultation with the Committee Management Secretariat, General Services Administration, notice is hereby given that the Nuclear Energy Advisory Committee will be renewed for a two-year period.

The Committee will provide advice to the Department of Energy on complex science and technical issues that arise in

the planning, managing, and implementation of DOE's nuclear energy program.

Additionally, the renewal of the NEAC has been determined to be essential to conduct business of the Department of Energy's and to be in the public interest in connection with the performance of duties imposed upon the Department of Energy, by law and agreement. The Committee will continue to operate in accordance with the provisions of the Federal Advisory Committee Act, the rules and regulations in implementation of that Act.

FOR FURTHER INFORMATION CONTACT:

Kenneth Wade, Designated Federal Officer at (301) 903-6509.

Issued at Washington, DC, on December 12, 2011.

Carol A. Matthews,

Committee Management Officer.

[FR Doc. 2011-32332 Filed 12-15-11; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9000-5]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements Filed 12/12/2011 Through 12/16/2011

Pursuant to 40 CFR 1506.9.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EIS are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

EIS No. 20110417, Draft EIS, USFS, CA, Rubicon Trail Easement and Resource Improvement Project, Construction and Operation, Right-of-Way Grant, Eldorado National Forest, Pacific Ranger District, El Dorado County, CA, Comment Period Ends: 01/30/2012, *Contact:* Laura Hierholzer (530) 642-5187

EIS No. 20110418, Final EIS, NPS, WA, Ross Lake National Recreation Area Project, General Management Plan, Implementation, Skagit and Whatcom Counties, WA, Review Period Ends: 01/17/2012, *Contact:* Roy Zipp (360) 873-4590 Ext. 31

EIS No. 20110419, Final EIS, BR, CA, Suisun Marsh Habitat Management,

Preservation, and Restoration Plan, Implementation, CA, *Review Period Ends*: 01/17/2012, *Contact*: Becky Victorine (916) 978-5035

EIS No. 20110420, Draft Supplement, USACE, TX, Clear Creek Reevaluation Study Project, Flood Risk Management and Ecosystem Restoration, Brazoria, Fort Bend, Galveston and Harris Counties, TX, Comment Period Ends: 01/30/2012, *Contact*: Andrea Catanzaro (409) 766-6346

EIS No. 20110421, Draft EIS, USFS, CA, Greys Mountain Ecological Restoration Project, Proposed Forest Management Treatments to Reduce Fire Hazard and Restore Forest Health, Sierra National Forest, Bass Lake Ranger District, Madera County, CA, Comment Period Ends: 01/30/2012, *Contact*: Burt Stalter (559) 877-2218 Ext. 3208

EIS No. 20110422, Draft EIS, RUS, 00, Hampton—Rochester—La Crosse Transmission System Improvement Project, Proposed Construction and Operation of a 345-Kilovolt (kV) Transmission Line and Associated Facilities between Hampton, Minnesota and La Crosse, Wisconsin, Comment Period Ends: 01/30/2012, *Contact*: Stephanie A. Strength (970) 403-3559

Amended Notices

EIS No. 20110404, Draft EIS, BLM, NV, Mount Hope Project, Molybdenum Mining and Processing Operation in Eureka County, NV, Comment Period Ends: 03/01/2012, *Contact*: Angelica Rose (775) 635-4000

Revision to FR Notice Published 12/02/2011: Correction to Comment Period from 03/07/2012 to 03/01/2012

EIS No. 20110410, Draft EIS, FAA, CA, Gness Field Airport Project, Proposed Extension to Runway 13/31/, Funding, Marin County, CA, Comment Period Ends: 02/06/2012, *Contact*: Doug Pomeroy (650) 827-7612.

Revision to FR Notice 12/09/2011: Correction to Contact Telephone Number.

Dated: December 13, 2011.

Cliff Rader,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2011-32282 Filed 12-15-11; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9508-1]

New York State Prohibition of Discharges of Vessel Sewage; Final Affirmative Determination

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Determination.

SUMMARY: Notice is hereby given that, pursuant to Clean Water Act, Section 312(f)(3) (33 U.S.C. 1322(f)(3)), the State of New York has determined that the protection and enhancement of the quality of the New York State portions of Lake Ontario requires greater environmental protection and has petitioned the United States Environmental Protection Agency (EPA), Region 2, for a determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for those waters, so that the State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters.

The New York State Department of Environmental Conservation (NYSDEC) has proposed to establish a Vessel Waste No Discharge Zone (NDZ) for the New York State portion of Lake Ontario ("Lake") including the waters of the Lake within the New York State boundary, stretching from the Niagara River (including the Niagara River up to Niagara Falls) in the west, to Tibbetts Point at the Lake's outlet to the Saint Lawrence River in the east. The proposed No Discharge Zone encompasses approximately 3,675 square miles and 326 linear shoreline miles, including the navigable portions of the Lower Genesee, Oswego, and Black Rivers; numerous other tributaries, harbors, and embayments of the Lake including Irondequoit Bay, Sodus Bay, North/South Ponds, Henderson Bay, Black River Bay and Chautmont Bay; and an abundance of formally designated habitats and waterways of local, state, and national significance. NYSDEC certified the need for greater protection of the water quality. EPA hereby makes a final affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for Lake Ontario.

EPA published a tentative affirmative determination on October 5, 2011 in the **Federal Register**. Public comments were solicited for 30 days and the comment period ended on November 4, 2011.

EPA received a total of eight (8) comments via letter and email. The comment tally was seven (6) in favor of, and two (2) questioning or opposing the No Discharge Zone designation. All the relevant comments received have been considered in the final affirmative determination. This **Federal Register** document addresses comments submitted in response to the October 5, 2011 (Volume 76 No. 193) **Federal Register** document.

Response to Comments

1. *Comment:* Several commenters, including boaters, paddlers and community advocates, expressed strong support for EPA's action to establish a vessel waste no discharge zone for Lake Ontario. Some commenters pointed out that this action will reduce pathogens and chemicals, improve water quality and further protect and restore the Lake.

EPA Response: EPA is in full agreement that designating Lake Ontario is an important step to further protect this valuable natural resource, water quality, wetlands and habitats throughout the U.S. portions of Lake Ontario.

2. *Comment:* One commenter stated that discharges from boats are a relatively small source of pollution compared to the pollution caused by farm runoff into the Lake.

EPA Response: These comments go beyond the scope of EPA's authority in this action. EPA's authority here is limited to determining whether adequate pumpout facilities exist. Establishing a no discharge zone for vessel sewage will have a positive effect on water quality in the Lake.

3. *Comment:* One commenter expressed concerns about the conditions and availability of the pumpout facilities at Sodus Point in Lake Ontario.

EPA Response: The criterion established by the Clean Vessel Act regarding the adequate number of pumpouts per vessel population is one pumpout per 300 to 600 vessels. NYSDEC has submitted pumpout information (including location, phone numbers, latitude/longitude, VHF channel, dates and hours of operation, fees, and capacity) outlining how areas of the Lake meet or exceed this criterion; therefore, EPA has determined that there are adequate pumpout facilities. EPA recognizes the importance of adequate pumpouts to service the boating activity within a given waterbody. New York State is responsible for ensuring that all of the facilities are accessible and operational. There are six pumpouts (Pultneyville Yacht Club, Sodus Bay Yacht Club, Krenzer Marine, Inc., Arney's Marina,

using the Monte Carlo analysis methodology developed for the RFS2 final rule.⁷² Figure II–1 and Figure II–2 show the results of our statistical uncertainty assessment. In analyzing both palm oil biofuel pathways, the midpoint results, and therefore the majority of the scenarios analyzed, fail to meet the 20% lifecycle GHG reduction requirement for non-grandfathered renewable fuels.

We have also identified areas of uncertainty that are not explicitly addressed in our Monte Carlo analysis due to time considerations. These areas of uncertainty have been assessed with sensitivity analysis and qualitative inspection. A majority of the areas of uncertainty considered could result in higher actual lifecycle GHG emissions than estimated in our midpoint results. These aspects of our analysis include uncertainties regarding: the total area of projected incremental palm oil expansion; the percent of palm oil expansion impacting tropical peat swamp forests; and indirect emissions related to peat soil drainage, such as from an increased risk of forest fires or collateral drainage of nearby uncultivated land. For these areas of uncertainty it is our judgment that our midpoint estimates likely underestimate the actual amount of lifecycle GHG emissions, but it is unlikely that they overestimate the actual emissions. We have also identified a smaller number of uncertainties which could result in less actual emissions. For example, increased adoption of methane capture/use technologies at palm oil mills and future government restrictions on peat soil development would likely result in less actual emissions than estimated in our midpoint results. Regarding methane capture and use projections, we conducted sensitivity analysis assuming that all mills use closed digester tanks with 90% methane capture efficiency, and convert the methane to electricity with 34% efficiency for export to the grid. In this sensitivity scenario, the mid-point results for palm oil biodiesel and renewable diesel are 42% and 36% reductions compared to the diesel baseline, respectively. Thus, even in this very optimistic scenario, neither of the palm oil biofuel pathways analyzed achieves a 50% GHG reduction. Our consideration of uncertainties in our lifecycle assessments is described further in a reference document available through the public docket.

Based on the weight of evidence considered, and putting the most weight

on our mid-point estimate results, the results of our analysis indicate that both palm oil based biofuels pathways would fail to qualify as meeting the minimum 20% GHG performance threshold for qualifying renewable fuel under the RFS program. This conclusion is supported by our midpoint estimates, our statistical assessment of land use change uncertainty, as well as our consideration of other areas of uncertainty. A majority of the areas of uncertainty that we have identified, and discussed above, would lead to higher actual lifecycle GHG emissions than estimated in our midpoint results. Some of these areas of uncertainty appear to be fairly likely to result in greater actual emissions and in some cases by a substantial amount. In comparison, we identified a smaller number of uncertainties which could result in less actual emissions, but these factors appear less likely to reduce emissions by an equivalent amount. Based on the results of our analysis and considering key areas of uncertainty, the minimum 20% lifecycle GHG reduction requirements for non-grandfathered fuels under the RFS program is not achieved for the palm oil biofuel pathways evaluated.

The docket for this NODA provides more details on all aspects of our analysis of palm oil biofuels. EPA invites comment on all aspects of its modeling of palm oil biodiesel and renewable diesel. We also invite comment on the consideration of uncertainty as it relates to making GHG threshold determinations.

Dated: December 14, 2011.

Margo T. Oge,

Director, Office of Transportation & Air Quality.

[FR Doc. 2012–1784 Filed 1–26–12; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9001–3]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7146 or <http://www.epa.gov/compliance/nepa/>.

Weekly Receipt of Environmental Impact Statements

Filed 01/17/2012 Through 01/20/2012 Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its

comments on EISs issued by other Federal agencies. EPA's comment letters on EIS are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

EIS No. 20120013, Final EIS, USFS, ID, Clearwater National Forest Travel Planning Project, Proposes to Manage Motorized and Mechanized Travel, Clearwater National Forest, Idaho, Clearwater, Latah and Shoshone Counties, ID, Review Period Ends: 02/27/2012, Contact: Heather Berg (208) 476–4541.

EIS No. 20120014, Revised Draft EIS, USFS, MT, East Deer Lodge Valley Landscape Restoration Management Project, To Conduct Landscape Restoration Management Activities, Additional Information Including the Addition of Alternative 3, Pintler Ranger District, Beaverhead Deerlodge National Forest, Powell and Deerlodge Counties, MT, Comment Period Ends: 03/12/2012, Contact: Brent Lignell (406) 494–2147.

EIS No. 20120015, Draft EIS, FTA, WA, Mukilteo Multimodal Project, To Improve the Operations, Safety and Security of Facilities Serving the Mukilteo-Clinton Ferry Route, Funding, USACE Section 10 and 404 Permits, Snohomish County, WA, Comment Period Ends: 03/12/2012, Contact: Daniel Drais (206) 220–4465.

EIS No. 20120016, Draft EIS, BLM, NV, Hycroft Mine Expansion Project, Proposes to Expand Mining Activities on BLM Managed Public Land and Private Land, Approval, Humboldt and Pershing Counties, NV, Comment Period Ends: 03/12/2012, Contact: Kathleen Rehberg (775) 623–1500.

EIS No. 20120017, Draft EIS, FHWA, NY, Tappan Zee Hudson River Crossing Project, To Provide an Improved Hudson River Crossing between Rockland and Westchester Counties Funding, USACE Section 10 and 404 Permits, Rockland and Westchester Counties, NY, Comment Period Ends: 03/15/2012, Contact: Jonathan D. McDade (518) 431–4125.

EIS No. 20120018, Final EIS, FHWA, CA, State Route 76 South Mission Road to Interstate 15 Highway Improvement Project, Widening and Realignment Including Interchange Improvements, USACE Section 404 Permit, San Diego County, CA, Review Period Ends: 02/27/2012, Contact: Manuel E. Sanchez (619) 699–7336.

Amended Notices

EIS No. 20110350, Draft EIS, USFS, AZ, Rosemont Copper Project, Proposed Construction, Operation with Concurrent Reclamation and Closure of an Open-Pit Copper Mine,

⁷² The Monte Carlo analysis is described in EPA (2010a), Section 2.4.4.2.8.

Coronado National Forest, Pima County, AZ, Comment Period Ends: 01/31/2012, Contact: Bev Everson (520) 388-8300. This document is available on the Internet at: <http://www.fs.fed.us/r3/coronado/RosemontDEISmain.htm>. Revision to FR Publication 10/21/2011; Extending Comment Period from 1/18/2012 to 1/31/2012.

EIS No. 20110420, Draft Supplement, USACE, TX, Clear Creek Reevaluation Study Project, Flood Risk Management and Ecosystem Restoration, Brazoria, Fort Bend, Galveston and Harris Counties, TX, Comment Period Ends: 01/30/2012, Contact: Andrea Catanzaro (409) 766-6346. Revision to FR Notice Published 12/16/2012; Extending Comment Period from 01/30/2012 to 02/14/2012.

Dated: January 24, 2012.

Cliff Rader,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2012-1814 Filed 1-26-12; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9623-6]

Notification of Two Public Teleconferences of the Science Advisory Board Ecological Processes and Effects Committee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office announces two public teleconferences of the SAB Ecological Processes and Effects Committee (EPEC). The SAB EPEC will provide advice on the EPA Risk Assessment Forum (RAF) document, "Integrating Ecological Assessment and Decision-Making at EPA, 2011 RAF Ecological Assessment Action Plan (August, 11, 2011)."

DATES: The SAB Ecological Processes and Effects Committee will conduct public teleconferences on February 22, 2012 and February 23, 2012. The teleconferences will begin at 12:00 noon and end at 4 p.m. (Eastern Time) on each day.

ADDRESSES: The public teleconferences will be conducted by telephone only.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing further information regarding the public teleconferences may contact Dr. Thomas

Armitage, Designated Federal Officer (DFO), SAB Staff Office, by telephone/voice mail at (202) 564-2155 or via email at armitage.thomas@epa.gov. General information concerning the EPA Science Advisory Board can be found at the EPA SAB Web site at <http://www.epa.gov/sab>.

SUPPLEMENTARY INFORMATION:

Background: The SAB was established pursuant to the Environmental Research, Development, and Demonstration Authorization Act (ERDAA) codified at 42 U.S.C. 4365, to provide independent scientific and technical peer review, advice, consultation and recommendations to the EPA Administrator on the technical basis for EPA actions. As a Federal Advisory Committee, the SAB conducts business in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2) and related regulations. Pursuant to FACA and EPA policy, notice is hereby given that the SAB EPEC, augmented with other experts, will hold two public teleconferences to provide advice through the chartered SAB on the EPA Risk Assessment Forum (RAF) document, "Integrating Ecological Assessment and Decision-Making at EPA, 2011 RAF Ecological Assessment Action Plan (August, 11, 2011)." The SAB Committee will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

In response to recommendations in a 2007 SAB Report, "Advice to EPA on Advancing the Science and Application of Ecological Risk Assessment in Environmental Decision-Making" (EPA-SAB-08-002), the EPA Risk Assessment Forum in the Office of the Science Advisor held an EPA ecological assessment colloquium and developed an action plan titled, "Integrating Ecological Assessment and Decision-Making at EPA, 2011 RAF Ecological Assessment Action Plan (August, 11, 2011)." The action plan proposes initiatives to improve the quality, scope, and application of the EPA's ecological assessments. Initiatives outlined in the action plan address high priority recommendations in the EPA colloquium report, "Integrating Ecological Assessment and Decision-Making at EPA: A Path Forward" (EPA/100/R-10/004). EPA's Office of the Science Advisor has requested that the SAB Ecological Processes and Effects Committee review the Agency's ecological assessment action plan and related background documents, and provide advice on the technical merit and implementation of proposed initiatives. The SAB EPEC will be

augmented with experts who participated in the SAB 2007 review.

Availability of the review materials:

The agenda and material in support of this meeting will be available on the SAB Web site at <http://www.epa.gov/sab>. For technical questions and information concerning EPA's review document, "Integrating Ecological Assessment and Decision-Making at EPA, 2011 RAF Ecological Assessment Action Plan (August, 11, 2011)," please contact Mr. Lawrence Martin of EPA's Risk Assessment Forum by phone (202) 564-6497 or via email at martin.lawrence@epa.gov.

Procedures for Providing Public Input:

Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office. Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit relevant comments pertaining to EPA's charge, meeting materials and/or the group conducting the activity. Input from the public to the SAB will have the most impact if it consists of comments that provide specific scientific or technical information or analysis for the SAB Committee to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment on the February 22, 2012 public teleconference should contact the Designated Federal Officer for the relevant advisory committee directly. **Oral Statements:** In general, individuals or groups requesting an oral presentation will be limited to five minutes per speaker. Interested parties should contact Dr. Thomas Armitage, DFO, in writing (preferably via email), at the contact information noted above, by February 15, 2012 to be placed on the list of public speakers for February 22, 2012. **Written Statements:** Written statements should be received in the SAB Staff Office by February 15, 2012 so that the information may be made available to the SAB Committee for their consideration. Written statements should be supplied to the DFO in electronic format via email (acceptable file formats: Adobe Acrobat PDF, WordPerfect, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format). It is the SAB Staff Office general policy to post written comments on the Web page for the advisory meeting or teleconference.

A F F I D A V I T

Attachment

NOTICE OF PUBLIC MEETING AND AVAILABILITY OF THE DRAFT GENERAL REEVALUATION REPORT, DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, CLEAR CREEK GENERAL REEVALUATION STUDY AND DRAFT GENERAL CONFORMITY DETERMINATION

Interested parties are hereby notified of and invited to attend an open house and public meeting to be conducted by the U.S. Army Corps of Engineers on: WEDNESDAY, JANUARY 11, 2012. OPEN HOUSE 5:30 PM TO 6:30 PM. PUBLIC MEETING 7:00 PM TO 8:30 PM. MARIE SPENCE FLICKENGER FINE ARTS BUILDING, SAN JACINTO COLLEGE SOUTH, 13735 BEAMER ROAD, HOUSTON, TEXAS.

The meeting will provide an opportunity for all persons to comment on the Draft General Reevaluation Report (DGRR), Draft Supplemental Environmental Impact Statement (DSEIS), and the Draft General Conformity Determination (DGCD). Those unable to attend

may find the DGRR, DSEIS, and DGCD at <http://www.swg.usace.army.mil/pao/HofTopic.asp>. Written comments on the DGRR/DSEIS and the DGCD must be postmarked by January 30, 2012. Comments may be mailed or emailed to: GALVESTON DISTRICT, CORPS OF ENGINEERS, ATTN: MS. ANDREA CATANZARO, P.O. BOX 1229, GALVESTON, TEXAS 77553 or andrea.catanzaro@usace.army.mil

Published: December 16, 2011
00285440

County of Galveston §
§
State of Texas §

Before me, the undersigned authority, on this day personally came and appeared Lois Colvin, to me well known (or proved to me on the basis of satisfactory evidence), and who after being duly sworn (affirmed) did depose and say that she is an AGENT for THE GALVESTON COUNTY DAILY NEWS, a newspaper of general circulation, which has been continuously and regularly published for a period of not less than one year, in the County of Galveston, and that the NOTICE, a copy of which is hereto attached was published in said newspaper on the following days, to wit:

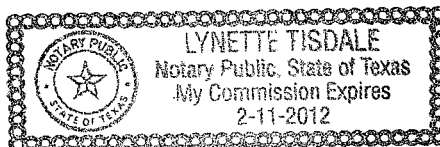
December 16, 2011

Lois Colvin
Agent Signature

Sworn and subscribed before me

On this the 16th day of Dec, 2011

Lynette Tisdale
Notary for the State of Texas



Advertising Invoice

Galveston County Daily News

1/1

P.O. Box 628
Galveston, TX 77553-0628

Phone: (409) 683-5300

Fax: (409) 938-8409

URL: www.galvnews.com

Andrea Catanzaro
US Army Corp of Engineers - Galveston Dist.
P O Box 1229
GALVESTON, TX 77553

Cust #: 18107064
Phone #: (409)766-3802
Post Date: 12/16/2011
Due Date: 01/27/2012
Invoice #: 300765766

Classification: 006 Legal Notices

Acct Type: cr

Salesperson: 021

Ad Taker: 021

Ad #	Text	Start	Stop	Amount	Prepaid	Due
00285440	NOTICE OF PUBLIC MEETING AND A	12/16/2011	12/16/2011	187.08	-187.08	0.00

Please return a copy with payment

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AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

COUNTY OF HARRIS:

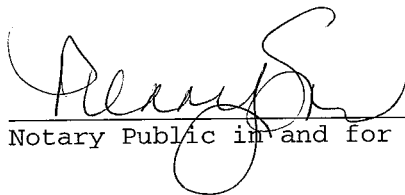
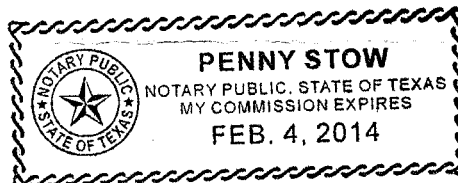
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, the Newspaper Representative at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and generally circulated in the Counties of: HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, and MATAGORDA and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

US ARMY CORPS OF ENGINEERS 25165637 91118226
RAN A LEGAL NOTICE
SIZE BEING: 1 X 50 L
 product date class page
 hc Dec 16 2011 1245.0 D_frilg_5



NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this the 16th Day of December A.D. 2011



Notary Public in and for the State of Texas

**NOTICE OF PUBLIC
MEETING AND
AVAILABILITY OF THE
CLEAR CREEK DRAFT
GENERAL REEVALUATION
REPORT (DGRR),
DRAFT SUPPLEMENTAL
ENVIRONMENTAL IMPACT
STATEMENT(DSEIS)
AND DRAFT GENERAL
CONFORMITY
DETERMINATION (DGCD)**

Public Meeting and
Invitation to Comment:

Wednesday, January 11,
2012
Open House
5:30 Pm To 6:30 PM
Public Meeting
7:00-8:30 PM

Marie Spence Flickenger
Fine Arts Building
San Jacinto College South
13735 Beamer Road,
Houston, Texas

For info: <http://www.swg.usace.army.mil/pao/HotTopic.asp>.

Written comments on the
DGRR/DSEIS and the
DGCD must be post-
marked by January 30,
2012.

Comments may be mailed
or emailed to:
Galveston District, Corps
of Engineers, Attn:
Ms. Andrea Catanzaro,
P.O. Box 1229 Galveston,
Texas 77553
or andrea.catanzaro@usace.army.mil

THE STATE OF TEXAS
COUNTY OF BRAZORIA

USACE - Galveston District
PO Box 1229
Galveston TX 77553

Before me, the undersigned authority, on
this day personally appeared
Judy Starnes

who, after being duly sworn, did depose and
say:

My name is Judy Starnes
General Manager

of The Facts, a daily news-
paper as that term is defined by Art. 28 a
R.C.S. of Texas 1925, as amended, having a
general circulation in Brazoria County and pub-
lished in the City of Clute, County of Brazoria,
State of Texas.

The attached printed matter is a true and
correct copy of the publication of

Notice of Public Meeting

which was published and appeared in said news-
paper, with publication being on the following
date(s): December 16, 2011

My fee is 92.40

Judy Starnes
Judy Starnes

Given under my hand and seal of office on
this 16th day of December, 2011, A.D.

Alexi Meredith Self

Alexi Meredith Self
Notary Public in and for
Brazoria County, Texas.

My commission expires 08/24/15

NOTICE OF PUBLIC MEETING AND
AVAILABILITY OF THE
DRAFT GENERAL REEVALUATION
REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL
IMPACT STATEMENT
CLEAR CREEK GENERAL
REEVALUATION STUDY
AND DRAFT GENERAL CONFORMITY
DETERMINATION

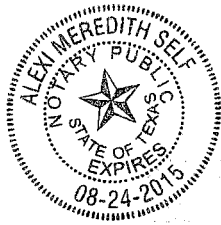
Interested parties are hereby notified of and in-
vited to attend an open house and public meet-
ing to be conducted by the U.S. Army Corps of
Engineers on:

WEDNESDAY, JANUARY 11, 2012
OPEN HOUSE 5:30 PM TO 6:30 PM
PUBLIC MEETING 7:00 PM TO 8:30 PM

MARIE SPENCE FLICKENGER FINE ARTS
BUILDING
SAN JACINTO COLLEGE SOUTH
13735 BEAMER ROAD, HOUSTON, TEXAS

The meeting will provide an opportunity for all
persons to comment on the Draft General Re-
evaluation Report (DGRR), Draft Supplemental
Environmental Impact Statement (DSEIS), and
the Draft General Conformity Determination
(DGCD). Those unable to attend may find the
DGRR, DSEIS, and DGCD at
[http://www.swg.usace.army.mil/pao/HotTopic.a
sp](http://www.swg.usace.army.mil/pao/HotTopic.asp). Written comments on the DGRR/DSEIS
and the DGCD must be postmarked by Janu-
ary 30, 2012.

Comments may be mailed or emailed to:
GALVESTON DISTRICT, CORPS OF ENGI-
NEERS, ATTN: MS. ANDREA CATANZARO,
P.O. BOX 1229 GALVESTON, TEXAS 77553
or andrea.catanzaro@usace.army.mil





**US Army Corps
of Engineers**
Galveston District

Clear Creek, Texas

Draft General Reevaluation Report and Supplemental Environmental Impact Statement

Fact Sheet

Galveston, Harris and Brazoria Counties
January 2012

We have completed our study...

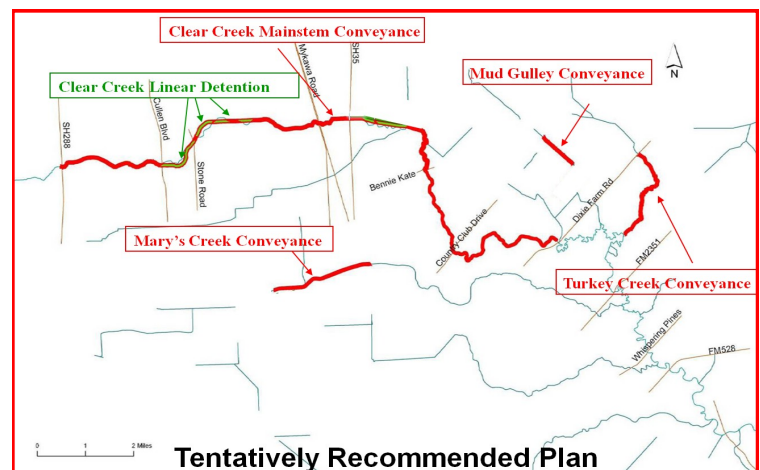
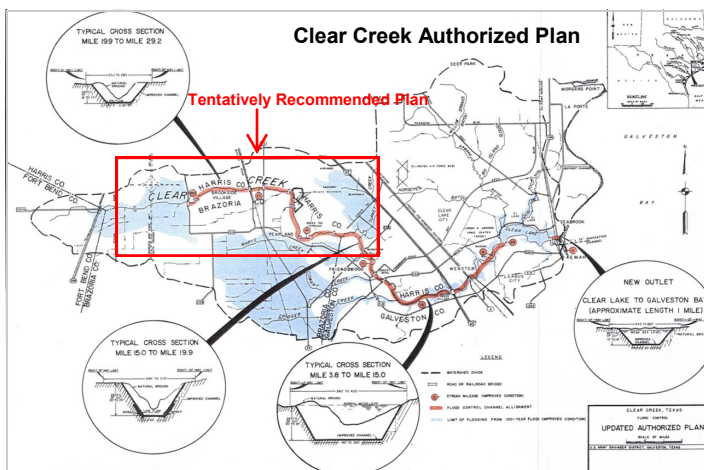
The U.S. Army Corps of Engineers (USACE), in partnership with the Harris County Flood Control District (HCFCD), Galveston County, and Brazoria County Drainage District #4 (BDD4), has completed a Flood Risk Management General Reevaluation Study of the Clear Creek, Texas project. The Clear Creek, Texas, project was authorized by Congress in the Flood Control Act of 1968 (Public Law 90-483, Section 203). This General Reevaluation study was initiated in 1999 to analyze design modification requested by the non-Federal sponsors that were beyond the discretionary authority of the USACE Division Commander to approve. The resulting Draft General Reevaluation Report (GRR), Draft Supplemental Environmental Impact Statement (DSEIS), and Draft General Conformity Determination (DGCD) were published and released for public comment on December 16, 2011. Copies of the report are available online at <http://www.swg.usace.army.mil/pao/HotTopic.asp>, or by contacting Ms. Andrea Catanzaro, (409)766-6346.

Objectives identified for the study were:

- Reduce flood risk along Clear Creek and its tributaries;
- Improve fish and wildlife resources;
- Preserve and protect natural and cultural resources;
- Develop opportunities for recreation;
- Facilitate stabilization of the stream banks of Clear Creek and its tributaries; and
- Improve the quantity and quality of habitat on Clear Creek and its tributaries.

A cost-effective plan has been identified that meets these objectives. This plan – referred to as the “Tentatively Recommended Plan” – includes the following:

- Conveyance improvements in high damage, frequently flooded reaches on Clear Creek, Mud Gully, Turkey Creek and Mary’s Creek
- Linear Detention within the Clear Creek conveyance improvements
- High-flow flood benches along Clear Creek allow for preservation and rehabilitation of floodplain forest along the low-flow channel, providing a continuous riparian throughout the conveyance feature and downstream reaches
- Avoids the remaining natural stream and riparian habitat in the downstream reaches of Clear Creek



***Total average annual damages
reduced are estimated at
\$20,619,000***

Project Benefits

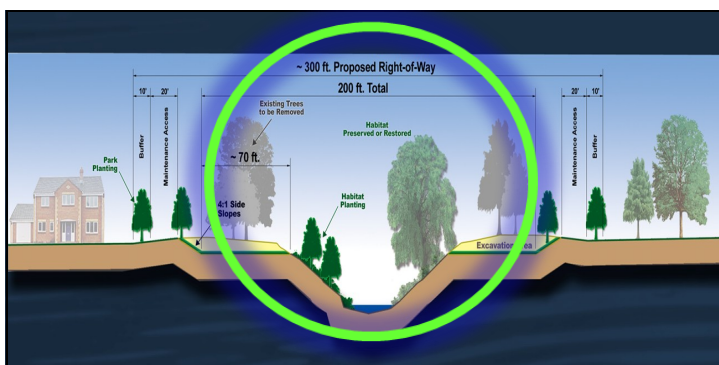
- Reduces flood risk to almost 2,100 structures within the 100-year floodplain, and over 3,000 structures within the 500-year floodplain

Why is the USACE recommending a plan to improve Clear Creek and its tributaries and what does the improvement provide?

Because of continued flooding in the watershed as well as concerns of environmental impacts of previously authorized projects, the USACE has proposed a Tentatively Recommended Plan in the Clear Creek Flood Risk Management GRR that includes measures to reduce flooding in specific high-damage reaches. The plan also incorporates design features that preserve, rehabilitate and protect the quantity and quality of Clear Creek's forested stream corridor.

What are the environmental benefits of the project?

- Avoids environmentally sensitive downstream reaches
- Conveyance improvements limited to upstream reaches already channelized, minimizing habitat impacts
- High level flood benches recommended on Clear Creek avoid impacts to the low flow stream
- Environmental design preserves and rehabilitates floodplain forest habitat along Clear Creek, where possible



Will mitigation be needed?

Compensatory mitigation would be necessary because direct impacts would result in the loss of 278 acres of floodplain forest including 34 acres of wetlands. Even though these effects have been offset through design features on Clear Creek that avoid and minimize impacts to 155 acres of floodplain forest and 7 acres of wetlands within the stream, additional compensation is needed to fully offset remaining unavoidable impacts. Full compensation of unavoidable impacts would be accomplished by reconnecting Clear Creek's natural low flow through 13 remnant oxbows scattered between Country Club Drive and Dixie Farm Road, to restore 31 acres of floodplain forest, including 27 acres of wetlands. Control and removal of invasive species such as Chinese tallow would also be performed.



What will the project cost?

The USACE estimates the Clear Creek, Texas, Flood Risk Management Project would cost around \$181 million. The project would be cost shared with the non-Federal sponsors.

When does the U.S. Army Corps of Engineers expect to have the plan approved?

The USACE expects to have the approved plan signed by October 2012.

Why is the USACE holding a public meeting?

A public meeting is being conducted to present information and seek comments regarding a Tentatively Recommended Plan for the Clear Creek Flood Risk Management Draft General Reevaluation study. We carefully evaluate all our projects to ensure minimal impacts to the environment and to ensure the project is in the public interest.

We consider all public comments received during the public comment period. We are committed to being good neighbors and partners with the communities we work with and serve.

How long do I have to make my comments?

You can submit your comments at the public meeting, either in writing or orally. Oral comments will be recorded and transcribed by a court reporter as part of the official record of the project meeting.

Comment cards are also available for your written feedback. Submit your written comments at the public meeting, mail comments on the DSEIS and DGCD within the next 19 days (postmarked by January 30, 2012), or email your comments to the address below. All comments are due to the USACE by January 30, 2012.

Who do I contact for more information or to provide comments on the plan?

USACE—Galveston District
Attn: Ms. Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553

andrea.catanzaro@usace.army.mil

Appendix A-8

Public Comments and Responses to the DSEIS

United States Department of Agriculture



Natural Resources Conservation Service
101 South Main
Temple, TX 76501-7602

January 4, 2012

Ms. Carolyn Murphy, Chief
Department of the Army
Galveston District, Corps of Engineers
P. O. Box 1229
Galveston, TX 77553-1229

Dear Ms. Murphy:

We have reviewed the information pertaining to the Clear Creek General Reevaluation Study – Brazoria, Fort Bend, Galveston, and Harris Counties, Texas.

This project should have no adverse impact on the environment or natural resources in the area.

1

Thank you for the opportunity to review this proposed project.

Sincerely,

A handwritten signature in cursive script that reads "Salvador Salinas".

SALVADOR SALINAS
State Conservationist

Salvador Salinas
State Conservationist
Natural Resource Conservation Service

RESPONSE TO COMMENTS

Comment	
No.	Response
1	Thank you for your comment



Life's better outside.®

January 27, 2012

USACE, Galveston District
Attn: Ms. Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Re: Notice of Availability for the Draft Supplemental Environmental Impact Statement for the Clear Creek General Reevaluation Study, Brazoria, Fort Bend, Galveston, and Harris Counties, Texas

Commissioners

T. Dan Friedkin
Chairman
Houston

Ralph H. Duggins
Fort Worth

Antonio Falcon, M.D.
Rio Grande City

Karen J. Hixon
San Antonio

Dan Allen Hughes, Jr.
Beeville

Bill Jones
Austin

Margaret Martin
Boerne

S. Reed Morian
Houston

Dick Scott
Wimberley

Lee M. Bass
Chairman-Emeritus
Fort Worth

Texas Parks and Wildlife Department (TPWD) has reviewed the Draft Supplemental Environmental Impact Statement (DSEIS), dated November, 2011, for the Clear Creek General Reevaluation Study. The proposed project includes conveyance and in-line detention measures along the main stem of Clear Creek and conveyance along three of its tributaries (Mary's Creek, Mud Gully and Turkey Creek). The U.S. Army Corps of Engineers – Galveston District (USACE) and non-federal sponsors coordinated extensively with TPWD in the development of a compensatory mitigation plan for unavoidable floodplain forested wetland impacts which includes the reconnection of 13 remnant oxbows with Clear Creek and the restoration of 27 acres of floodplain forested wetlands.

The USACE has included features in project plans that incorporate staff recommendations for mitigating impacts to fish and wildlife resources. As a result, the project as described should not have significant adverse impacts on the State's fish and wildlife resources.

1

Carter P. Smith
Executive Director

TPWD appreciates the opportunity to review and comment on this project.

Questions can be directed to Mr. Mike Morgan at (281) 534-0146 in the Dickinson Marine Lab.

Sincerely,

Rebecca Hensley
Regional Director, Ecosystem Resources Program
Science and Policy Branch
Coastal Fisheries Division

RH:MNM

Rebecca Hensley
Regional Director, Ecosystem Resources Program
Science and Policy Branch
Coastal Fisheries Division
Texas Parks & Wildlife

RESPONSE TO COMMENTS

Comment	
No.	Response
1	Thank you for your comment

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

January 11, 2012

Ms. Carolyn Murphy
Department of the Army
Galveston District, Corps of Engineers
P.O. Box 1229
Galveston, TX. 77553-1229

Re: TCEQ Grant and Texas Review and Comment System (TRACS) #2011-473, Brazoria, Fort Bend, Galveston and Harris Counties - Re: Federal Clear Creek Reevaluation Study

Dear Ms. Murphy:

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 Brazoria, Fort Bend, Galveston and Harris Counties, which is currently classified as a severe ozone nonattainment area. Therefore, General Conformity rules apply.

The two primary precursors to ozone are volatile organic compounds (VOCs) and nitrogen oxides (NO_x). An increase of 25 tons per year for VOCs or NO_x, resulting from the proposed project, could trigger general conformity analysis. Emissions from the proposed project are expected to be above the 25 tons per year threshold. Therefore, a general conformity analysis is required.

1

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.

2

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.

3

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

Jim Harrison
Intergovernmental Relations Division
Texas Commission on Environmental Quality

RESPONSE TO COMMENTS

Comment No.	Response
1	A draft general conformity analysis was prepared and included in the DSEIS as Appendix H. The TCEQ responded via letter dated February 7, 2012, providing General Conformity concurrence (Appendices D-4 and H).
2	Section 4.5 has been edited to indicate that standard dust mitigation techniques will be used by the construction contractors to minimize/control dust particulate emissions.
3	As discussed in Section 4.2.2, standard BMPs will be utilized to control runoff from construction sites to prevent detrimental impact to surface and groundwater.

From: [Gracey Gray](#)
To: [Catanzaro, Andrea SWG](#)
Cc: [Robert Hansen](#)
Subject: Clear Creek General Re-evaluation Study
Date: Tuesday, February 14, 2012 2:49:24 PM
Attachments: [Clear Creek General Re-evaluation Study.pdf](#)

Please see attached comment letter for Clear Creek General Re-evaluation Study. If you have questions or comments please contact Mr. Robert Hansen of the Water Quality Assessments Section at (512) 239-4583, by fax at (512) 239-4420, or via e-mail at Robert.Hansen@tceq.texas.gov.

Regards,

Gracey Gray, Program Coordinator
Water Quality Assessment Section (MC150)
Water Quality Division
Texas Commission on Environmental Quality
(512) 239-2077
FAX: (512) 239-4420
Gracey.Gray@tceq.texas.gov (<mailto:Gracey.Gray@tceq.texas.gov>)
PPlease consider whether it is necessary to print this e-mail

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

February 13, 2012

Ms. Carolyn Murphy
Chief, Environmental Section
U.S. Army Corps of Engineers
Galveston District CESWG-PE-RE
P.O. Box 1229
Galveston, Texas 77553-1229

Attention: Ms. Andrea Catanzaro

Re: Draft General Reevaluation Report and Draft Supplemental Environmental Impact
Statement for the Federal Clear Creek Reevaluation Study

Dear Ms. Murphy:

As described in the December 2011, Draft General Reevaluation Report (GRR) and November 2011, Draft Supplemental Environmental Impact Statement (DSEIS), the United States Army Corps of Engineers (USACE) Galveston District, in conjunction with the Harris County Flood Control District (HCFCD), Galveston County, and Brazoria County Drainage District #4 have undertaken a study to reevaluate the Clear Creek Flood Control Project, originally authorized by Congress in the Flood Control Act of 1968. The stated purpose of the reevaluation study is the development and evaluation of alternatives for flood risk management and ecosystem restoration in the Clear Creek watershed. The project is located south of the City of Houston, in portions of Harris, Galveston, Brazoria, and Fort Bend counties in southeast Texas.

The need for the Flood Risk Management Project in the Clear Creek watershed has been identified during the past four decades and is well documented in the GRR and DSEIS. As noted in the DSEIS, area flooding, increased flows, continued bank erosion, and downstream sedimentation would continue due to development upstream of Clear Lake without storm water detention policies, increased impervious cover, and structural and non-structural controls. The Texas Commission on Environmental Quality (TCEQ) acknowledges the level of resource commitment, both public and private that has been dedicated to the development of the GRR, DSEIS and the USACE preferred alternative, generally referred to as the Tentatively Proposed Project or General Reevaluation Plan (GRP) Alternative. Major components of the GRP Alternative include the Super C(d) Section conveyance improvement feature from SH 288 to 4,000 feet downstream of Bennie Kate Road, C5(d) Section conveyance feature from 4,000 feet downstream of Bennie Kate Road to Dixie Farm Road, In-line Detention features, and improved conveyance construction on portions of Turkey Creek, Mud Gully, and Mary's Creek.

February 13, 2012

Included in the Super C(d) Section and C5(d) Section conveyance features are high-flow by-pass channels and in-line detention structures that intersect the existing low-flow Clear Creek channel. Figure 38 of the GRR provides a plan view example in the main stem of Clear Creek. Based on the information provided in the GRR and DSEIS, it is unclear exactly how the intersection of the existing low-flow channel and proposed high-flow by-pass channels would be configured and the number of these intersections proposed within the project area. Please provide a more detailed schematic and plan view of how, when, and where the flows from the low-flow channels would be sufficient to overbank the constructed intersections and provide additional flow into the high-flow by-pass channels.

1

The majority of the proposed Flood Risk Management Project would be located in the Clear Creek Above Tidal, TCEQ classified Segment 1102. Portions of Segment 1102 are currently listed on the 2010 Water Quality Inventory Report list of 303(d) impaired waters for depressed dissolved oxygen (DO) levels, bacteria levels, impaired fish community, and restricted consumption of edible tissue for dioxin and PCBs. Segment 1102 is also listed for concern for screening levels for nutrients. Downstream classified Segment 1101, Clear Creek Tidal, is listed as non-supporting for bacteria, PCBs and dioxins in edible tissue, and concern for screening levels for nutrients and chlorophyll-a. Clear Lake, classified Segment 2425, is also listed as non-supporting for dioxin and PCBs in edible tissue and concern for screening levels for nutrients and chlorophyll-a. Appendix L (Section 404(B)(1) Evaluation) states that the establishment of a shaded riparian zone would result in lower temperatures and increased DO levels. However, at the proposed planting rate of 14 trees per acre, it is very unlikely that the restored riparian zone would be adequately shaded to significantly affect temperature or result in improved DO levels downstream.

2

With respect to contaminants and toxins, including toxic metals and organics, Appendix L refers to studies dating up to 1998, U.S. Geological Survey data from 2003, and TCEQ Draft 2006 Water Quality Inventory by basin and concludes that toxic compound concentrations were either decreasing or no concerns were noted for multiple toxic constituents in sediments. However, it should be noted that Segments 1101 and 1102 are not listed in the 2010 Water Quality Inventory for concerns for toxic substances in water and sediment due to inadequate data. Based on the paucity of current toxicity data for water and sediments in the project area, an updated review of available data and/or additional toxicity testing is recommended.

3

Appendix L states that the GRP Alternative would reduce flood damage in high-damage reaches and prevent flood damages to the downstream segments of the watershed. However, on page 6 of Appendix L, in the Velocity section, it states that the GRP Alternative would increase water velocity during flood events and "Higher flood flows (induced flooding) would occur in the downstream reach." Please explain the apparent contradiction in these sections of the 404(B)(1) Evaluation.

4

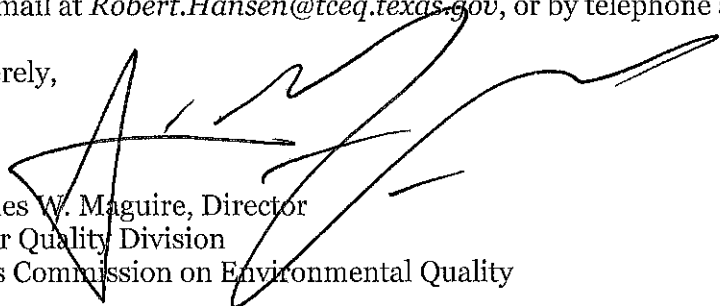
Ms. Carolyn Murphy
U.S. Army Corps of Engineers
USACE Draft General Reevaluation Report and Draft Supplemental Environmental Impact
Statement for the Federal Clear Creek Reevaluation Study
Page 3
February 13, 2012

It is estimated that the placement of excavated material from the proposed project features would require 375.8 acres of upland area that lies outside of the 0.2 percent flood plain. The location of these placement areas is not identified in the GRR or DSEIS. Appendix L of the DSEIS refers to five placement areas and also refers to Figure 2.3-3 for placement area locations. No information is provided on the referenced figure. Please provide additional information concerning the tentative location of these placement areas and the cost associated with the acquisition of the properties and dredged material transport. 5

In reviewing the DSEIS and GRR documents, it is important to note that some of the most pertinent information presented in the figures is difficult to decipher. Specifically, Figures 2.3-3 and 4.1-1, for example. On Figure 2.3-3, it is very difficult to distinguish between the stream areas marked as Super C(d) Mainstem Measure and C5(d) Mainstem Measure. Likewise on Figure 4.1-1, it is very difficult to distinguish between the "with project" and "without project" areas. The information presented in these figures is very important and critical to the project analysis. It would be helpful if the information could be presented in a more accessible context. 6

The TCEQ looks forward to receiving and evaluating other agency or public comments. Please provide any agency comments and public comments to Mr. Robert Hansen of the Water Quality Division MC-150, P.O. Box 13087, Austin, Texas 78711-3087. Mr. Hansen may also be contacted by e-mail at Robert.Hansen@tceq.texas.gov, or by telephone at (512) 239-4583.

Sincerely,



Charles W. Maguire, Director
Water Quality Division
Texas Commission on Environmental Quality

CWM/RSH/gg

Enclosure

cc: Ms. Kate Zultner, Secretary, Coastal Coordination Council, P.O. Box 12873, Austin, Texas
78711-2873

Charles W. Maguire
Director
Intergovernmental Relations Division
Texas Commission on Environmental Quality

RESPONSE TO COMMENTS

Comment No.	Response
1	The current layout of the low-flow/high-flow intersections depicted in the GRR/SEIS is conceptual. Additional analysis and additional design efforts for the proposed project will be performed during the preconstruction engineering and design phase of the project to develop more-detailed plans depicting these features. Please see figures 2.3-6 through 2.3-11 of the FSEIS for cross sections of proposed conveyance and detention features, and figures 4.4-1a-b, 4.4-2a, and 4.4-2b for projected flood profiles.
2	As discussed in Section 5.5.2, a 60-foot-wide corridor that includes the low-flow channel and areas immediately adjacent to the stream will be planted at a density of 400 trees per acre, not 14 trees per acre. A 200-foot-wide conveyance feature in the form of a high-flow bench will be constructed on either side of this corridor. Thus the immediate riparian edge of the low-flow channel will be well-shaded for a distance of 30 feet on either side of the centerline of the low-flow channel of Clear Creek. This corridor will be continuous for the 15-mile length of the project. Please see Section 5.5.2 of the FSEIS for additional information regarding mitigation methods.
3	The most current published water and sediment quality data will be documented and evaluated prior to project construction during the Pre-Construction Engineering and Design Phase of the project; based on this evaluation, testing will be performed as needed. No edits were made to the document based on the comment.
4	The text was clarified to read that “While flood flows in the downstream reach would slightly increase, hydrology and hydraulics modeling shows that increase in water surface elevation with the Recommended Plan in place would be 0.15 foot (less than 2 inches). This is well within one standard deviation of uncertainty in water surface elevations (one standard deviation is generally on the order of 0.75 foot) and therefore, any induced damages are considered statistically insignificant (meaning there is no statistical basis indicating that induced damages actually exist).
5	The location of 376 acres of upland confined placement areas for the excavated material will be determined in areas outside of the 500-year floodplain during PED, assuming project approval and funding. All reasonable attempts will be made to locate the placement areas in areas (e.g., agricultural lands, pasture, and other urban lands) that will not result in impacts to ecological resources such as wetlands. Potential impacts associated with placement of materials in these areas will be assessed. The 404(B)1 was edited to reflect the above information and removed mention of PA numbers and the figure.
6	The project features will be color coded to make it easier to distinguish the components in Figure 2.3-3. Likewise, the different floodplains in Figure 4.1-1 will also be color coded to make the changes from the without project to the with project more discernable.

TEXAS HISTORICAL COMMISSION

real places telling real stories

January 10, 2012

Carolyn Murphy
Department of the Army
Galveston District, COE
P.O. Box 1229
Galveston, Texas 77553-1229

Re: Project review under Section 106 of the National Historic Preservation Act of 1966
Draft General Reevaluation Study, Brazoria County, Fort Bend County, Galveston, and Harris
Counties, Texas

Dear Ms. Murphy:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed federal undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission. As the state agency responsible for administering the Antiquities Code of Texas, these comments also provide recommendations on compliance with state antiquities laws and regulations.

The review staff, led by Jeff Durst, has examined our records. According to our maps, the tentatively proposed conveyance and in-line detention measures along the main stem of Clear Creek and conveyance along three of its tributaries (Mary's Creek, Mud Gully and Turkey Creek covers areas where archeological survey has been previously conducted. A total of just over 100 archeological sites adjacent to or near Clear Creek and its three tributaries have been recorded in all of the counties included in this study. As such, we believe a professional archeologist should conduct a reassessment of the previously recorded sites in the project area to determine if further investigations will be required. Additionally, if any modifications to the original APE have occurred any areas not previously surveyed should have a cultural resource survey conducted.

1

Any new reassessment surveys or cultural resource surveys done should meet the minimum archeological survey standards posted on-line at www.thc.state.tx.us. A report of investigations should be produced in conformance with the Secretary of the Interior's Guidelines for Archaeology and Historic Preservation, and submitted to this office for review.

If any of this work will occur on land owned by the state of Texas, an Antiquities Permit must be secured from our office before fieldwork may begin. Please ask prospective contractors if they are qualified to receive an Antiquities Permit.

Thank you for your cooperation in this federal and state review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Jeff Durst at 512-463-8884.**

Sincerely,



for
Mark Wolfe, State Historic Preservation Officer

MW/jjd



Mark Wolfe
State Historic Preservation Officer
Texas Historical Commission

RESPONSE TO COMMENTS

Comment No.	Response
1	All areas that have not been previously investigated for Historic Properties would be investigated pursuant to the Programmatic Agreement in Appendix F of this FSEIS. If any Historic Properties are identified, the assessment of effects and mitigation of the Historic Property will also be conducted pursuant to the Programmatic Agreement. Clarifying language and references to Appendix F were added to text.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

FEB 18 2012

Dolon D. Dunn
Chief, Planning, Environmental and
Regulatory Division
Galveston District
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, TX 77553-1229

Dear Mr. Dunn:

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Supplemental Environmental Impact Statement (DSEIS) prepared by the United States Army Corps of Engineers for the Clear Creek, General Reevaluation Study, Brazoria, Fort Bend, Galveston, and Harris Counties, Texas.

The Clear Creek Flood Control Project was authorized by Congress in the Flood Control Act of 1968. The project extended 31 miles from Clear Lake to the Fort Bend County line. The proposed project includes both conveyance and in-line detention measure along the main stem of Clear Creek and conveyance along three of its tributaries. As part of the environmentally sensitive design the tentatively proposed project encompasses measures to avoid and minimize impacts to habitat including preserving 122 acres of floodplain forest, and reestablishing 33 acres of floodplain forest. Compensation for unavoidable construction impacts would consist of rehabilitating an additional 31 acres of floodplain forest.

Based on our analysis, EPA rates the DSEIS as "EC-2" (Environmental Concerns-Request for Additional Information). EPA has enclosed detailed comments which more clearly identify our concerns.

EPA appreciates the opportunity to review the DSEIS. Please send our office two copies of the Final SEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Federal Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20004. Our classification will be published on the EPA website, www.epa.gov, according to our responsibility under Section 309 of the CAA to inform the public of our views on the proposed Federal action. If you have any questions or concerns, please contact Michael Jansky of my staff at jansky.michael@epa.gov or 214-665-7451 for assistance.

Sincerely,

Rhonda Smith
Chief, Office of Planning
and Coordination

Enclosure

**DETAILED COMMENTS
ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
CLEAR CREEK REEVALUATION STUDY PROJECT
BRAZORIA, FORT BEND, HARRIS AND GALVESTON
COUNTIES, TEXAS**

Background

The Clear Creek Flood Control Project was authorized by Congress in the Flood Control Act of 1968. The project extended 31 miles from Clear Lake to the Fort Bend County line. The proposed project includes both conveyance and in-line detention measure along the main stem of Clear Creek and conveyance along three of its tributaries. As part of the environmentally sensitive design the tentatively proposed project encompasses measures to avoid and minimize impacts to habitat including preserving 122 acres of floodplain forest, and reestablishing 33 acres of floodplain forest. Compensation for unavoidable construction impacts would consist of rehabilitating an additional 31 acres of floodplain forest.

Detailed Comments

Wetlands:

3.9.3 Vegetation Communities: This section mentions wetlands as being associated with forest and prairie communities and that National Wetland Inventory (NWI) maps were used, combined with aerial interpretation using recent aerial imagery and field verification, to characterize wetlands and aquatic habitats for baseline conditions and potential future conditions. However, no wetland specific maps are provided nor is there any wetland baseline information provided other than total acres, wetland types, acres of impact and acres of proposed mitigation. The DSEIS should provide a set of wetland maps along with biological assessment data relative to the condition and function of wetlands present. Also, for regulatory purposes jurisdictional wetland delineation needs to occur both within the project footprint (construction area) and within the area of project's hydrologic influence. 68.7 acres of wetlands are reported to occur in the project area footprint. The DSEIS does not address wetlands that may occur in the areas above and or below the project which may be affected by reduced flooding. Wetlands that may experience reduced flooding could become isolated from the floodplain or reduced in size thus reducing the amount of jurisdictional wetlands. An accounting of any and all such wetlands needs to be included in the DSEIS for evaluation.

1a

1b

1c

4.9.3.2 Waters and Wetlands: Permanent impacts to wetlands are expected to occur in the high flow flood bench areas and that wetlands along the low-flow channel will be preserved and rehabilitated. Wetlands (if present) outside the construction footprint but within the induced flood reduction zone should be assessed for impacts due to changes in hydrology. If such wetlands are found to exist then efforts to avoid, minimize and mitigate impacts should be included in the DSEIS.

2

5.1.1.2 No Net Loss: As proposed, the mitigation plan calls for rehabilitation and or reestablishment of 31 acres of floodplain forest of which 27.1 acres are existing wetlands. An additional 7.5 acres of existing wetlands will be “preserved, avoided and rehabilitated” for a total of 34.6 wetland acres. Preservation as a form of mitigation fails to achieve “no net loss” as it does not result in a gain of aquatic resource area. Preservation can only aid in protecting the wetlands from future threats. The term reestablishment (restoration) is used in the proposal but there is no specific design or description of where, how and to what extent restoration will occur. Given that the total mitigation acreage (34.6) proposed is in fact the same as the net remaining wetland acreage after impacts, it appears there is no restoration actually going to occur. The final type of mitigation proposed for the 34.6 acres of existing wetlands is rehabilitation (enhancement). Some credit can be achieved by reconnecting the low flow channel back into the existing cut off meanders (oxbows). Also, the proposed re-vegetation of native hardwoods along the low flow channel should receive some credit. However, EPA believes that more should be done to compensate for impacts. One recommendation that should require a minimal amount of effort would be to restore depressional wetlands within the new high-flow conveyance channel or along the margins of the proposed detention basins in the form of shelves (excavated to the appropriate depth along the margins of the basins). Shallow depressions can be created in the high flow flood channel and the areas planted with native hardwoods and allowed to develop as floodplain forested wetlands. A minimum of 34.1 acres should be developed to meet the goal of No Net loss of wetland acres by insuring a 1:1 replacement ratio. It should be noted that most compensatory mitigation requirements for impacts to forested wetlands result in a much higher ratio, typically 2 or 3:1.

3a

3b

3c

3d

5.1.2 Mitigation Planning Objective: EPA concurs that impacts to wetlands must be fully mitigated for and that the goal of no-net-loss of function and values should be achieved.

4

Part 5.5.1 Goals and Objectives: EPA supports each of the 3 objectives listed and in particular the third one; “To support the national objective of no net loss of wetlands in acres and function”. However, the mitigation proposed in the DSEIS fails to meet that objective. Of the 68.7 areas of wetlands reported to occur in the project area footprint, 34.1 acres of forested wetlands will be destroyed leaving 34.6 acres of wetlands, an approximate 50% reduction in wetlands. The proposed mitigation does not replace the wetlands on a per acre basis nor does it adequately offset the loss of function. By blending forested wetlands into the larger Habitat Suitability Index (HSI) model for Floodplain Forest, wetlands become “diluted” and merged in the models 18 various variables. The Habitat Evaluation Procedure (HEP) allows for a combination of variables, which can, depending on the individual metric scores, produce equally high HSI scores. Consequently, it’s possible to “score” an area or mitigation site in such a way that wetlands need not be present to have a high score. While this may be useful for mitigating forested habitat in general it fails to insure that jurisdictional wetlands are adequately mitigated. An independent assessment of jurisdictional wetlands needs to occur in order to insure that wetlands are mitigation for in-kind and not with other forest types.

5

Appendix L Section 404(b)(1) Evaluation:

Part b. General Description: The description of the environmental features includes the

statement “Specifically, these features include preserving and or rehabilitating approximately 122 acres and reestablishing 33 acres of floodplain forest”. The DSEIS part 5.1.1.2 describes the 33 acres as containing 27.1 acres of existing wetlands. To reestablish something means to restore something that no longer exists. Restoration credit cannot be obtained when no gain in wetland acres will occur. As mentioned in our comments above there will be an overall net loss of wetland acres and the methodology for developing mitigation credit is flawed in that it combines jurisdictional waters with non-jurisdictional habitats which cannot be used to discern wetland specific functional loss. At a minimum, wetlands should be replaced at a 1:1 ratio with in-kind wetlands. EPA recommends that 34.1 acres be established in the high flow channel to off set the 34.1 acres destroyed in the creation of the high flow channel. Environmental gains to wetlands from the other forms of mitigation offered (enhancement and long term protection) would provide some environmental lift resulting in No Net Loss of wetland acres and functions.

6a

6b

The 404 evaluation should also include loss of 34.1 acres of wetlands due to excavation of the high flow channel. It focuses only on the 2.4 acres of fill in Mud Gully. All impacts to wetlands, including impacts from excavation, must be fully evaluated as outlined in Section 404(b)(1) of the Clean Water Act.

6c

Placement of excavated materials from the high flow channel is a concern that EPA believes needs more explanation as to where and how it will be disposed of. Part (2) Quality of Material: indicates that the excavated materials would be placed into upland confined PA's, yet a review of the Real Estate Maps showed at least one site (sheet reference #23) designated as a placement area that contains large open water areas with potential for wetlands. EPA recommends that all disposals sites be certified as upland sites with no potential for impacts to aquatic resources prior to commencement of disposal activities.

6d

On-site comments and recommendations:

On January 11, 2012, EPA wetlands staff participated in a site visit with the U.S. Army Corps of Engineers (USACE) at various points along the Clear Creek project site. During the site visit, EPA asked about the proposed earthen channelization of 2.4 miles of Turkey Creek from Dixie Farm Road to the confluence with Clear Creek and earthen channelization of 2.1 miles of Marys Creek from Harkey Road to State Highway 35.

EPA assessed Turkey Creek below the crossing at Beamer Road. In this stream reach, the USACE has designed channel improvements that would require excavation of the entire cross sectional area of the channel and 30 feet on either side of the top of the channel. In this stream reach, the channel has a stable platform with species such as black willow (*Salix nigra*) stabilizing the stream bank. This reach of Turkey Creek is meandering with log riffles and appears to have good aquatic function. EPA questions why the USACE would not design this stream reach similar to the Clear Creek channel with overflow channels and limited disturbance of the low flow channel.

7

EPA does not support disturbance of the entire channel and adjacent riparian and wetland habitats. Excavation, ground disturbance, and channelization below the road crossings will result

in active soil erosion and sedimentation buildup in the channel that would require future maintenance. The newly excavated channel would erode and form a meandering low flow channel that would need to be straightened to maintain the current channel design.

7

In light of these known fluvial processes, EPA recommends that the USACE consider redesigning portions of the stream reaches (Marys and Turkey Creek) to function much as the Clear Creek improvements with an undisturbed low flow channel with overflow channels on each side. The overflow channels should be planted in native woody species to maintain a continuous riparian and wetland corridor. The low flow channel should be planted in dense woody vegetation to maintain channel stability and improve water quality and wildlife habitat functions.

7

Air Quality

EPA encourages the use of clean, lower-emissions equipment and technologies to reduce pollution. EPA's final Highway Diesel and Non-road Diesel Rules mandate the use of lower-sulfur fuels in non-road and marine diesel engines beginning in 2007.

8

Greenhouse Gas Emissions(GHG)

Approximately 278 acres of floodplain forest within the riparian corridor of Clear Creek would be directly impacted by construction of the flood risk management measures. By statutes, Executive Orders, and agency policies, the Federal government is committed to the goals of energy conservation, reducing energy use, and eliminating or reducing greenhouse gas (GHG) emissions. A natural carbon sink is also being impacted. Due to the proposed project's long-term utility, EPA recommends the FEIS include a more detailed discussion of GHG emissions and climate change. The FEIS should include an analysis of the natural carbon removal process that would be lost if the proposed project is constructed and how that would contribute to the overall greenhouse gas emissions for the life of the project. For guidance, please see CEQ's "Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions" dated February 18, 2010.

9

Rhonda Smith
Chief, Office of Planning and Coordination
Dolon D. Dunn

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>a) A map showing wetlands within the project footprint has been included in FSEIS Section 4.9, on Figure 3.9-2.</p> <p>b) All wetlands are protected under Executive Order No. 11990. All wetlands (which include both jurisdictional wetlands subject to Section 404 of the CWA and non-jurisdictional wetlands) and ecologically significant habitat within the 500-year floodplain and the potential impacts to these habitats from the Tentatively Recommended Plan have been addressed to the appropriate level of detail in the SEIS.</p> <p>c) The projected changes in water flow and surface elevations for both without- and with-project conditions are theoretical estimates obtained from HEC-1 and HEC-RAS models. These models were run for general conditions to show how the project will affect flooding problems for surrounding communities, and cannot be used to provide details about the specific location of the area that may be removed from the floodplain. To adequately address how a wetland may be affected from reduced a reduction in the lateral extent floodplain or reduced flooding frequency, additional hydrological and hydraulic analyses would be necessary to identify which source of hydrology (i.e., sheet flow, surface water ponding or out of bank flooding) is the driving factor for survival/functioning of a particular discrete wetland. Such analyses would be time consuming and costly, and are beyond the scope of this study.</p>
2	See responses to comments 1b and 1c above.
3	<p>a) "No net loss" is a national policy goal of which the USACE strives to achieve when planning and implementing projects. While preservation does not result in an immediate gain in acres of aquatic resources, it provides a net increase in both acres and quality (functions) of habitat when the without project conditions are compared to the with project conditions over a period of analysis that spans as much as 50 years into the future. All areas set aside to avoid and minimize impacts by the project and to compensate for those unavoidable impacts are to be rehabilitated to improve some physical or biological aspect (e.g., nativeness, by eliminating invasive species, or contiguousness, by increasing corridor lengths and proximity to other forested areas). Therefore, these areas are not merely being preserved, but rehabilitated. The language in Section 5.1.1.2 of the FSEIS has been modified to reflect that restoration (reestablishment and rehabilitation), and not simply preservation, is being performed. Additionally, the achievement of "no net loss" is more specifically described in Sections 4.9, 5.1, 7.12, and 5.5.2.</p> <p>b) Reestablishment (restoration) of floodplain forest corridor will occur throughout the proposed low-flow corridor of the footprint of the recommended plan. In the DSEIS, an effort was made to try and distinguish between the extensive sections of the upper reaches of Clear Creek that do</p>

not contain any forested vegetation at the waters edge or along the side slopes of the rectified channel, and the scant remaining forested sections that still remain at the waters edge despite continued efforts by local and private entities to clear or develop these areas. To avoid confusion, the FSEIS has been modified to reflect that 155 acres of floodplain forest would be restored by reestablishing 33 acres and rehabilitating 122 acres, resulting in a 60-foot-wide continuous corridor of floodplain forest on the low-flow channel of Clear Creek. The report has also been revised to reflect that a mix of native trees, would be planted within the corridor at a density of 400 trees per acre (i.e., plant spacing equal to 10-foot centers) and this corridor will not be maintained except to remove invasive species (e.g., Chinese tallow). Some language added to several sections including Sections 4.9, 5.1, 7.12, and 5.5.2.; also added discussion of compensatory mitigation efforts of restoring sinuosity within oxbows and severed former channels.

c) Section 4.9.3.2 and Table 4.9-6 of the FSEIS have been revised to clearly explain the acres involved in minimizing impacts to floodplain forest and wetlands and the acres of mitigation that compensate for any remaining unavoidable impacts so that it is apparent that "no net loss" has clearly been achieved. In addition, the report has been revised to include opportunities to design the 39-acre in-line detention component of the project that occurs within the flood bench and to support a wet bottom dominated by herbaceous emergent wetlands (forested wetlands cannot be located within this feature for reasons described in the response to item d), which follows).

d) The depressions within the in-line detention features of the high flow flood benches cannot be planted with hardwood trees or other vegetation; this would result in an increase in the Manning's roughness coefficient of the conveyance channel. Such increases in roughness affect the hydrologic/hydraulic modeling to slow down the conveyance so that the balance between conveyance and added capacity provided by the inline detention and flood benches is disturbed potentially resulting in localized induced flooding. Language was added to indicate that establishment of forested wetlands were considered but eliminated due to capacity and conveyance.

4	Thank you for your comment.
5	See response to comment 3b above regarding compensation for habitat and wetland impacts. The EPA was involved in the ICT for the project and the development of the modeling used to identify impacts and compensatory mitigation for the Recommended Plan. Both area of the wetland and the quality of the habitat within the wetlands were taken into consideration. The Floodplain Forest Community HSI Model is a "community" model which includes both wetland and non-wetland forested areas that contribute to the overall health and ecological diversity and benefits of the ecotones created by having both present. Within the impact areas and mitigation site, the forest is similar in vegetation diversity. HSI scores for both the impact and mitigation sites were weighted by the quality and area of the wetland within the habitat.
6	a) According to 40 CFR § 230.92...Compensatory mitigation means the restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved. Restoration means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or

degraded aquatic resource: restoration include rehabilitation and re-establishment. Rehabilitation means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/ historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area. Re-establishment means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions. Compensatory mitigation may be performed using the methods of restoration, enhancement, establishment, and in certain circumstances preservation. Restoration should generally be the first option considered because the likelihood of success is greater and the impacts to potentially ecologically important uplands are reduced compared to establishment, and the potential gains in terms of aquatic resource functions are greater, compared to enhancement and preservation. While there is no gain in acreage, by preserving a rapidly developing area and reestablishing non-wetland features, the function and value of the sites are enhanced.

b) See response to comment 3b above regarding compensation for habitat and wetland impacts with respect to "no net loss". Mitigation plans for federally-funded USACE civil works projects are developed through an evaluation of quality and quantity of habitat being impacted, which is expressed in habitat units. As such, the trade off between impacts and mitigation are not always acre-for-acre, but instead are habitat unit for habitat unit. The Floodplain Forest Community HSI Model is a "community" model which includes both wetland and non-wetland forested areas that contribute to the overall health and ecological diversity and benefits of the ecotones created by having both present. Within the impact areas and mitigation site, the forest is similar in vegetation diversity. HSI scores for both the impact and mitigation sites were weighted by the quality and area of the wetland within the habitat.

c) Concur. The 404(b)(1) guidelines in Appendix L have been revised to be consistent with the acres reported in Sections 4.9 and 5.1.12 of the FSEIS.

d) The PAs shown in the Real Estate Plan were for appraisal information only, and were used as a proxy for estimating costs of the project. In Section 4.10.2.2 of the DSEIS, the following assumption was made regarding the location and impacts relating to the siting of the placement areas: "The excavated material would be deposited at a designated upland confined placement area. The locations of the placement areas would be determined during the preconstruction engineering and design phase. Attempts will be made to site the placement areas on agricultural lands, pasture, and other urban land to avoid wetlands and/or other ecological resource areas." Sections and appendices in the GRR and SEIS have been modified in the Executive Summary as well as sections 5.4.1.3 and 5.5.2 to reflect this language so that it is clear that the intent is to avoid additional impacts to these resources. For more information on BMPs, placement areas, and soil quality issues, see Section 4.3.2 of the SEIS.

7 Turkey Creek: Standard trapezoidal channel configurations of varying sizes were analyzed as proposed improvements for Turkey Creek instead of a wide flood bench design. This section of the Turkey Creek is situated within an existing, active oil production field. As such, numerous pipe bundles transporting product from well production pads traverse in all angles across this

field and Turkey Creek. In addition, a golf course is sited along both sides of the creek in the lower section at the creek's confluence with Clear Creek. A more minimal conveyance footprint for Turkey Creek was considered as it would provide sufficient flood reduction benefits while resulting in fewer impacts to oil field development, the golf course and road crossings in the area. A flood bench design would have increased the footprint of impacts to these areas, as the flood bench would be converted from a forested area to a grass-lined bench. The proposed configuration provides the minimal footprint that would provide flood reduction benefits. Mary's Creek: The section of Mary's creek that is included in the GRP Alternative has been so extensively modified by recent and past channel improvement activities and development; this section of the creek currently resembles a trapezoidal grass-lined ditch and not longer contains any floodplain forest or other habitat. Therefore, a trapezoidal design was considered the most efficient and cost effective, environmentally acceptable design for this component of the project.

8	The following information was added to Section 5.6: USACE will encourage construction contractors to 1) apply for Texas Emission Reduction Plan grants; the EPA's Voluntary Diesel Retrofit Program, or the EPA's Diesel Emission Reduction Plan offering the opportunity to apply for resources for upgrading or replacing older equipment to reduce NOx emissions, 2) use cleaner, newer equipment with lower NOx emissions, and 3) use clean, low-sulfur fuels.
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9	Additional analysis has been conducted and greenhouse gas and climate change have been addressed in the FSEIS. USACE evaluated GHG emission impacts of the Recommended Plan and related these impacts to global climate change in accordance with the Council on Environmental Quality's "Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions." This discussion was incorporated as an attachment to FSEIS Appendix H (General Conformity Determination and Air Emissions Estimates). A summary of this analysis is included in the air quality section of the FSEIS Chapter 4. No other text was added specifically addressing carbon sink loss and off-set.
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From: [Spencer, Stephen](#)
To: [Catanzaro, Andrea SWG](#)
Subject: Draft Supplemental Environmental Impact Statement for the Clear Creek project, Department of the Interior comment Letter
Date: Tuesday, February 14, 2012 4:38:05 PM
Attachments: [ER11-1151.pdf](#)

Attached is the comment letter from the U.S. Department of the Interior for the Draft Supplemental EIS for the Clear Creek Project. I would appreciate a note by return e-mail indicating that you have received it. Thanks.

Steve

Stephen R. Spencer, PhD

Regional Environmental Officer

Office of Environmental Policy and Compliance

U.S. Department of the Interior

1001 Indian School Road NW, Suite 348

Albuquerque, NM 87104

Phone: (505) 563-3572 Fax: (505) 563-3066 Cell: (505) 249-2462

Stephen_Spencer@ios.doi.gov

Web Site: www.doi.gov/oepec/albuquerque.html

cid:_2_0827C2600827BCF80077B9A1892576F6



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1001 Indian School Road NW, Suite 348
Albuquerque, New Mexico 87104



ER 11/1151
File 9043.1

February 14, 2012

Andrea Catanzaro
U.S. Army Corps of Engineers
Galveston District
PO Box 1229
Galveston, Texas 77553-1229

Dear Ms. Catanzaro:

The U.S. Department of the Interior has reviewed the U.S. Army Corps of Engineers' Draft Supplemental Environmental Impact Statement (DSEIS) for the Clear Creek General Reevaluation Study Project, Flood Risk Management and Ecosystem Restoration, Brazoria, Fort Bend, Galveston, and Harris Counties, Texas (Clear Creek Project). We have also reviewed the December 16, 2011, Notice of Availability (76 FR 78253). The comments provided below are intended to provide technical assistance toward the development of the Final SEIS. We offer general and specific comments based upon the November 2011, DSEIS and *Federal Register* notice.

General Comments from U.S. Fish and Wildlife Service

Table 7.8-1 of the DSEIS states the recommendations the U.S. Fish and Wildlife Service outlined in the 2011 Coordination Act Report. USACE has adopted all of our recommendations with the exception of additional fish and wildlife presence/absence surveys to be performed at each of the mitigation sites. The USACE considers these surveys "research and not appropriate for inclusion in the recommended project monitoring protocol." However, in the USACE handout made available at the January 11, 2012, public hearing, it states the Clear Creek Project will "improve fish and wildlife resources." The FWS believes significant resources will be impacted during the construction phase of Clear Creek Project, and fish and wildlife will be negatively impacted during one or more life cycle stages by the removal of cover (terrestrial and aquatic) and the loss of foraging and breeding habitats. Therefore, we recommend monitoring occur at the mitigation sites (including the preservation and rehabilitation of 122 acres and re-establishment of 33 acres). Monitoring is critical to understanding species use and composition of the newly rehabilitated sites and will provide a basis for recommendations for future rehabilitation projects to ensure continued usage by fish and wildlife species.

Additionally, the DSEIS does not address mitigation for stream impacts in three Clear Creek tributaries: Mud Gully, Mary's Creek, and Turkey Creek. The July 7, 2011, memorandum, *Interim SWG Stream Condition Assessment Standard Operating Procedure*, refers to the processes needed to assess impacts and compensation for stream mitigation. The FWS recognizes all three tributaries have been previously impacted by conveyance measures and stream function may be diminished; however, all three tributaries provide at least marginal habitat for several fish and wildlife species, and impacts should be compensated. Therefore, the FWS recommends USACE re-evaluate stream impacts using the July 7, 2011, memorandum, and develop an appropriate mitigation plan.

2

Specific Comments from U.S. Geological Survey

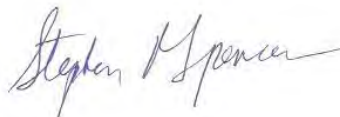
Section 3.10.1.1 Fisheries

Page 3-77 and Table 3.10-1: We suggest the document include the published data on fish, macroinvertebrates, and stream habitat of the lower (estuarine) parts of Armand and Dickinson Bayous available in: Hogan, Jennifer L., 2002, Fish, Benthic-Macroinvertebrate, and Stream-Habitat Data from Two Estuaries Near Galveston Bay, Texas, 2000-2001; USGS Open File Report 2002-24.

3

We appreciate this opportunity to provide comments on the Clear Creek Project, and we look forward to continuing our work with the USACE.

Sincerely,



Stephen R. Spencer, Ph.D.
Regional Environmental Officer

Stephen R. Spencer, Ph.D.
Regional Environmental Officer
United States Department of the Interior

RESPONSE TO COMMENTS

Comment No.	Response
1	Monitoring of the mitigation is outlined in the Final SEIS Chapter 5 and Appendix J. Following construction of the project, monitoring would be performed at the 31-acre mitigation site as well as within the 155 acres of floodplain forest included in the project design to minimize impacts.
2	Impacts to Mud Gully, Mary's Creek and Turkey Creek were all evaluated in the SEIS, and coordinated through the ICT which included members of the USFWS. Impacts to Turkey Creek were included in the discussions and accounted for in the habitat modeling analysis, as there was a considerable amount of floodplain forest habitat within and along the banks of Turkey Creek. The Floodplain Forest Community include habitat and assessment variables for the instream portion of the creek. Thus, impacts to the stream were included. The upstream portions of Turkey Creek are frequently maintained, trapezoidal channel configurations that resemble upland drainage ditches. Likewise, the portion of Mud Gully to be included in the project has been extensively modified as it is located between straight sections of the north and southbound roads of Beamer Road. This section of the stream resembles a large straight, grass-lined, well maintained drainage ditch. It has been extensively modified by drainage improvements, with numerous outfall culverts emptying into the water from local street drainage. In addition, the location is immediately downstream of a section that has already been concrete -lined. Mary's Creek is similarly located in an area of the creek that has been extensively modified, including recent modifications by BDD4 to widen the this section of the creek.
3	The FSEIS has been modified to include reference to the recommended data (see Table 3.10-1).



Choctaw Nation of Oklahoma

P.O. Box 1210 • Durant, OK 74702-1210 • (580) 924-8280

Gregory E. Pyle
Chief

Gary Batton
Assistant Chief

January 6, 2012

Department of the Army
Galveston District, Corps of Engineers
PO Box 1229
Galveston, Texas 77553-1229

Dear Dolan D. Dunn:

We have reviewed the following proposed project (s) as to its effect regarding religious and/or cultural significance to historic properties that may be affected by an undertaking of the projects area of potential effect.

RE: *Draft Environmental Impact Statement for the Draft Supplemental Environmental Impact Statement for the Clear Creek General Reevaluation Study, Brazoria, For Bend, Galveston, and Harris Counties, Texas*

Comments: After further review of the above mentioned project (s), and based on the information provided it has come to our attention that the project *is out of the Choctaw Nation of Oklahoma areas of interest*. A list of states and counties has been provided. If we can further assistance please contacted our office at 1-800-6170 ext. 2216.

1

Sincerely,

Ian Thompson PhD, RPA
Director Historic Preservation Department
Tribal Archaeologist, NAGRPA Specialist
Choctaw Nation of Oklahoma

By:

Caren A. Johnson
Administrative Assistant

Ian Thompson, Ph.D., RPA
Director, Historic Preservation Department
Choctaw Nation of Oklahoma

RESPONSE TO COMMENTS

Comment	
No.	Response
1	Thank you for your comment.

From: [Lisa LaRue - UKB THPO](#)
To: [Catanzaro, Andrea SWG](#)
Cc: lstapleton@unitedkeetoowahband.org
Subject: Clear Creek, Brazoria, Fort Bend, Galveston and Harris Counties, TX
Date: Wednesday, January 04, 2012 5:21:20 PM

The United Keetoowah Band of Cherokee Indians in Oklahoma has reviewed your project, and has no 1
comments or objections at this time. However, if any human remains are inadvertently discovered,
please cease all work and contact us immediately.

Thank you,
Lisa LaRue
Acting THPO
United Keetoowah Band of Cherokee Indians in Oklahoma
c 918-822-1952 f 918-458-6889

Lisa LaRue
Acting THPO
United Keetoowah Band of Cherokee Indians in Oklahoma

RESPONSE TO COMMENTS

Comment	
No.	Response
1	Thank you for your comment.

3505 Buckholt Street
Pearland, TX 77581
December 17, 2011

U.S. Army Corps of Engineers
Galveston District
PO Box 1229
Galveston, TX 77553-1229

ATTENTION: Andrea Catanzaro

SUBJECT: Public Comments Concerning "Draft Supplemental Environmental Impact Statement for the Clear Creek General Reevaluation Study, Brazoria, Fort Bend, Galveston, and Harris Counties, Texas"

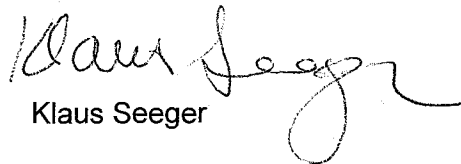
We have reviewed the documents and maps available online, as referenced in the USACE letter dated December 16, 2011. We have the following comments to make:

- Page 2 of the referenced letter states:
As of June 1999, Brazos County Drainage District 4 (BCDD4) joined the non-Federal sponsors in this effort.
Importantly, the reference should be to Brazoria County Drainage District 4
- Evaluation of individual impacts of proposed the project would be greatly facilitated by:
 - Adding location of Dixie Farm Road to reference maps
 - Adding location of Mary's Creek Bypass to reference maps

In addition, we have one question: ***is any flood control or other work being planned or contemplated for the area of Mary's Creek Bypass?*** We would be most appreciative if you could answer this one question for us.

Thanks to the Corps of Engineers for this opportunity to respond!

Sincerely,


Klaus Seeger

Klaus Seeger
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Concur. The reference to BCDD4 will be corrected. Thank you for your comment.
2	Concur. Figures will be revised accordingly. In Volume I of the FSEIS, Mary's Creek Bypass was added to figures 1.1-1, 2.3-1, 2.3-2, 2.3-3, 2.5-1, 3.0-1, 3.0-2, 3.4-3, 3.14-2, and 5.4-1, and Dixie Farm Road has been added to 3.7-1, 3.8-1, 3.9-1, 3.13-1, 3.14-1, 5.3-1a, 5.3-1b, and 5.3-1c . In Volume II of the FSEIS, Mary's Creek Bypass has been added to figures 1 and 2 of Appendix E, Figure 1 of Appendix H, and Figure 1 of Appendix J. Dixie Farm Road has been added to Figure 1 of Appendix C-1, figures A, B, C, and D of Appendix C-2, figures 1 and 2 of Appendix G.
3	The Recommended Plan does not include any modification or improvements to the Mary's Creek Bypass.

GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
DRAFT GENERAL CONFORMITY DETERMINATION

January 11, 2012

Open House 5:30 – 6:30 PM, Public Meeting 7:00 PM

Comment Form

This form is provided for your comments regarding the U. S. Army Corps of Engineers, Galveston District Clear Creek, Texas Flood Risk Management Project. Please use the space below, attaching additional pages if necessary. The form may be deposited in the comment box, or mailed to the address provided below. We appreciate your interest in and contributions towards, this project.

Comments:

This plan appears to ignore Galveston County. There are significant problems in Galveston County that need to be addressed including inadequate capacity at 45 and feeder roads.

What has happened to the proposed detention ponds to reduce flows downstream.

Based on limited information shown, this plan is unacceptable.

This plan needs to include coordinating with TXDOT on Highway 45 bridges as Highway 45 is improved and additional downstream improvements.

THIS APPEARS TO BE A HCFCD project that stops when it leaves Harris County.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Dick Carter
Address 6128 Southwell
League City

RESPONSE TO COMMENTS

Comment No.	Response
1	Various flood damage reduction features, including modifications to the I-45 bridge, were analyzed in Galveston County for inclusion in the project. However, only those features that were economically feasible when both benefits and costs (including construction, maintenance and environmental mitigation) were considered were further evaluated. The costs for constructing elements formulated for those areas downstream of Dixie Farm Road were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, these features were not economically justified and were not included in the proposed plan. Please reference Section V of the FGRR and Section 2.3.5 of the FSEIS for additional information regarding measures considered during the formulation of the Recommended Plan.
2	Detention was considered throughout the planning of the project, and attempts were made to incorporate it where economically feasible when both benefits and costs were considered. However, the costs for constructing the various detention features that were formulated were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, these features were not economically justified and were not included in the proposed plan. Please refer to Section 2.3.5 of the FSEIS for more information regarding the development of the GRP Alternative.
3	The Recommended Plan meets the planning study objectives outlined in the FGRR and FSEIS . The plan maximizes the benefits (i.e., reduced risk of flood damages) compared to costs and is environmentally acceptable.
4	Modifications to the I-45 bridge were proposed early on in the planning process for this study, and these were coordinated with TxDOT. However, the costs for modifying the opening at the I-45 bridge were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from this alternative. As such, this feature was not economically justified and was not carried forward for consideration in the proposed plan. Please refer to Section 2.3.5 for details regarding the development of the GRP Alternative.
5	Features located in the downstream areas of Clear Creek and tributaries were considered throughout the planning of the project, and attempts were made to incorporate features in these locations where economically feasible when both benefits and costs were considered. However, the costs (e.g., construction, maintenance, environmental mitigation) for constructing the various downstream features were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, these features were not economically justified and were not included in the proposed plan. Please refer to Section 2.3.5 of the FSEIS for more information regarding the development of the GRP Alternative.

Catanzaro, Andrea SWG

From: Hanks, Wayne [wayne.hanks@englobal.com]
Sent: Tuesday, January 24, 2012 12:49 PM
To: Catanzaro, Andrea SWG
Subject: Clear Creek Comments 2012
Attachments: Comments 1-11-12.pdf

Andrea,

Please find attached my comments as a results of the January 11 meeting at San Jacinto College.

Thanks

Wayne Hanks, CSAT

Analyzer Specialist, Proposals

Automation

ENGlobal

225 Portwall, Suite 200

Houston, Texas 77029

713-880-6215 Office

713-248-2655 Cell

wayne.hanks@ENGlobal.com

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GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
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Comment Form

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Comments:

I attended the above referenced meeting. I signed up to speak but after the first people, who spoke addressed the panel, I reserved my right to comment because I did not want to cause an issue.

My Comments

1. I noticed that most of the speakers claimed that they had not received the Notice in time to prepare. I found this very strange because everyone that I have spoken to received the Notice by mid December. Later, I found out this is a common tactic.
2. Second, I notice that most of the speakers did not live in the open channel area.
3. Most of the speaker lived in the lower channel area. Their concern was about the silt at the mouth of Clear Creek, the salt content of the lake and the cloudy water of the lake.
First, the silt in the lake is not because of the work because the work has been done.
Second, I have lived in the area since 1942 with my family and we never remembered a clean lake.
Third, the salt content of the lake and bay are being affected by the lack of fresh water entering the lake and bay. It is my understanding that everyone concerned about the bay is concerned about the amount of fresh water reaching the lake.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Wayne Hawks
Address 11922 Kirkway
Houston, Texas
77089

Member of the SAGEMONT PARK
COMMUNITY IMPROVEMENT ASSOCIATION
(SPCIA)

4. As a member of the 266 homeowners of the SPCIA, I am interested in the completion of the project which deals with the upper channel, Mud Gully and Turkey Creek and Mary's Creek.
5. As a resident in Sagemont Park and member of SPCIA, I am concerned about people and their homes and property. During the 36 years that I have lived in the area I have seen a number of people's homes and lives destroyed because of flooding.
6. The thing which I do not understand is why do the work in the upper channel and neglect the lower channel. Don't misunderstand, I want the project done in the upper channel. The project will provide a great retention area of flood waters during major rain events in the area.
7. But, I do not understand why plant trees on the fresh slopes of the upper channel. During major rain and/or flood events the newly planted tree will fall into the creek causing blockage. Trees planted in this area will have no root system to prevent them from being uprooted.
8. I believe enough study has been done during the past 40 years. I understand that 40 million dollars have been spent studying.

Wayne Hanks, CSAT
ENGlobal
Houston, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Features located in the downstream areas of Clear Creek and tributaries were considered throughout the planning of the project, and attempts were made to incorporate features in these locations where economically feasible when both benefits and costs were considered. However, the costs (e.g., construction, maintenance, environmental mitigation) for constructing the various downstream features were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, these features were not economically justified and were not included in the proposed plan. Please refer to Section 2.3.5 of the FSEIS for more information regarding the development of the GRP Alternative.
2	Native trees and grasses would be planted on the side slopes of the flood bench along Clear Creek to prevent surface erosion, provide for slope stability and add esthetic value. Uprooting of newly planted vegetation during high flow events will initially be a concern until the vegetation root systems are established. Some replanting may be necessary.
3	Approximately \$35.4 million has been allocated to the project through FY 2012. This amount includes an estimated \$7.9 million in costs for the current study (from 1999 to present) and \$27.5 million for previous studies and construction costs for the second outlet gate.

GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
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Comments:

Please provide a contingency generator to open the Seabrook Flood gates in the event of another Ike situation.

There has to be a way to get a generator to those gates should 146 get blocked w/ debris as it did before.

Please consider using either a boat, helicopter or vehicle that can get around piled debris. It happened once before so NO excuse to allow this to happen again. Leaving them closed during such an event guarantees millions of dollars of damage to homes & cities around Clear Lake.

Thx,
MB2

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name MARK DENMAN
Address 2025 Harbour Dr
Nassau Bay, TX
77058

Former Mayor Protem City of Nassau Bay

Mark Denman
Former Mayor ProTem
Nassau Bay, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The 2nd outlet and gate structure are operated and maintained by HCFCD. These features are not included in the Recommended Plan. As such, any comments related to their operation should be directed to HCFCD for a response.

January 26, 2012

USACE, Galveston District

Attn: Andrea Catazaro

P.O. Box 1229

Galveston, TX 77553-1229

Dear Ms. Catazaro,

This letter is an objection to the proposed revised Clear Creek Project as described in the letter from Department of the Army; Corps of Engineers dated December 16, 2011.

Many of us have opposed this project from its beginning. We will continue to oppose this extreme waste of tax payer dollars. Having lived on both Mary's and Clear Creek since 1965 we are aware of the needless time and effort spent on this.

Were you to fly over the creek during flood stage you could clearly see most of the flow restrictions are the bridges across Clear Creek. Specifically the I-45 and Hwy. 3 bridges. In addition the disregard of the environmental sensitive areas and the statement in the letter of no known species when no study has been made in many years.

Therefore we, and I am sure many others, will oppose this project with all legal means possible.

Sincerely,



William and Janice Taylor

P.O. Box 1168

Friendswood, TX 77549-1168

January 27, 2012

USACE, Galveston District
Attn: Andrea Catazaro
P.O. Box 1229
Galveston, TX 77553-1229

Dear Ms. Catazaro,

This letter is an objection to the proposed revised Clear Creek Project as described in the letter from Department of the Army Corps of Engineers, dated December 16, 2011.

Many of us have opposed this project from its beginning. We will continue to oppose this extreme waste of taxpayer dollars. Having lived on both Mary's and Clear Creek since 1996, we are aware of the needless time and effort spent on this.

1

Were you to fly over the creek during flood stage you could clearly see most of the flow restrictions are the bridges across Clear Creek which are specifically, the I-45 and Hwy. 3 bridges. In addition, the disregard of the environmental sensitive areas and the statement in the letter of "no known species," **when no study has been made in many years!**

2

3A

3B

Therefore we, and I am sure many others, will oppose this project with all legal means possible.

Sincerely,

Alice L. Woodfin

Scott D. Woodfin

Scott and Alice Woodfin
2005 Pine Drive
Friendswood, TX 77546
281-992-4467

postscript:

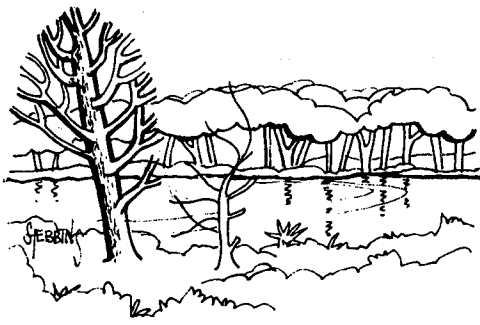
This is a copy of the William Taylor letter, changed to describe our situation. We completely concur with the Taylor letter.

William and Janice Taylor
Friendswood, Texas

Scott and Alice Woodfin
Friendswood, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comment.
2	There are restrictions at bridges including I-45 and Highway 3. The impact of these restrictions on the water surface elevations and floodplain widths can be seen in many places including FEMA floodplain maps, the GRR tables and floodplain maps, and are reflected in the models used in this study. Modifications to the I-45 bridge were proposed early on in the planning process for this study, and these were coordinated with TxDOT. However, the costs for modifying the opening at the I-45 bridge were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from this alternative. As such, this feature was not economically justified and was not carried forward for consideration in the proposed plan. See Section 2.3 of the SEIS for detailed information of all the alternatives considered.
3	<p>a) The Recommended Plan would avoid the sensitive areas of Clear Creek downstream of Dixie Farm Road that have not been channelized. These areas retain some of the highest quality forested riparian habitat and the meandering characteristics of natural streams. During construction of the original authorized project in the mid 1990s, impacts to this high quality forested riparian habitat were among the reasons the non-federal sponsor requested construction on the project be halted. The Recommended Plan incorporates avoidance and minimization of environmental impacts where possible, including avoiding impacts to the flow-flow stream habitat of Clear Creek through implementation of a flood bench design which functions to slowly convey a larger amount of water down the channel than would occur with the existing channel configuration.</p> <p>b) The referenced letter and statement was not found in the EIS or associated correspondence.</p>



TAYLOR LAKE VILLAGE

— a residential community on the lakes —

U.S Army Corp of Engineers, Galveston District
Attention: Andrea Catanzaro
P.O. Box 1229
Galveston, TX 77553

Dear Ms. Catanzaro,

As the Mayor of Taylor Lake Village, I would like to comment on the redesign plans as described in the General Reevaluation Report and Supplemental Clear Creek DSEIS. While the report indicates that a significant amount of thoughtful analysis and engineering has been done, there are critical issues that I and my constituents believe require additional study. These issues are as follows:

- The model used to analyze downstream flooding and environmental impacts does not take into account storm surges that frequently accompany storms in our area. 1
- The current plans do not adequately address the potential impacts of increased storm water volume, loss of soil stabilizers, general erosion, and silt deposits to our downstream, Clear Lake area wetlands 2
- In the plans for channelization of Mud Gully, it is not clear that there has been adequate study of the potential for release of toxins that may remain in the sediment as a result of the Brio and Exxon spills 3
- The report does not adequately address inconsistencies in the way all upstream cities manage flood prone areas and control subsidence, which will impact the effectiveness of the overall plan 4

I appreciate the opportunity to provide input and am confident that you and your team will work to resolve the issues raised prior to implementing any aspects of the proposed plan.

Thank you for your time and consideration.

Respectfully,
Jon Powell

Mayor, Taylor Lake Village

Jon Powell, Mayor
Taylor Lake Village, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis was limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.
2	Hydrologic modeling was performed to estimate storm water volume due to storm water runoff under with and without project conditions. These volumes were input into the hydraulic models used to formulate the Recommended Plan. The combination of features in the selected plan include linear detention and channel improvements, and the combination of these features was optimized to minimize any impact to the Clear Lake area. Temporary and permanent erosion control features will be used to minimize siltation during and after construction of the project. This includes soil stabilization and vegetation regrowth components. BMPs to minimize silt runoff will be used and required throughout construction and after. Permanent erosion controls such as geotextiles and articulated concrete blocks will be selected in the design phase to deter siltation.
3	Modifications to Mud Gully would occur between Sagedown and Astoria Drive and would not extend beyond the existing right-of-way between the north and southbound lanes of Beamer Rd. The proposed modifications to Mud Gully would be more than one mile upstream of the Brio Site; as such the project would not involve disturbances to any sediments related to the Brio Site. Please see page viii of the Executive Summary ("Description of Proposed Action and Alternatives"), Section 2.3.5.2.3 ("Mud Gully Conveyance"), and Figure 2.3-10 ("Mud Gully Conveyance Measure Cross Section") of the EIS for more information.
4	Section 1 of the FGRR includes a discussion regarding the 1984 HCFCF policy to prevent increases in flooding from rapid expansion and urbanization and the creation of the Harris-Galveston Coastal Subsidence District.

GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
DRAFT GENERAL CONFORMITY DETERMINATION

January 11, 2012
Open House 5:30 – 6:30 PM, Public Meeting 7:00 PM

Comment Form

This form is provided for your comments regarding the U. S. Army Corps of Engineers, Galveston District Clear Creek, Texas Flood Risk Management Project. Please use the space below, attaching additional pages if necessary. The form may be deposited in the comment box, or mailed to the address provided below. We appreciate your interest in and contributions towards, this project.

Comments:

IN SPEAKING WITH HARRIS COUNTY & COE REP'S, THEIR INABILITY TO OPERATE THE CC 2ND OUTLET CHANNEL GATES AFTER HURRICANE IKE HAS STILL NOT BEEN FULLY ADDRESSED.

① BACKUP GENERATOR IS REMOVED FROM SITE IN ANTICIPATION OF A MAJOR EVENT

② CAPACITY TO OPERATE GATES IS DIMINISHED WITH ONLY ONE POWER SOURCE (RELIANT ENERGY)

③ SOLD POWER SOURCE IS INTERRUPTED BECAUSE OF MAJOR EVENT
∴ GATES INOPERABLE RESULTING IN HIGH POTENTIAL ^{OF} DAMAGE
UP STREAM FROM EXCESSIVE STANDING FLOOD WATERS

SINCE THIS SCENARIO HAS OCCURRED (HURRICANE IKE) AND NO EMERGENCY PREPAREDNESS PLANS ARE IN PLACE TO ADDRESS THIS SITUATION SINCE THE OCCURANCE, IT WOULD BE PRUDENT TO ENGAGE IN A ROOT CAUSE INVESTIGATION ^(RCI) THAT WILL OFFER SOLUTIONS DIRECTLY RELATED TO THIS SITUATION OF THE GATES BEING INOPERABLE.

PLEASE FEEL FREE TO CONTACT ME DIRECTLY WITH ANY ^{COMMENTS} ~~CONCERNS~~ OR INFORMATION RELATED TO THIS ISSUE. (ESPECIALLY IF BEING MISINFORMED)

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

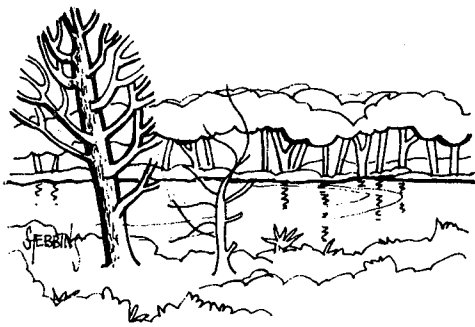
Please Print:

Your Name DANIEL MCCAY
Address 18818 WINDWARD LN
NASSAU BAY TX 77058
281-333-4408

Daniel McCay
Nassau Bay, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The 2nd outlet and gate structure are operated and maintained by HCFCD. These features are not included in the Recommended Plan. As such, any comments related to their operation should be directed to HCFCD for a response.



TAYLOR LAKE VILLAGE

— a residential community on the lakes —

February 9, 2012

District Engineer – Galveston District
U.S. Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, TX 77553-1229

Dear Ms. Catanzaro,

I would like thank the Corps for the opportunity to comment during your Jan. 11th hearing on the Clear Creek Flood Risk Management Reevaluation Study. As I indicated in my public comments, the City of Taylor Lake Village has the following concerns with this modeling study and EIS:

1. The length of time for public comment was very short since the release of the IES occurred just before the busy holiday season. (We would like to thank the Corps for extending the deadline for public comment to February 14th.)

1

2. Our city's concern has always centered on the fact that improvements to the flow of Clear Creek would cause a more rapid rise of waters in Clear Lake which, in turn, would adversely affect our citizens, a number of whose homes are in low lying areas. Based on explanations of the model given during the open house discussions with your staff, the model suggests only a minimal impact on Clear Lake. We hope this is correct.

2

3. We feel the current model does not adequately reflect a real scenario for communities along Clear Lake since it totally ignores flood surges from Galveston Bay. We feel that the 13" rains used in the model would only occur if there were a tropical depression or storm in our area. There is a high probability such a storm would create a flood surge up Galveston Bay. In such a scenario flows down Clear Creek could, initially be hindered by the higher level of Clear Lake. Once the higher lake level is overcome, a faster Clear Creek flow could result in a more rapid rise in the level of Clear Lake.

3

Supplemental to our comments of Jan. 11th, we would like to add the following:

4. We saw no reference in the study to downstream silting problems that will occur during the long construction interval. Not only will this silt build up where Clear Creek empties into Clear Lake (League City and Nassau Bay areas) and retard the downstream

4

downstream habitats given that this region of the study area was left out of initial habitat assessment models?

- How will the Corps append this plan if mitigation efforts prove more expensive and difficult to maintain than projected? 5
- Was the second outlet gate evaluated for potential modifications to increase its effectiveness and if so what were the results of that evaluation? 6

6. Since the public hearing, we have also become aware of an \$80,000 drainage study commissioned by the Clear Lake City Water Authority with input from the Harris County Flood Control District. This modeling study focused on the streams entering Clear Lake from the north (Armand Bayou watershed). It was prepared by Dr. Phillip Bedient of Rice University. We suggest the Corps review it for possible impacts on Clear Creek flows into Clear Lake. 7

Again, we would like to thank your staff for their discussions during the open house and the opportunity to comment during the public hearing.

Sincerely,



Einar Goerland – Taylor Lake Village City Council, Position 4

cc: Mayor Jon Powell, Council members: Doug Shows, Lillian Norman-Keeny, Tony Galt, Allen Koelemay

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comment
2	The modifications included in the Recommended Plan for Clear Creek and its tributaries include inline detention features as well as conveyance improvements. These modifications acting in combination would not cause a more rapid rise in the waters of Clear Lake. See Section 4.4 of the FSEIS for potential impacts to hydrology, including Clear Lake (specifically sections 4.4.1.2 and 4.4.2.2).
3	Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so the analysis was limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.
4	Temporary and permanent erosion control features (e.g., soil stabilization measures and vegetation regrowth) as necessary and BMPs would be implemented as needed to minimize siltation during and after construction of the project. The need for these features would be determined during the preconstruction engineering and design phase of the project. Additionally, the natural soils in the proposed project areas is mostly composed of erosion resistant high plasticity clay. During construction sporadically sand and silt deposits that may be discovered would be protected with additional erosion prevention measures as needed. For more information regarding potential impacts to water quality resulting from the GRP Alternative, see Section 4.2.2 of the FSEIS.
5	The Mitigation Maintenance, Monitoring and Adaptive Management Plan is outlined in Section 5.5 and Appendix J of the FSEIS. This plan includes contingency planning and provides for adaptive management to allow the USACE, non-federal sponsors and environmental resource agencies to address situations that arise regarding maintenance and success of the mitigation plan and to take corrective actions to ensure the mitigation is successful and that the requisite acres and quality of floodplain forest are available to produce the total benefits needed to mitigate for project impacts.
6	Various modifications to the 2nd outlet to increase capacity were considered during planning of the project, and attempts were made to incorporate these modifications where economically feasible when both benefits and costs were considered. However, the costs for these modifications were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, modification of the 2nd outlet was not economically justified and was not included in the Recommended Plan. Please refer to Section 2.3.5 of the FSEIS for more information regarding the development of the GRP Alternative.

The Corps will review any relevant studies related to the Clear Creek watershed and Clear Lake during the preconstruction engineering and design phase of the project.

2414 Baycrest Dr.
Houston, TX 77058
Feb. 8, 2012

US Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, TX 77553-1229

RE: Comment Form – Galveston District Clear Creek, TX. Flood Risk Management Project

Dear Ms. Catanzaro:

I attended the January 11, 2012 public meeting and viewed your proposed plans for this project. The online draft is extensive. I have approached the project as a layman and as a person living on Clear Lake and one familiar with the weather conditions and water flows in the area.

Following are my concerns for this project, in no particular order. I appreciate the changes from the original plan and the consideration given so far to those living downstream. I do, however, have major concerns.

1. The gates in Seabrook need a better back-up system. Removing the generator to a different location during a hurricane is not a smart plan. This essentially makes the gates inoperable during a major weather event. What is the time lag to remove the generator, remove debris after an event, and then reinstall it? I understand your plan emphasizes a difference between a hurricane and a rain event. Living on Clear Lake, the gates need to be operational for both events. What extra amount of time is the water sitting in homes because the gates cannot be open? How often are the gates operated to check if they are workable? In heavy rain events, it is imperative they operate if this is a major part of your plan as is depicted in the report. 1
2. Silt coming downstream from the Clear Creek project will collect in the area at the mouth of Clear Creek as it empties into Clear Lake. This area is shallow and more silt will make it non-navigable. How do you plan on preventing this? Do you plan on dredging the mouth once the project is complete if the waters are too shallow for larger boat traffic? How long will you maintain this area because of silt run-off from land that lacks vegetation regrowth? Silting will continue from the banks lacking vegetation. 2
3. The studies don't take into account a high tide, east wind, and a major rain event. The Clear Lake area will be impacted with this situation. Bay waters will be blown into Clear Lake at the same time huge amounts of water upstream will be coming down Clear Creek. A high tide complicates the situation even more. Flooding along Clear Lake will occur. Your draft states many times this project will not prevent hurricane flooding. The east wind, high tide, and upstream run-off scenario occurs often during major rain events. It doesn't need to be a 3

- hurricane. This fact was emphasized many, many times in the discussions on this project in previous years. Detention ponds were the answer.
4. I read of only one detention pond in the project. The cost was too high to build more according to the report. My concern of more water rushing down Clear Creek to Clear Lake faster than we can get rid of it while an east wind pushes the bay waters into Clear Lake has not been alleviated. 4
 5. Numerous times in your report, mention was made of removing trees and plants along Clear Creek. There were also statements there was no money from environmental entities to replace vegetation. Will trees be planted by the Corps, the County, or by anyone? When can we expect it to be reforested? This cost should be considered in the project. Is it? This vegetation absorbs some of the run-off now. When vegetation is removed, the issue of more water and dirt filling Clear Creek and heading to our area, downstream, will occur. 5
 6. Where will the dredge material be placed? In the draft, there were two areas off of Kemah mentioned. Is this the location? Is there any other location? I do not want changes midstream in the project to include Clear Lake or Nassau Bay as sites for the disposal area. 6
 7. When Clear Creek is dredged, how can we be assured that the Brio site toxins will not be disturbed and enter Clear Lake or further affect the breeding areas downstream along Clear Creek? 7

I appreciate the additional time for these comments. As I mentioned, I am a layman with a common sense approach to this project. I don't measure flows, environmental impact, etc. I do, however, believe that a project's first responsibility should be to do no harm to those homes and businesses downstream of your proposed project. Your mission statement or "planning objectives" lacks that. Detentions ponds should be a major part of this project and they are not included. The gates are a major part of this project and we observed there was a problem with them during IKE. The general maintenance and responsibility of opening and closing them remains a concern. 8 9

Thank you for taking my comments. I hope this project can be improved to do no harm if it is pushed forward.

Sincerely,



Susan S. Taylor
Resident of Nassau Bay, at the mouth of Clear Creek

Copy: Steve Fitzgerald, Harris County Flood Control District

Susan S. Taylor
Nassau Bay, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The 2nd outlet and gate structure are operated and maintained by HCFCF. These features are not included in the Recommended Plan. As such, any comments related to their operation should be directed to HCFCF for a response.
2	Temporary and permanent erosion control features (e.g., soil stabilization measures and vegetation regrowth) as necessary and BMPs would be implemented as needed to minimize siltation during and after construction of the project. The need for these features would be determined during the preconstruction engineering and design phase of the project. Additionally, the natural soils in the proposed project areas is mostly composed of erosion resistant high plasticity clay. During construction, sporadically sand and silt deposits that may be discovered would be protected with additional erosion prevention measures as needed. Clear Creek is not a navigational channel, the Corps currently has no plans to dredge the mouth of the channel. Maintenance will be handed over to the local sponsors after construction is completed.
3	Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis was limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives. A sensitivity analysis was performed during plan formulation to determine and assess impacts from tidal changes.
4	Offline detention was considered throughout the planning of the project, and attempts were made to incorporate it where economically feasible when both benefits and costs were considered. However, the costs for constructing the various detention features that were formulated were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, these features were not economically justified and were not included in the proposed plan. Inline detention along Clear Creek is used to mitigate flows and minimize any change in the timing of water reaching Clear Lake. See Section 2.3 for a detailed analysis of Alternative Plans Considered.
5	While vegetation would be removed within the footprint of the proposed improvements to Turkey Creek, Mary's Creek and Mud Gully and within the footprint of the high-flow flood benches along Clear Creek, the bottoms and side slopes of the newly constructed features would be planted with native grasses to stabilize the banks and prevent erosion. During construction, best management practices (e.g., silt fences, hay bales, etc.) would be employed to reduce erosion and the amount of sediment entering the streams. In addition, the side slopes of Clear Creek would be planted with Native trees at a density of 14 trees per acre to provide some slope stability and aesthetic value; the low-flow channel of Clear Creek within the limits of the

proposed construction would be densely planted with native trees (approximately 400 trees per acre) to provide a 60-foot-wide shaded riparian corridor. This forested riparian low-flow corridor provides habitat and shading for fish and wildlife and helps to reduce sediment load into the stream from runoff and erosion. The costs for any plantings have been included in the construction costs for the project. Opportunities to incorporate ecosystem restoration were considered early on in the study. However, efforts to identify a non-federal cost share sponsor capable and able to share in study and construction costs for ecosystem restoration were not successful.

6	The PAs shown in the Real Estate Appendix to the GRR were for appraisal information only, and were used as a proxy for estimating costs of the project. In the Executive Summary as well as sections 5.4.1.3 and 5.5.2 in the Draft SEIS, the following assumptions were made regarding the location and impacts relating to the siting of the placement areas: "The excavated material would be deposited at a designated upland confined placement area. The locations of the placement areas would be determined during the preconstruction engineering and design phase. Attempts will be made to site the placement areas on agricultural lands, pasture, and other urban land to avoid wetlands and/or other ecological resource areas." All appropriate sections and appendices in the FGRR and FSEIS have been modified to reflect this language so that it is clear that the intent is to avoid additional impacts to these resources.
7	Modifications to Mud Gully would occur between Sagedown and Astoria Drive and would not extend beyond the existing right-of-way between the north and southbound lanes of Beamer Rd. The proposed modifications to Mud Gully would be more than one mile upstream of the Brio Site; as such the project would not involve disturbances to any sediments related to the Brio Site. Please see page viii of the Executive Summary ("Description of Proposed Action and Alternatives"), Section 2.3.5.2.3 ("Mud Gully Conveyance"), and Figure 2.3-10 ("Mud Gully Conveyance Measure Cross Section") of the EIS for more information.
8	Detention was considered throughout the planning of the project, and attempts were made to incorporate it where economically feasible when both benefits and costs were considered. However, the costs for constructing the various detention features that were formulated were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, these features were not economically justified and were not included in the proposed plan. See Section 2.3 for a detailed analysis of Alternative Plans Considered.
9	The 2nd outlet and gate structure are operated and maintained by HCFCD. These features are not included in the Recommended Plan. As such, any comments related to their operation should be directed to HCFCD for a response.

February 13, 2012

District Engineer, Galveston District
U.S. Army Corp of Engineers
Attention: Andrea Catanzaro

Thank You for the opportunity to comment on the Clear Creek Flood Control Project DEIS. I do have the following concerns about the project.

Silting:

Normal and extreme rain situations during and after the earth work part of the projects upstream will result in run-off of dirt from the exposed embankments. The high velocity of the water through the narrow creek will carry the sediment until it reaches the mouth of Clear Creek as it enters Clear Lake. At that point the water velocity will reduce as the cross sectional area increases. It is here that the sediment will drop out and fall to the bottom.

Having lived at this juncture of the two bodies of water for 20 years, I have observed this phenomena. During the time frame of approximately 1999 thru 2004, I did observe extreme silting. The water after rain events was so bad coming down from Clear Creek that the water smelled like dirt, construction dirt. I have also observed the muck at the bottom of the lake to be much deeper than prior years. The muck is 2 to 3 feet deep in places now. Twenty years ago one could touch solid hard bottom through only a few inches of mud. I believe this resulted from construction activities up stream. To support this, compare using the timeline portion of Google Earth Imagery, the banks of Clear Creek from 15 years ago to now. One can see a clear indication of widening of the banks of Clear Creek in the upper reaches in Brazoria county which stops curiously at the Harris county line. I've said all this to emphasize that the activity up stream does negatively effect the people down stream. The city of Nassau Bay has spent a very large sum of money to dredge the existing waterways so that resident boat owners can navigate these waterways. I do not believe there are adequate measures available to prevent dirt run off during rain events while in construction. Is it practical to enforce these measures (covers etc.) when it rains? Workers go home, they are rained out.

1

High Tide in Galveston Bay:

The effect of a high bay tide at the second outlet from a tropical rain event should be considered.

Clear Lake is practically an enclosed lake. Normally it has only one narrow channel for flood waters from Clear Creek to escape. Installation of the second outlet gates was a good move and I'm sure it works quite well when Galveston Bay water level is lower than lake level. However many times the extreme rain events are caused by tropical rain events in which the water level in the bay is too high for Clear Lake water to escape even with the 2nd outlet gates.

In my view, it is unfair to communities and residents surrounding Clear Lake to embark on a project that will bring more water faster from upstream when the safeguards (2nd outlet gates) can not operate due to high tides in the bay. Please run the hydrology models to include these situations. Don't just say "Well we can't do anything for tropical storms and hurricanes". What you can do is not make it worse for Clear Lake communities. In my opinion we have already been damaged by Brazoria County. Don't add to it.

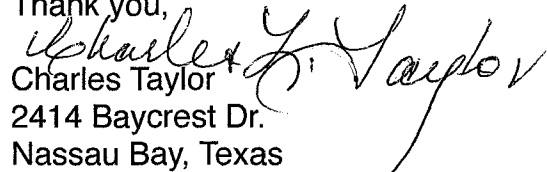
2

Dredge Material Location:

In the DEIS it was stated that there were to be two locations in the bay just outside of Clear Creek Channel. That is fine. I see potential for these locations to be changed for financial reasons or public objections. Please do not put the dredge materials in Clear Lake. It is a water sports recreational area.

3

Thank you,


Charles Taylor
2414 Baycrest Dr.
Nassau Bay, Texas

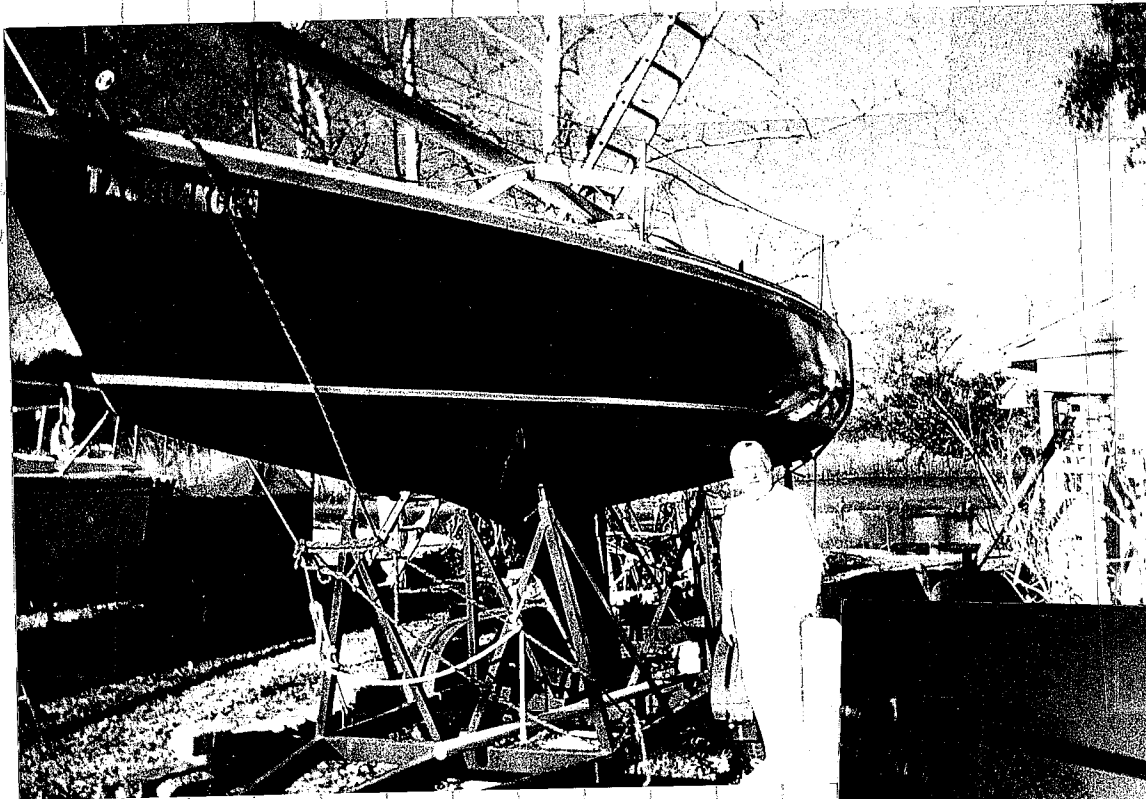
Charles Taylor
Nassau Bay, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Temporary and permanent erosion control features (e.g., soil stabilization measures and vegetation regrowth) as necessary and BMPs would be implemented as needed to minimize siltation during and after construction of the project. The need for these features would be determined during the preconstruction engineering and design phase of the project. Additionally, the natural soils in the proposed project areas is mostly composed of erosion resistant high plasticity clay. During construction sporadically sand and silt deposits that may be discovered would be protected with additional erosion prevention measures as needed.
2	Inline detention along Clear Creek is used to mitigate flows and minimize any change in the timing of water reaching Clear Lake. Flood damages in Clear Creek and Clear Lake can result from stream flooding and also from storm surge. The GRR study authority only addresses damages from stream flooding, so the analysis was limited to that source. Hydrologic models can be run for these conditions, but flood damages related to surge cannot be addressed by this study. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.
3	In several places in the Draft SEIS, such as the Executive Summary as well as sections 5.4.1.3 and 5.5.2, the following assumptions were made regarding the location and impacts relating to the siting of the placement areas: "The excavated material would be deposited at a designated upland confined placement area. The locations of the placement areas would be determined during the preconstruction engineering and design phase. Attempts will be made to site the placement areas on agricultural lands, pasture, and other urban land to avoid wetlands and/or other ecological resource areas." All appropriate sections and appendices in the GRR and SEIS were be modified to reflect this language so that it is clear that the intent is to avoid additional impacts to these resources.

D. SWEENEY 2314 BRAD LANE
LEAGUE CITY 77573
281-554-2128

1/11/12.



2 BEFORE 1999 RED BOAT
5' DRAFT WAS AT MY DOCK.
BAYOU ROBINSON WAS 8 FT DEEP.
NOW 1 FT DEEP.

AFTER 2000 MY NEW WHITE
SMALL BOAT DRAFT 20 INCHES
WAS AT MY DOCK.
ROBINSON BAYOU NOW FULL
SILT.



YOUR 3 BOOK STUDY
CLEAR CREEK RUN OFF IS NOT
1 COMPLETE!

SEE KEY MAP BOOK PAGE 659 SEC B
ROBINSON BAYOU ALSO LEAGUE
CITY 40 FT WIDE DRAIN SYSTEM
ALL L. CITY SOUTH TO FM. 646.

PAGE 1 OF 2.

1 1/2 DAY RAIN 1/9/12 - WATER JUMPS UP 2 OR 3 FEET. ROBINSON BAYOU,
BEFORE 2000 THE STATE DID A ROAD 518 AND FM 2094 PROJECT WITH NEW BRIDGE AT
3 518 X 2094 X 270 MILES OF 5' SQUARE DRAIN PIPE IN ALL DIRECTIONS. ALL DUMP
HEAVY FAST WATER UNDER BRIDGE.

RESULT I HAD TO SPEND \$40,000 TO REPAIR MY
BULKHEAD AND STOP MY YARD FROM ERODING AWAY.
SEE LARGE CITY RE PICTURES SENT IN 2000



ALSO HAD VERY HARD TIME RE REPAIR PERMIT.

1/9/12

1/2 DAY RAIN

LOOKING

AT CNEAR CREEK IN DISTANCE! YOU HAVE MAJOR BLOCKAGE WHERE ROBINSON

BAYOU HITS CREEK. DOWN
STREAM FROM THERE THE WERP
MARINA ON DAVIS RT HAS
BOATS THAT CAN'T MOVE DUE
TO SILT.

FIRE HOSE EFFECT
FAST WATER SILT.



MAN MADE
MESS.

D. SWEENEY



5 ROBINSON BAYOU WAS 8 FEET NOW MUD FLATS. THIS IS WHAT CLEAR LAKE
WILL LOOK LIKE SOON. YOUR UP STREAM WATER HEAD PRESSURE IS LIKE SMALL
FIRE HOSE EFFECT. VERY FAST HEAVY WATER THAT HAS MUD ETC. IT FALLS
OUT WHEN IT GETS TO LAKE:



YOU OVERLOOKED ROBINSON BAYOU TO CLEAR CREEK.
FLOW



ROBINSON BAYOU FLOWS INTO
CLEAR CREEK AND HAS A HUMP IN
THE CREEK.

THIS IS WHERE THE INHO TIDE
6 INCH TO 1 FOOT MEET THE DOWN
STREAM FLOW AND BACKS WATER
UP ROBINSON BAYOU, AND THIS MEETS
THE DRAIN FLOW IN ROBINSON RESULT AT
THE INTERSECTION MUD HEAP IN CREEK

LEAGUE HAS A BANK PROJECT UNDER WAY NOW,
CALL RICH OHER OR COUNCILMAN MYHAKEN, LCITY

D. Sweeney
League City, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Though not separately analyzed, flows discharging from Robinson Bayou into Clear Creek/Clear Lake were accounted for in the hydrologic model.
2	Maintenance of Robinson Bayou, including the removal of silt, is the responsibility of the local authorities or private individuals and is outside the scope of this effort.
3	Maintenance of Robinson Bayou, including the removal of silt, is the responsibility of the local authorities or private individuals and is outside the scope of this effort.
4	Maintenance of Robinson Bayou, including the removal of silt, is the responsibility of the local authorities or private individuals and is outside the scope of this effort.
5	Robinson Bayou flows into Clear Lake were included in the runoff hydrologic model for the project. The velocities of the water entering Clear Lake from Clear Creek are consistent with or without the Recommended Plan.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
DRAFT GENERAL CONFORMITY DETERMINATION**

January 11, 2012

Open House 5:30 – 6:30 PM, Public Meeting 7:00 PM

Comment Form

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Comments:

PLEASE SEE ATTACHED COMMENTS -

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name JOHN L. HANNAN

Address 11671 SABLE

HOUSTON, TX 77089-2536

JOHN L. HANNAN
11671 SABO ROAD
HOUSTON, TX 77089-2536
PHONE 281-481-8252
FAX 281-481-3751
jlhannan@hal-pc.org

COMMENTS ON CLEAR CREEK, TEXAS FLOOD RISK MANAGEMENT PROGRAM

I attended the public meeting on January 11, 2012 regarding this project.

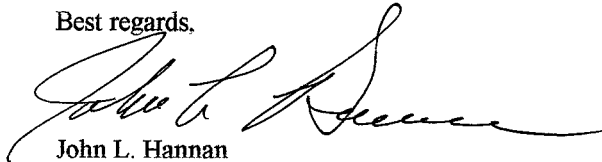
The professionalism of the Corps of Engineers people working on this project continues to be shown as they have worked to get the project to this point.

I do not have any substantive comment on the project, other than to say that as a homeowner in a flood prone area within the project's scope, I see some hope that this project will provide additional conveyance (in my case Turkey Creek) that will allow Harris County Flood Control to correct some inadequate detention upstream, that has plagued my neighborhood since I have lived in it.

1

I plan to support this project, as it progresses to authorization, through contact with my Federal, State, and County officials.

Best regards,



John L. Hannan

John L. Hannan
Houston, Texas

RESPONSE TO COMMENTS

Comment	
No.	Response
1	Thank you for your comment.

GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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Comments:

Thank you for pursuing the
Clear Creek Flood Control Project.

I live on Sabo Road in Houston
between ~~Sa~~ Fugua and Beltway 8.

Sabo Rd. floods over the curbs.
HCFC Linear Detention Channel
A119-09-000 overflows into
Sagement Park Townhouse driveways
and garages.

As I look at the Clear Creek
Recommended Plan, my hope is
that the 2 1/2 mile improvement
to Turkey Creek will help diminish
the flooding of my townhouse
community and the surrounding
neighborhood.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name Rosemary Carravay

Address 11515 Sabo

Houston, TX

77089

Rosemary Carraway
Houston, Texas

RESPONSE TO COMMENTS

Comment	
No.	Response
1	Thank you for your comment.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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Comments:

The Bella Vita HOA Requests a 30 day extension to the comment period due to our late notice of the plan which has a heavy impact to 73 acres of our subdivision. We also believe that a joint meeting with our board would be beneficial.

Please see the attached letter for more detail.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Ronald Gerlach, Pres
Address Bella Vita HOA
1548 N. Riviera Circle
Pearland, TX 77581

Ronald Gerlach
President, BellaVita HOA
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The original 45-day comment period established in the NOA for the DSEIS began on December 16, 2011, and ended on January 30, 2012. A 15-day extension to the comment period was granted so that the public would have additional time to review and comment on the Draft SEIS.



***District Engineer, Galveston District
U.S. Army Corps of Engineers
Attention: Andrea Catanzaro***

January 20, 2012

Subject: Request for review period extension relative to Clear Creek Texas plan

Let me first introduce the organization that I represent. We are the BellaVita at Green Tee Homeowners Association (HOA), an active adult, senior community which has title to $\frac{3}{4}$ of a mile of creek front on Clear Creek. We are 600 homes with about 1000 residents located in the City of Pearland on the Harris County side of Clear Creek bounding Scarsdale Blvd. on the North side. Even though we have been an established subdivision since 1999 we have never been consulted nor appraised of the proposal to greatly change the characteristic of the 73 acres along the creek, encompassing several of the Oxbows, that we have set aside as a Nature Reserve for our residents and the Forgotten Angels charity. We only accidentally were able to attend the meeting on January 11, 2012 when our HOA Nature Reserve Committee members found out about it on the day of the meeting.

We believe that the 18 days allotted for comment following the meeting is totally inadequate to analyze the 800 plus page proposal which has the potential to confiscate and render useless about 30% of our 73 acre Nature Reserve and also greatly affect the natural flora and fauna which we maintain.

We request that you provide a 30 day extension to allow us time to understand your plan, educate our homeowners on the project, and provide educated analysis and comments. Our cursory review leaves us with many questions about the intent relative to our area and we would appreciate a chance for our HOA Board members and our Nature Reserve Committee to sit down with your staff to better understand the plan before addressing the proposal and the homeowners. This meeting could potentially alleviate many of our concerns and foster support to the project.

Please contact either myself, Nancy Triggs our Manager at 281-464-3150, email ntriggs@club-bellavita.org, or the Nature Reserve committee chair Larry Alvarez at 832-243-5421 if you can accommodate our request for a meeting and an extension.

Ronald Gerlach
President, BellaVita HOA
281-922-5050
rgerlach@club-bellavita.org

Ronald Gerlach
President, BellaVita HOA

RESPONSE TO COMMENTS

Comment No.	Response
1	The mailing lists for the NOA for the Draft GRR/SEIS were developed from past lists of interested public who attended the various scoping and public meetings held over the course of the current study. In addition to the NOAs mailed out to those listed individuals, newspaper notices were published in the <i>Houston Chronicle</i> , <i>Galveston Daily News</i> and <i>The Facts</i> (a Brazoria County publication) on December 15, 2011, informing the public of the availability of the Draft GRR and SEIS and of the public meeting that would be held on January 11, 2012. See Appendix A-7.
2	The original 45-day comment period established in the NOA for the DSEIS began on December 16, 2011, and ended on January 30, 2012. A 15-day extension to the comment period was granted so that the public would have additional time to review and comment on the Draft SEIS.
3	A meeting with the USACE and representatives of the BellaVita HOA and Nature Reserve Committee was held on February 1, 2012, to discuss the project.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
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Comments:

See attached sheet.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name _____

Address _____



Larry W Alvarez
2414 Monaldo Dr
Pearland TX 77581

Subject: Mitigation Component Reconnecting Oxbows and Removing Dredged Material

There may be discovered a misunderstanding by the USACoE about these subject oxbow lakes. The oxbow lake on the mitigation plan near Country Club Drive and FM 518 is NOT a 1955 oxbow lake but where the original Clear Creek CHANNEL was cut. In the late 70's or early 80's this CHANNEL BEND was shortened to assist in eliminating frequent flooding on Country Club Drive (at that time the only entrance into the neighborhood). The oxbow left over near Country Club Drive is NOT a 1955 oxbow but the original CHANNEL. It appears that the USACoE think that all of the oxbow lakes are like the one near Country Club Drive. The mitigation plan refers to connecting the 13 oxbow lakes to low flow conditions. It appears that this connection plan is based on faulty information as our 5 oxbow lakes (BellaVita Home Owners Association) between Scarsdale and Dixie Farm Road are indeed post 1955 Clear Creek oxbow lakes and are at an elevation 20 feet above the Clear Creek channel low flow level. To connect these oxbow lakes, as the mitigation plan calls for, to low flow conditions would require digging the oxbow lakes 20 foot deeper than they currently flow which in effect destroys the original oxbow lakes and most of the forested area around them. I really don't think this is what the USACoE wants to do but this will be the effect if this mitigation plan is implemented.

Additionally our neighborhood street drainage flows into three of these oxbow lakes and in turn the oxbow lakes flow into the Clear Creek Chanel through 24 inch culverts. BellaVita is a gated community with the exception of the Nature Reserve which contains the oxbow lakes. This part of our community is secured by the earthen berms (dredged material) and dense vegetation on them as maintenance stops at the top and the north side of the dredged material. The north side of these berms have 50 year old trees and vegetation that acts as a natural security barrier for our neighborhood.

I am inclosing photos of the Country Club Drive oxbow lake, photos of our oxbow lakes and wild life inhabiting our 75 acres (on a flash drive).

We would like this area left as it is now, in its near natural state.

I and several of our Home Owner Association officers would like to meet with someone at the ACoE who is familiar with the mitigation plan between Country Club Drive and Dixie Farm Road. An engineering firm has quoted us \$3,000.00 to gather and present documents to the ACoE and we are hoping that a meeting will allay our fears as to the ACoE intent in this area. Not to mention saving the \$3,000.00.

Very truly yours,


Chairman, BellaVita Nature Reserve

Larry Alvarez
2414 Monaldo Drive
Pearland, Texas 77581

281-485-8255

Larry Alvarez
Chairman, BellaVita Nature Reserve
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>Concur, the “oxbow” located at Country Club drive is not a lake but the portion of the original channel that was left when a bypass was cut in the 1990s to straighten and shorten the channel bend in this location to allow water to flow faster through this section. However, the concept for the compensatory mitigation plan is to reestablish the low flow channel and forested riparian corridor through this section of the creek as well as through other “oxbows” that have been cut off over time as a result of channel excavation and straightening. This would result in reestablishing greater sinuosity along the section of Clear Creek that resembles the more natural meandering characteristic of the creek that was present prior any channel straightening activities (likely prior to the 1940s time period, but shown in the 1955 USGS topographic maps). Clarifying text added to Section 4.9.3.2.</p>
2	<p>These "oxbow" ponds were not naturally formed, but were caused as a result of sidecasting excavated material from channelization activities on Clear Creek. During the original channel straightening, the excavated material was sidecast along the banks of the creek. In the area between Country Club Drive and Dixie Farm Road, the material was sidecast onto the north bank of the creek, causing the natural bends in the channel to become cut off from low flow conditions, creating ponds that resemble oxbow lakes formed under natural channel migration processes. These cut off channel meanders were changed ecologically and hydrologically from their original natural riparian stream condition that relied on within-bank flooding to a more static pond system that relied on overbank flooding. Through coordination with ICT, a mitigation plan was developed to reestablish the flow through these cut off oxbows channel meanders that made up the original meandering alignment of Clear Creek that was present prior any channel straightening activities (likely prior to the 1940s time period, but as shown in the 1955 USGS topographic maps), thereby restoring the natural stream morphology and hydrology to the forest in this location. The USACE obtained cross sections of several locations along this segment of the creek which included data within several of these oxbows including those within what is now the BellaVita Nature Reserve. Based on these cross-sections, the USACE determined that the bottom of the oxbows was an average of 8-10 feet higher than the current bottom of the Clear Creek channel. The conceptual plan would be to excavate a narrow pilot channel within the oxbows to reestablish low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. A more-detailed construction plan to reconnect these areas would be developed during the preconstruction engineering and design phase of the project.</p>
3	<p>As discusses in Section 5.5.2, no native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded</p>

the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. Excavation within the footprint of the high-flow flood benches would, however, result in the removal of some forested vegetation and soil to achieve the necessary design elevation for the project.

-
- | | |
|---|--|
| 4 | A meeting with the USACE and representatives of the BellaVita HOA and Nature Reserve Committee was held on February 1, 2012, to discuss the project. |
|---|--|
-

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
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Comments:

THE NATURE RESERVE COMMITTEE OF THE BELLAVITA
HOMEOWNERS ASSOCIATION WISHES TO BE ON RECORD AS
REQUESTING AN EXTENSION OF THE COMMENT PERIOD.

THANK YOU

BELLAVITA
1548 N. RIVIERA CIRCLE
PEARLHAMO, TX 77581

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name DAVID SOUTHARD

Address 2302 E CHAPIN DR
PEARLHAMO, TX 77581

BELLAVITA NATURE RESERVE
COMMITTEE

David Southard
BellaVita Nature Reserve Committee
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The original 45-day comment period established in the NOA for the DSEIS began on December 16, 2011, and ended on January 30, 2012. A 15-day extension to the comment period was granted so that the public would have additional time to review and comment on the DSEIS. See Appendix A for more information on public involvement activities.

**GALVESTON DISTRICT
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Comments:

PLEASE FIND PICTURES ENCLOSED OF WILDLIFE
IN THE BELLA VITA WILDLIFE RESERVE AREA.
THE MAJOR WORK ON THE OXBOWS, AS PROPOSED, WILL
TOTALLY DESTROY THIS.

1

Mail your comments by ~~January 30, 2012~~ to:

FEB 14

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name DAVID SOUTHWICK

Address 2302 E CHARI DR

PEARLAND, TX 77581





69°F 12/14/11 12:30PM LARRY 2





31.12 inHg ↓

72°F



12/26/08 12:06 PM

LARRY



0.19 inHg - 39°F 11/10/2011 08:53PM LARRY

David Southard
BellaVita Nature Reserve Committee
Pearland Ducks Unlimited
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The conceptual plan would be to excavate a narrow pilot channel within the oxbows to reestablish low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. See Section 4.10.2.3 for further information regarding potential impacts to wildlife.

**GALVESTON DISTRICT
PUBLIC MEETING
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Comments: Thank you for an amazingly well researched and documented project. The project will be a great benefit to everyone in the Clear Creek watershed for many generations. The massive change in design and concept is to be applauded. I have learned a great deal re the environment I live in while researching this project.

Our BellaVita community has a small problem with a very small part of the project – mitigation. We are committed to finding a mutual solution with the Corps that satisfies the needs and commitments of both parties. My comments re this issue are attached.

A personal perspective not needing a response:

In the Cultural Analysis section the current culture is not included. Our community has over 600 homes representing 1,000 residents, several thousand children, and many thousands of grand children. In taking deed to the property in question our community committed to preserving and maintaining its beautiful riparian habitat. We have met this commitment in innumerable ways. In an age when it is virtually impossible to drag youngsters off their electronic games we have the ability to introduce our grandchildren to the wonders of this beautiful place. It is incomprehensible to me that any organization would choose to totally destroy the place that so many people are committed to and from which so many derive the exact benefit that we are trying to inspire in our culture. Your project is a big picture project – and there is an even bigger picture – that of the people beyond the science.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name DAVID SOUTHWARD
Address 2302 E CAPRI DR.
PEARLAND, TX 77581

BELLA VITA MATURE RESERVE
COMMITTEE MEMBER
PEARLAND DUCKS UNLIMITED

1. BellaVita detention water is metered into Clear Creek. Detention water is first collected in the 15a BV Lake, and then metered into an oxbow before being metered into Clear Creek thru a 24" pipe. This metering concept fits well with the concepts of the larger USACE project. However, this metering would be eliminated by the project and BV detention water would immediately flow into Clear Creek. This additional flow does not appear to be included in the study. How does USACE account for this additional flow? 1
2. The largest oxbow fronts the base of the main embankment of the BV detention lake referenced above. Any river flow water would create the potential of eroding this earthen dam. If this dam were to be eroded under flood conditions I estimate that 50 acre feet of water would be immediately released into Clear Creek. This would undoubtedly be catastrophic down stream. What is USACE doing to address this scenario? 2
3. It is our opinion that creating channels for conveying water closer to housing areas than current flow creates a higher potential for those houses to flood. In BV this directly affects 65 houses that back onto Clear Creek worth \$13M, 58 adjacent houses on the street worth \$11.6M, 41 houses on the lake worth \$12.3M, and 34 adjacent houses on lake street worth \$9.3M. In addition the BellaVita clubhouse backs on lake and is worth \$2.5M. This is a \$48.7M total potential direct affect on lake or reserve streets. This number is approx \$150M for BellaVita total and does not include Villa d'Este which may also be impacted. If any of these numbers are added back to the project as 'new structures now in danger' is not the cost benefit of the project is significantly reduced? 3
4. If the oxbows are cut down to the low flow level of the current Clear Creek there will be gaps 40' deep from top to bottom in the berm. How will maintenance equipment transit the berm to mow and repair? Bridges? 4
5. It appears one of the oxbows to be rehabilitated now has Yost/Scarsdale, a 4 lane divided road, and a multi-million dollar bridge running through it. Is it both design feasible and economically feasible to dig out this oxbow? 5
6. It appears the economic analysis is based on flyovers done in 2001. BellaVita had approximately 80 home sites clustered near the entrance from Scarsdale. Roads had not even been cut more than 3 blocks into the community and no where near the Nature Reserve area and oxbows. Where in the study is the continued development of BellaVita accounted for? 6
7. Table 9 on page 71 of Appendix D under Eco-Reach 4 predicts significant loss of Forest-Floodplain Forest thru 2070. This leads logically and significantly to the conclusion that this area should be the focus of the mitigation plan. However, significant reaches of that area are already in conservation programs, protected under the Brio compact, have been bought back by Flood Control and are unavailable for development, or have reached their highest logical development (including our nearly 1 mile of creek front). The model for this estimate does not seem to account for these protected reaches? 7
8. BellaVita residents refer to the area containing our 5 oxbows as the Nature Reserve. We have invested significant money and time in low impact projects to make this area an amenity for the neighborhood. This amenity is touted by the sales group in enticing new home buyers. The mitigation plan as projected will totally destroy this amenity for

the foreseeable future. How will USACE remunerate the BellaVita HOA, the BellaVita homeowners, and Lennar for this loss of amenity?	8
9. The Nature Reserve area currently provides BellaVita residents with a significant source of inexpensive exercise, involvement, and entertainment. The mitigation plan as described would make the area unsuitable for seniors to inhabit. Steep sided 20' deep ditches are not a hospitable environment for seniors. How will USACE replace this functionality for BellaVita residents?	9
10. There is very limited access to this particular area of the creek. How does USACE propose moving heavy equipment in to this area with out causing irreparable harm to the environment?	10
11. USACE documents indicate potential for 'recreational development'. BellaVita does not intend to ever have this private property open to the public. Does USACE intend to develop public recreation along this part of the Creek?	11
12. Does USACE need permission to access private property? If not, what it the applicable regulation that governs access?	12
13. The berm and the dense foliage create a security break for the South side of BellaVita which is gated and fenced on all other sides. How will USACE replace this functionality when the berm is cut down and the trees are thinned significantly?	13
14. The oxbows have stayed wet throughout the drought. The oxbows are regularly replenished when Clear Creek flows high enough to push water back through the culverts. This does not appear significantly different than the 'overbank river flooding' referenced in Appendix D page 37 or the 'temporary flooding' in Randolph Park which is highly praised on page 5.1.1.1 of the DSEIS?	14
15. Section 5.1.1.1 references the Randolph Park ecology as being representative of the desired ecology. I am familiar with both habitats and believe the oxbow area of BellaVita is in fact superior to Randolph Park. Please explain how the BellaVita area is so failing in this aspect that five 20' deep ditches are needed to improve the habitat.	15
16. The process of digging 5 ditches with heavy equipment in this small area will undoubtedly chase off the higher predator mammals (which keep our Muscovy duck population under control). Where is this accounted for in the program?	16
17. The present ponding, low flow oxbows are superb habitat for wood ducks. The mitigation plan intends to trench out the remnant oxbows to 20' deep, down to the Clear Creek low flow level, and create constant flow through the oxbows. This habitat is not conducive to supporting wood ducks. What program will USACE implement to mitigate this loss of wildlife?	17
18. If and when the beavers return they will feast on the new plantings. How will USACE monitor and remedy this potential threat?	18
19. Is it ecologically sound to plant long leaf pines in this area?	19
20. Is there a possible mutual solution that adds some culverts, possible lowers them a couple of feet to allow more seasonal flooding in the oxbows, accompanied by a removal of a small amount of silt from the oxbows?	20
21. There is a core group of committed and resourceful residents in the BellaVita community who are significantly interested in the ecological health of the Nature Reserve. They are backed by the Board of Directors and a vast majority of the other	

community residents. Is there extant in the Corps community a model for interaction directly by the Corps with a resident community, rather than with a municipal or political body, or a national focus group such as Sierra Club of DU? We would look forward to working with the Corps, even if we must build this model from scratch. However, we are massively allergic to rebuilding already designed wheels!! In the big picture it is 'the beauty of the AND versus the tyranny of the OR'.

21

22. Our 75 acres Nature Reserve is a healthy ecology with wide range of flora and fauna including coyotes, bobcats, beavers, birds & hawks, and most recently river otters. This ecology has developed since the channelization in the 50s. This is a balanced ecology and should be left alone. The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita.

22

David Southard
BellaVita Nature Reserve Committee
Pearland Ducks Unlimited
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The outflows from the BV Lake detention pond into Clear Creek should not change with construction of the Recommended Plan. During preconstruction engineering and design, any hydrologic changes as a result of the recommended design would be modeled in more detail to determine the optimum configuration incorporating all aspects of the system including the detention ponds, and Clear Creeks restored oxbows to avoid any adverse impacts.
2	This would be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam.
3	This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration would be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.
4	Inline detention within the Clear Creek mainstem conveyance footprint was incorporated to reduce flows and minimize changes in the timing of water reaching areas downstream of the inline detention features. Flood damages in Clear Creek and Clear Lake may result from stream flooding and also from storm surge. The GRR study authority only addresses damages from stream flooding, so the analysis is limited to that source. Hydrologic models could be run for storm surge scenarios, but flood damages reduced related to storm surge is beyond the scope of the study authority. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives. All maintenance would occur within the project ROW of the Recommended Plan. All maintenance would occur within the project rights-of-way for the Recommended Plan.
5	The detailed design to reconnect the cut off meander located at Yost/Scarsdale Blvd would be developed during the preconstruction engineering and design phase of the project.
6	Continued development was accounted for in the H&H and environmental habitat modeling. Future developed area was projected from census data population trends within the watershed at a sub-basin level, which are typically very small discrete units of land compared to the overall watershed. An estimate of developed area per person was calculated and projected into the amount of land that would be developed over the 50-year period of analysis for the project based on the projected population increases during that time. From an environmental perspective, the projections were used to identify land losses as a result of conversion of floodplain forest, prairie, rangelands or pasture to urban land uses (e.g., residential, commercial,

etc.), which are typically impervious. While specific locations or developments were not identified, increased imperviousness and land conversion was accounted for.

7	The analysis shows that Eco-Reach 4 is projected to lose almost 50% of its floodplain forest by 2070. The future estimates of floodplain forest in Eco-Reach 4 reflect the remaining habitat that would exist given projected increases in residential and commercial development based on increased population. Thus, without- and with- project habitat modeling did account for those acres of floodplain forest attributed to areas that have not yet been developed or those areas that have been or would be set aside for conservation (e.g., forest habitat as part of the Brio Site Task Force Natural Resource Restoration Project, future Choate Rd Park/Dixie Farm Rd Park (Pending Harris County Developments).
8	The conceptual plan would be to excavate a narrow pilot channel within the oxbows to reestablish low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. See Section 5.5 for additional information regarding the mitigation plan.
9	The USACE has no intention of eliminating the area of dense native forest vegetation that exists between Clear Creek, BellaVita, and Green Tee residential developments. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish the low flow of Clear Creek into these areas. Excavation to reconnect the cut-off meanders within the mitigation site would be limited to the minimum footprint necessary within the bottom of the meander channel to reestablish this low flow. As such, the current "foot trails" cleared and used by BellaVita would not likely be impacted by construction of the mitigation area. The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. Thus, the natural security barrier afforded the subdivision by the dense vegetation and high ground would be preserved within the mitigation site. Excavation within the footprint of the high-flow flood benches may, however, result in some removal of some forested vegetation and soil from the berm of material sidecast from the original straightening of Clear Creek; this would occur as necessary within the footprint of the proposed high-flow flood bench to achieve the design elevation and width. The improved area will provide quality habitat for wildlife and recreational activities.
10	All access and staging areas for construction and maintenance of the project would occur within the footprint and right-of-way acquired for the project prior to initiating construction activities. This would minimize impacts to only those areas of the project within the required footprint. The USACE will define the limits of cut and/or fill and also restrict the Contractor to work to predetermined work area limits. The contractor may propose access points and means and methods of equipment movements, which must be approved by the USACE.
11	The tentatively Recommended Plan does not include features for public recreation. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 of the SEIS for more information.

12	The USACE is typically required to have permission in the form of a right-of-entry from the land owner prior to entering private property.
13	The USACE has no intention of eliminating the area of dense native forest vegetation that exists between Clear Creek and the BellaVita and Green Tee residential developments. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish the low flow of Clear Creek into these areas. Excavation to reconnect the cut-off meanders within the mitigation site would be limited to the minimum footprint necessary within the bottom of the meander channel to reestablish this low flow. The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. Thus, the natural security barrier afforded the subdivision by the dense vegetation and high ground would be preserved within the mitigation site. Excavation within the footprint of the high-flow flood benches may, however, result in some removal of some forested vegetation and soil from the berm of material sidecast from the original straightening of Clear Creek; this would occur as necessary within the footprint of the proposed high-flow flood bench to achieve the design elevation and width.
14	It is true that the floodplain forest within the cut off meanders (or man made oxbows) within the proposed mitigation site located adjacent to BellaVita is connected hydrologically to Clear Creek via culverts. As such, during high flood events on Clear Creek this area is able to receive flood waters via these culverts as well as from overtopping of the low bank areas. However, it is likely that much of the water entering these cut-off meanders is a result of the topographic modification from the adjacent development which now diverts much of its localized street and drainage runoff into on-site detention basins or sewer lines which outfall directly into these cut-off meanders. Thus, the current hydrology of the floodplain forest with proposed mitigation site is highly altered and markedly different from the hydrology of the floodplain forest of Frankie Carter Randolph Park which is dominated by natural overland flow and creek flooding.
15	The floodplain forest within and along Clear Creek within Frankie Carter Randolph park occurs within a stretch of Clear Creek that has not been channelized or extensively modified by development. The creek in this location retains its natural sinuosity (meandering characteristics) with trees in and along the low flow channel that provide the creek with habitat and shade from overstory and instream cover. The floodplain forest within the mitigation site, which includes the cut off meanders (or man made oxbows) adjacent to BellaVita, is connected hydrologically to the flow of Clear Creek during high flood events. The natural stream habitat afforded by flow within the creek meanders and forested cover have been altered. The goal of the mitigation is to reconnect these cut-off meanders to reestablish the hydrologic flow regime and ecology that resembles that of the more natural areas of Clear Creek. Section 5.1.1.1 has been modified for clarification.
16	As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. See Section 4.10.2.3 for more information regarding impacts to wildlife.
17	The Recommended Plan is based on an assessment of the floodplain forest community, the impacts to that community and the associated mitigation necessary to offset those impacts. Thus

the impacts to fish and wildlife associated with the floodplain forest community have been accounted for in the mitigation plan for the Recommended Plan.

18	If predation on plantings or any vegetation within the project becomes an threat after the project has been constructed, the USACE will coordinate the problem with the USFWS and TPWD to develop an appropriate solution.
19	During the preconstruction, engineering and design phase of the project, an approved list of native forest tree and understory species would be developed for any areas to be planted during project construction through coordination with the ICT to ensure that the appropriate plant species composition is included.
20	The proposed mitigation plan is a conceptual plan formulated to offset unavoidable impacts from the GRP. Construction of the GRP is contingent upon report approval and appropriation of construction funds by Congress, after which the project would enter a preconstruction engineering and design phase to develop detailed construction designs for the project, including mitigation. At this time, modifications to the project may be considered and included in the construction design provided they are economically justified, engineering feasible and environmentally sound.
21	Opportunities for coordination with landowners would be possible during the preconstruction engineering and design phase of the project, as needed. A meeting with the USACE and representatives of the BellaVita HOA and Nature Reserve Committee was held on February 1, 2012 to discuss the project.
22	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in the immediate vicinity of the mitigation site in the past, just recently, and in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. See Section 4.10.2.3 for more information regarding impacts to wildlife.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
DRAFT GENERAL CONFORMITY DETERMINATION**

January 11, 2012

Open House 5:30 – 6:30 PM, Public Meeting 7:00 PM

Comment Form

This form is provided for your comments regarding the U. S. Army Corps of Engineers, Galveston District Clear Creek, Texas Flood Risk Management Project. Please use the space below, attaching additional pages if necessary. The form may be deposited in the comment box, or mailed to the address provided below. We appreciate your interest in and contributions towards, this project.

Comments:

1. DOES USACE INTEND TO CONDEMN BY EMINENT DOMAIN THE BELLAVITA PRIVATE PROPERTY ON CLEAR CREEK CONTAINING THE OXBOWS?

2. REFERRING TO THE SAME PROPERTY - IS USACE WORKING WITH ANY OTHER ORGANIZATION, GOVERNMENTAL OR NON-GOVERNMENTAL, PUBLIC OR PRIVATE, TO CONDEMN BY EMINENT DOMAIN THE PROPERTY REFERENCED?

3. REFERRING TO THE SAME PROPERTY - DOES USACE HAVE KNOWLEDGE OF ANY OTHER ORGANIZATION, GOVERNMENTAL OR NON-GOVERNMENTAL, PUBLIC OR PRIVATE, THAT HAS PLAN OR INTENT TO CONDEMN BY EMINENT DOMAIN THE PROPERTY REFERENCED?

4. UNDER WHAT CIRCUMSTANCES DOES USACE USE EMINENT DOMAIN TO CONDEMN AND TAKE PRIVATE PROPERTY?

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name DAVID SOUTHWARD

Address 2302 E CAMP 1 DR

PEARLAND, TX 77581

RESIDENT, BELLAVITA

David Southard
BellaVita Nature Reserve Committee
Pearland Ducks Unlimited
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The decision to condemn is not made by the U.S. Army Corps of Engineers, but by the applicable Non-Federal Sponsor. However, eminent domain is an action of last resort.
2	The U.S. Army Corps of Engineers is working with both of the Non-Federal Sponsors for this project: Harris County Flood Control District (HCFCD) and Brazoria Drainage District #4 (BDD #4). The U.S. Army Corps of Engineers has no insight on whether a decision to condemn has been made. The Non-Federal Sponsors are responsible for acquiring all of the Lands, Easements, Rights-of-Way, and Relocations (LERR) for the project. The decision regarding acquisition and the use of the power of eminent domain lies with the applicable Non-Federal Sponsor.
3	The U.S. Army Corps of Engineers has no knowledge of any plans or intent to condemn.
4	For this project, the Non-Federal Sponsors are responsible for acquiring all the Lands, Easements, Rights-of-Way, and Relocations (LERR) for project purposes. The U.S. Army Corps of Engineers exercises its power of eminent domain to condemn when a project is 100% Federal, which this project is not, and/or when the Non-Federal Sponsor(s) does not have condemnation authority.

GALVESTON DISTRICT
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Comments:

The berm & the dense foliage create a privacy & sound break for the South side of Bella Vista, which is a gated community. They need this privacy break to be maintained. Also USACE documents indicate a potential for recreational development. Bella Vista not ever plan to have this property open to public. Does USACE intend to develop public recreation along this side of creek?

I feel that creating channels for moving water that are closer to housing areas than currently creates a higher potential for those homes to flood. Thus impacting the value could affect 531 homes & each house valued at \$150,000. This does not include neighboring subdivisions.


Thus reducing the cost benefit of this project. I am against this project.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name MARION MCKERNAN

Address 

Mrs. Marion McKernan
2321 S. Lago Vista Dr.
Pearland, TX 77581

Marion McKernan
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. Thus, the natural security/sound barrier afforded the subdivision by the dense vegetation and high ground would be preserved within the mitigation site. The tentatively recommended GRP does not include features for public recreation. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 of the SEIS for more information.
2	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the communities. See Section 4.4 of the SEIS for impacts to hydrology.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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Comments:

see attached

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name ELIZABETH WOODS
Address 2405 MODENA CT.
PEARLAND, TX 77581

Comments Related to
U.S. Army Corps of Engineers
Galveston District Clear Creek
Texas Flood Risk Management Project

I live in BellaVita, one of three subdivisions that are part of Villas Master. BellaVita is an active adult (over 55) community and its approximately 600 homes represent the majority of homes within Villas Master.

We recently became aware of this project that would create additional wetlands and channels on property owned by Villas Master and/or BellaVita.

BellaVita is a gated community and our nature reserve serves as a buffer to provide additional security for the community. We accepted the property with the intent that it would remain a nature reserve with an established environment for wildlife, including coyote, bobcats and river otters. There is a balanced ecological environment that has developed because the land has been undisturbed for many decades.

1

It is clear that you believe the additional wetlands are beneficial, but we prefer that the plants and animals not be uprooted from their present homes. Digging channels would disrupt the balance that has been achieved.

2

In addition, I fear that increased wetlands in proximity to our homes and those new channels present increased potential for flooding. BellaVita includes retired individuals, including many sweet old grandmothers. Retirees vote. Retirees have time to write their congresspersons. Retirees are politically active.

3

I understand that the Corps of Engineers believes that this will not increase the potential for flooding, but what if flooding does happen? Would you wish to be the one who recommended changes that resulted in a community of grandmothers having their homes flooded and being featured in the news media?

4

I applaud your efforts to control flooding, but find somewhere else to place the new wetlands. Do not dig channels that disturb our property and increase the risk that our homes will flood.

5

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. Thus, the natural security barrier afforded the subdivision by the dense vegetation and high ground would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. See Section 4.10.2.3 for more information regarding impacts to wildlife.</p>
2	<p>The USACE has no intention of eliminating the area of dense native forest vegetation that exists between Clear Creek and the BellaVita and Green Tee residential developments. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish the low flow of Clear Creek into these areas. Excavation to reconnect the cut-off meanders within the mitigation site would be limited to the minimum footprint necessary within the bottom of the meander channel to reestablish this low flow. The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. Thus, the natural habitat and security barrier afforded the subdivision by the dense vegetation and high ground would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. See Section 4.10.2.3 for more information regarding impacts to wildlife.</p>
3	<p>Restoring the flow through the cut off meanders, or "oxbows", does not necessarily increase or decrease the potential for flooding. Large rain events creating large amounts of runoff causes flooding. Flooding can be caused by many things, from local storm drainage, inlets not having capacity to take in large flows, storm sewers not being designed to handle large storm events, and large water bodies such as Clear Creek conveying water downstream at high elevations. This project reduces the water surface elevations during flood events in Clear Creek in the vicinity of BellaVita during large storm events.</p>
4	<p>The water surface elevations during flood events decreases in this area under proposed conditions. The efforts and goal of the Corps project is to reduce flood damages within the study area.</p>

5	This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the communities.
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**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
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Comments:

I greatly appreciate the need for flood control on Clear Creek and Corp's work in finding a solution to this very complex project. I respectfully request that you reconsider a small portion of your mitigation concept.

1

Implementing the current plan will have a serious negative impact on the more-than 600 homes in BellaVita, Pearland-a 55+plus community. One of our major assets, a 75 acre nature reserve/Audubon trail, which supports a wide range of wildlife, including beavers, coyotes, bobcats, river otters and others will be essentially destroyed by this mitigation project. This property was a gift to us from a helping organization, Forgotten Angels, contingent on its perpetual use as a nature reserve. It is enjoyed by residents and visitors, and helps us maintain property values as well as the character of our neighborhood. Future planned improvements will make it handicap-accessible to better serve the community and the Forgotten Angels.

2

Moreover, it poses threats to us in other ways:

1. It creates channels of moving water that comes within 20 feet of the earthen dam that separates our 15-acre detention pond/amenity lake from the reserve. Drainage from our streets flows into the lake and overflows into the current oxbows. A breach here could destroy the lake and dump its entire contents into the creek at one time.

3

2. It brings the creek within 100 ft. of dozens of our homes, subjecting them to flooding during storm stages.

4

3. It removes a security/privacy barrier that protects the south side of our gated and fenced community. Many residents bought homes here because of the perceived security. The cost to mitigate the damage with fencing would be prohibitive.

5

4. Not only will it destroy the nature reserve as a recreational amenity, it will pose a safety hazard for residents who may venture into the area. The most beautiful portion of the reserve will give way to sloped berms and unprotected vertical drops. The project, and related construction damage will destroy hundreds of trees. While replanting is envisioned in the project, it is not a certainty, and recovery will take much longer than the expected lifetimes of our residents.

6

In short, your project threatens our homes, our property values and our lifestyles. I strongly urge you to find another way to accomplish your goals.

Signed 
2/4/12

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:
Your Name ENNIS W. JOHNSON
Address 1502 S. PRIMAVERA DR
DEARLAND, TX 77581

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the BellaVita community. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return as they have in the past.</p>
2	<p>Excavation to reconnect the cut-off meanders within the mitigation site would be limited to the minimum footprint necessary within the bottom of the meander channel to reestablish this low flow. As such, the current " foot trails" cleared and used by BellaVita would not likely be impacted by construction of the mitigation.</p>
3	<p>This will be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam.</p>
4	<p>This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the BellaVita community.</p>
5	<p>No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. Excavation within the footprint of the high-flow flood benches would, however, result in the removal of some forested vegetation and soil to achieve the necessary design elevation for the project.</p>
6	<p>Within the footprint of the recommended mitigation plan, the USACE has no intention of eliminating the area of dense native forest vegetation that exists between Clear Creek and the BellaVita and Green Tee residential developments. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish the low flow of Clear Creek into these areas. Excavation to reconnect the cut-off meanders within the mitigation site would be limited to the minimum footprint necessary within the bottom of the meander channel to reestablish this low flow. As such, the current " foot trails" cleared and used by BellaVita would not likely be impacted by construction of the mitigation. The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of</p>

vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. Thus, the natural security barrier afforded the subdivision by the dense vegetation and high ground would be preserved within the mitigation site. Excavation within the footprint of the high-flow flood benches along Clear Creek main stem may, however, result in some removal of some forested vegetation and soil from the berm of material sidecast from the original straightening of Clear Creek; this would occur as necessary within the footprint of the proposed high-flow flood bench to achieve the design elevation and width.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
DRAFT GENERAL CONFORMITY DETERMINATION**

January 11, 2012

Open House 5:30 – 6:30 PM, Public Meeting 7:00 PM

Comment Form

This form is provided for your comments regarding the U. S. Army Corps of Engineers, Galveston District Clear Creek, Texas Flood Risk Management Project. Please use the space below, attaching additional pages if necessary. The form may be deposited in the comment box, or mailed to the address provided below. We appreciate your interest in and contributions towards, this project.

Comments:

10 February 2012

Sirs;

As a resident of BellaVita community, I would like to add my voice to the to the clamor of many others to protest the changes that you propose for our Nature Reserve that is adjacent and part of our community. So much effort has been already put into this area and the future holds additional upgrading. This reserve has become a wonderful addition with almost daily photos and videos showing the wild animals that are part of this reserve. It would be a shame to do what you propose as it would literally destroy our reserve.

Sincerely,


Thom and Fran Paterno

mail your comments by ~~January 30~~, 2012 to:

FEB 14

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro


P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Yi

Al

	Thomas C & Fran Paterno 1604 N Venice Dr Pearland, TX 77581-7505
--	--

Thomas C. & Fran Paterno
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
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Comments:

Please do not disturb our Nature Preserve. We enjoy the wildlife. This is a balanced ecology and we would like to keep it as it is now. 1

We are really concerned with the possibility of flooding our subdivision if you make your proposed changes. This is an over 55 community and many of our neighbors are in poor health and they will be in danger if our subdivision floods. 2

The proposed work will also eliminate the privacy and sound barriers for our community. We also need this for security as our gated community will be exposed. 3

Please find another way to achieve your goals without disturbing BellaVita.

Mail your comments by ~~January 30~~, 2012 to:
Feb 14

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Kelley Paterno
Address 1605 N. VENICE DR.
PEARLAND, TX 77581

Kelley Paterno
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Floodwater elevations will not be increased in the subdivision by the proposed project. This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the BellaVita community.
2	No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. Excavation within the footprint of the high-flow flood benches along the main stem of Clear Creek would, however, result in the removal of some forested vegetation and soil to achieve the necessary design elevation for the project.
3	The USACE will consider ways to minimize disturbance to all existing development during the preconstruction engineering and design phase.

GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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Comments:

We are concerned about the 75 acres of our Bella Vista Nature Reserve. Our Nature Reserve is a healthy ecology with a wide range of flora & fauna that includes bobcats, coyotes and river otters. This habitat has developed since the channelization in the 50's. This is a balanced ecology & should be left alone. The excavation of high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology.

The largest oxbow fronts the base of the main embankment of the B.V. detention lake. Any new flow water would create the potential of eroding this earthen dam. If this dam were eroded under flood condition, a minimum of 500 acre feet of water would be immediately released into Clark & would be catastrophic down stream. What is USACE doing to prevent this from happening?

It is also our opinion that creating channels for moving water ~~that~~ closer to housing areas than currently creates a higher potential for those houses to flood.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name David & Karen Bishop
Address 1606 Tuscany Pl
Pearland TX

David & Karen Bishop
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
2	This will be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam/outfall of the detention basin.
3	This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the BellaVita community.

PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
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Comments:

The increased danger of flooding for this project is unacceptable!

We in Bella Vista bought our property with the wildlife and protection that the south area forestry gave us. To destroy this is not fair to the wildlife that call it home. They have been displaced enough.

The detention pond was built to give us additional protection against flooding and should not be adjusted for this project. Many trees have just been planted to beautify this area.

Much consideration should be given to the millions of dollars we homeowners at Bella Vista have invested in our property and should not be jeopardized for this water project!!

Mail your comments by ~~January 30, 2012~~ to:

FEB 14

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name GAIL McCULLAH

Address 2319 MESSINA DR
PEARLAND, TX 77581

1	This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the BellaVita community. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
2	The development of BellaVita has resulted in increased impervious area within the footprint of the subdivision thereby increasing runoff flowing into Clear Creek. The BellaVita detention pond mitigates this increased flow from within BellaVita and avoids adverse impacts to Clear Creek. This capacity from this detention pond will be accounted for during the preconstruction engineering and design phase of the project. At this time modification of the referenced detention pond is not part of the proposed Federal project.
3	The hydrologic modeling of the Recommended Plan shows decreases in Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita.

GALVESTON DISTRICT
PUBLIC MEETING
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Comments:

While I support the overall concept of improving the flooding of Clear Creek, I am concerned that your plan will have a very negative impact on my home and the BellaVita development for several reasons:

- 1) The healthy ecology for plants and wildlife in our Nature Reserve will be destroyed for many years
- 2) In digging out our oxbows to the depth of Clear Creek may put dangerous erosion to our retention pond embankment. One of the oxbows fronts this embankment – a collapse of the earthen dam will release an unusual amount of water contributing to added flooding.
- 3) In bringing channels of moving water closer our housing areas then they are currently creates a higher potential for homes to be flooded (including my own)
- 4) The existing berm along the Creek and the dense foliage create a security break for the south side of BellaVita which is gated and fenced on the other sides. We need this security to be maintained. We do not want our Nature Reserve property ever opened to the public that may have been hinted at in the USACE program – "recreational development".

Please take these concerns into account and re-examine the project using other unpopulated areas for mitigation purposes.

Mail your comments by ~~January 30~~, 2012 to:
February 14,

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name Robert Dennett

Address 2412 Monaldo Drive

Pearland, TX 77581

RESPONSE TO COMMENTS

Comment No.	Response
1	This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the BellaVita community. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
2	This will be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam.
3	This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.
4	No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. Excavation within the footprint of the high-flow flood benches would, however, result in the removal of some forested vegetation and soil to achieve the necessary design elevation for the project. The tentatively recommended GRP does not include features for public recreation. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 of the SEIS for more information.
5	Numerous unpopulated forested sites within the floodplain as described in Sections 5.4 of the SEIS were considered as alternative plans for compensatory mitigation.

**GALVESTON DISTRICT
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Comments:

I regret that I was not informed of the January meeting on the Clear Creek Project. On balance the project strikes me as laudable, but I, like others in the Bella Vita community, am concerned about unexpressed details that may affect us.

Using the undeveloped forested area that borders Clear Creek south of Scarsdale as a mitigation area for loss of riparian environment in other parts of the project, seems quite appropriate and entirely consistent with our intended use of the property. Using the property and the now disconnected oxbow lakes as a retention area in flooding conditions is also likely to be safe and appropriate use of the property since it is clearly not satisfactory for further development, but is it your property to use?

Among the huge amount of planning documents available on line, there appears to be no indication of how the connection of Clear Creek and the oxbows is to be conducted. As a consequence of channelization done to Clear Creek decades ago, the surface of the oxbows are no less than 10 feet higher in elevation than the Creek in non-flooding conditions. A number of unattributed pieces of paper are now in circulation purporting to show deep pitched sides and a "low flow" narrow channel to be cut in the Creek itself, with a similar low flow channel in the oxbows. If the oxbows are to be directly connected to the Creek to provide "natural low flow," the oxbows will be completely drained into the Creek in all but flood conditions. It is my understanding that apart from these somewhat confusing drawings, there are no definitive plans yet available for how these connections are to be made, and therefore what the outcome for the oxbows will be.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name MICHAEL STELLING
Address 1507 S PRIMAVERA
PEARLAND TX 77581

cmstelling@earthlink.net

Michael Stelling
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comment. Prior to project construction, the Government will obtain the necessary real property interest(s) to effectuate project completion.
2	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. Implementation or construction of any of the proposed alternatives is contingent upon approval of the proposed plan by USACE Southwestern Division and subsequent appropriation of construction funds by Congress. Following approval and appropriation of funds, the project would enter a preconstruction engineering and design phase to develop detailed construction plans for the project, including mitigation. Section 2.3 of the EIS has been revised to reflect this.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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Comments:

February 11, 2012

Dear District Engineer,

My husband and I are extremely concerned, to the point that I could not fall asleep last night, worrying about The Army Corps of Engineers' plans to excavate the oxbows located in BellaVita property (referred to as **ER-4** in USACE'S report)

The 75 acres in our Nature Reserve is a healthy ecology with a wide range of flora and fauna including coyotes, bobcats, and most recently river otters. This riparian habitat has developed since the channelization in the 50s. This is a balanced ecology and should be left alone.

The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita.

We are also agonizing over the fact that the project will be in such proximity to our house, as well as several of the neighboring residences.

It is therefore, Very Respectfully requested, that we urge you to please reconsider your plans to proceed(ER-4 of USACE Clear Creek Draft General Reevaluation Report applies).

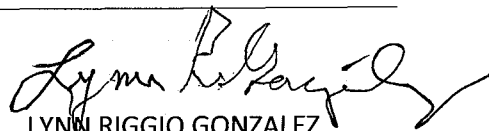
Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name

Address


LYNN RIGGIO GONZALEZ
1506 N. PRIMAVERA DR.
PEARLAND, TX 77581-7501
(BELLA VITA SUBDIV.)

Lynn Riggio Gonzalez
Pearland, Texas
(BellaVita Subdivision)

RESPONSE TO COMMENTS

Comment No.	Response
1	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
2	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.
3	The detailed design of the proposed mitigation plan will be evaluated and developed during the preconstruction engineering and design phase of the project.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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Comments:

Dear Mr. Catanzaro or Applicable District Engineer,
I am deeply concerned about A.C.E.'s plans to alter the current configuration of our land (BELLA VITA) which could have catastrophic and devastating effects to our subdivision. The rationale is as follows: creating channels for moving water that are closer to housing areas than presently create a higher risk for those houses to flood, my residence being one of the properties in the close proximity of the creek. (there are 65 houses in BELLA VITA that back onto Clear Creek (worth \$13 million) sit alone all the other properties, including our club house, as well as the Villa d'Este Subdivision, which may also be impacted. the ecological impact to our NATURE RESERVE will have ~~DEVASTATING CONSEQUENCES~~ ^{DEVASTATING CONSEQUENCES}. Your serious consideration to halt this project is requested.

Very respectfully,
Leo Gonzalez

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name LEO GONZALEZ
Address 1506 N. PRIMAVERA DR.
PEARLAND, TX 77581-7501
BELLA VITA SUBDIVISION

Leo Gonzalez
Pearland, Texas
(BellaVita Subdivision)

RESPONSE TO COMMENTS

Comment No.	Response
1	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.
2	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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Comments:

Why would you want to destroy a healthy ecology that exists in our 75 acres Nature Reserve. Most of us are in our 60s-70s and the damage to the ecology will not be repaired in our lifetime. I do not want the creek beds disturbed. I do not want the creek bed closer to my house than it is now. I do not want flooding! If you want to remove dirt from the bottom of the creek elsewhere that is fine.

I cannot understand why the people who live next to the creek (Berlino Dr. residents) were not notified by the U.S. Army Corps. of Engineers, as your project ~~will~~ could certainly affect our lives if flooding occurs because of your changes. I found out about these changes from the BellaVita Nature Reserve Committee.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name David E. Henry
Address 1627 Berlino Dr.
Pearland, Tx 77581

David E. Henry
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return.
2	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given the during preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.
3	The mailing lists for the NOA for the Draft GRR/SEIS were developed from past lists of interested public who attended the various scoping and public meetings held over the course of the current study. In addition to the NOAs mailed out to those listed individuals, newspaper notices were published in the Houston Chronicle, Galveston Daily News and The Facts (a Brazoria County publication) on December 15, 2011, informing the public of the availability of the Draft GRR and SEIS and of the public meeting that would be held on January 11, 2012. See Appendix A for additional information regarding public involvement activities.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
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Comments:

The information submitted to homeowners via the
HOA Board indicate proposed re-routing of water
into ox bows will negatively impact the flood
control and the natural vegetation and
wildlife adjoining our subdivision. Would request
that a study and visual inspection of the
property be completed prior to any final decision.

Mail your comments by ~~January 30~~ ^{FEB 14} 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name CONNIE HARRY
Address 2504 S. VENICE DR.
PEARLAND, TX. 77581
(BELLA VITA)

Connie Harry
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
2	A meeting with the USACE and representatives of the BellaVita HOA and Nature Reserve Committee was held on February 1, 2012 at the USACE Galveston District to discuss the project. Subsequent to this meeting, the USACE met with representatives of the BellaVita HOA and Nature Reserve Committee on March 28, 2012, and conducted a site visit of the property.

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
DRAFT GENERAL CONFORMITY DETERMINATION**

January 11, 2012
Open House 5:30 – 6:30 PM, Public Meeting 7:00 PM

Comment Form

This form is provided for your comments regarding the U. S. Army Corps of Engineers, Galveston District Clear Creek, Texas Flood Risk Management Project. Please use the space below, attaching additional pages if necessary. The form may be deposited in the comment box, or mailed to the address provided below. We appreciate your interest in and contributions towards, this project.

Comments:

For 60 years our creek area has been healing from the last changes wrought to the area by the Corps of Engineers. We now have a natural area with some 60-year-old trees, many species of birds (some rare), animals (some rare for this area), and some pathways, etc. Built by our volunteers, and we have tours during the year. The area was deeded to Bellavita by the developer. We own it. We don't want your "help". We understand your agenda and know you are not "helping" us at all. We don't want your heavy equipment; our sound buffers (berms) leveled; the water during floods rising closer to many of our homes (20 feet possibly); big trees destroyed (you did that before); and all the wild life gone. We understand what "mitigation" means. We understand you will trash our property. Did I mention we own it? We also understand the commercial value of property near 288. Everyone else's ambitions are possibly going to ruin our property.

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Dorothy Darden
Address 1409 E. April Pl. Ln.
Pearland, TX 77581

Dorothy Darden
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration during preconstruction engineering and design will be given to produce no adverse flooding impacts to the BellaVita community. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
2	<p>Prior to project construction, the Government will obtain the necessary real property interest(s) to effectuate project completion.</p>
3	<p>Thank you for your comment.</p>

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Comments:

We appreciate flood control and the work you do to help prevent it. Our fifty five plus Community does not wish to lose our wet lands and the ecology of flora and fauna. This would all be gone never to return in my life time. Our 75 acres of Nature Reserve is very healthy. we have a large number of different animal life in our Nature Reserve we have Bob cats, Coyotes, Beavers, Otters, and numberless smaller animals. When you kill their homes and food supply you kill our Nature Reserve.

You will also bring 65' of bone within 100' of the new ditch. This is not acceptable to our Community. Leave it alone and do not destroy what nature has given us.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Charles E. Porham
Address 1407 Monaldi Pl.
Pearland, TX
77581

Charles E. Parham
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
2	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.

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Comments:

Our 55+ community with more than 600 homes in Bella Vista, Pearland will greatly be impacted by the plans you are proposing. Number one bringing the creek within 100ft. of dozens of our homes. By cutting a 20 foot 15 acre detention pond. Our wildlife would no longer exist again in my life time. Our security/privacy barrier on the south side of our gated and fenced community would be gone. Upon purchase of our home we were assured this land would never be touched.

You are taking away property value, security, healthy ecology wildlife and recreation.

Are you going to insure our safety?

We appreciate flood control but find another way. Come and walk the reserve with us look at all the pictures. See all the hard work done in "Our Reserve."

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Marjorie A. Parham
Address 1407 Ronaldo Place
Pearland, Texas
77581

Marjorie A. Parham
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	No detention ponds are to be cut. Existing detention ponds will be left in place as their purpose is to mitigate increased runoff from the development. Clear Creeks alignment will change to incorporate the oxbows, and the elevations of the creek during large flood events will be lowered by the proposed project.
2	As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
3	<p>No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site.</p> <p>Government projects that ensure a public benefit supersede any written or oral private contracts.</p> <p>As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
4	Public safety is the responsibility of many, including the Corps, the County, the Community, FEMA, Local Authorities, Local EMS, etc.
5	The USACE met with representatives of the BellaVita HOA and Nature Reserve Committee on March 28, 2012, and conducted a site visit of the property.

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Comments:

Having grown up and lived most of my life in the Clear Creek area, I
understand all too well the impact of the creek in the area. Regarding
the current proposal for Clear Creek, I do not feel that the benefits in
any way outweigh the costs. When I purchased my home in Bellavita 5
years ago, one of the main criteria was flooding. I was ~~at that time~~
living in Clear Lake at the time and familiar with the problem. Your
proposed changes would almost certainly change our flood zone, costing
the retired people in Bellavita much higher insurance premiums. Bella-
vita was developed for older individuals to be able to live in a quiet
and safe environment. The members of the community have spent a great
deal of time and effort to develop and improve the nature reserve which
you are proposing to take away. Our nature reserve currently serves as
home to much of the wildlife which has been displaced by development
along the creek. It also serves as a barrier to intruders into our
private, gated community. Those of us who have chosen to make Bellavita
our final home did so with the intention of living in a community that
cares about people, wildlife and the ecology. Your project would open
us up to flooding, traffic and the loss of our beautiful nature reserve.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Linda Stanton
Address 1208 N. Riviera Circle
Pearland, TX 77581

Linda Stanton
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given the during preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community. In regards to changes in floodplains, see Section 4.1.1.2 and Figure 4.1-1 for additional information.
2	No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return.
3	This project will decrease the likelihood of flooding by decreasing water surface elevations in Clear Creek during flood events in the vicinity of BellaVita.

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Comments:

February 10, 2012

Dear Ms. Catanzaro,

It is with great concern, that I learned about the possible plans regarding the Clear Creek Project and its potential impact on our Bella Vita Community.

My house borders on the Bella Vita Nature Reserve, which was an important reason to buy the newly built house in 2009.

The 75 acres in our Nature Reserve represent a healthy ecology with an extensive flora and fauna. This includes coyotes, bobcats and, most recently, river otters. This riparian habitat has developed since the channelization in the 1950's and forms a balanced ecology. The Nature Reserve in its present form also provides privacy and security to the Bella Vita residents. I understand that there is also the potential of flooding if the project goes through as planned.

I respectfully request that no changes be made to the Nature Reserve. Thank you very much for your consideration.

Mail your comments by ~~January 30~~, 2012 to:
Feb 14

Sincerely,

C. L. Hassoldt

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name Carlanda L. Hassoldt

Address 1612 Berlino Drive

Pearland, TX 77581-7570

Carlanda L. Hassoldt
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site.</p> <p>As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return.</p>
2	<p>This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.</p>
3	<p>Thank you for your comment.</p>

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Comments:

*clam totally against the
proposal, because of repercussions to
Bellavita regarding flooding
and the natural boundaries
This area should be left alone*

1

Mail your comments by ~~January 30, 2012~~ to:

FEB 14

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name *Gail Stover*

Address *1508 N. Marsala Dr
Pearland, TX
77581*

Gail Stover
Pearland, Texas

RESPONSE TO COMMENTS

Comment	
No.	Response
1	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.

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Comments:

I am against any changes in the flow of Clear Creek in or around the subdivision off Bellarita at Green Sea in Pearland, Tx. It is my understanding that a change would ~~not~~ affect the whole subdivision by causing massive flooding. Also, I am against this change due to the fact that it would destroy the flora, fauna, and wildlife in our nature reserve.

Yours truly,

Rory E. Potter

Mail your comments by ~~January 30, 2012~~ to:

FEB 14

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name

RORY E. POTTER

Address

2301 E. Capri Dr.
Pearland, TX 77581

Rory E. Potter
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.
2	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return.

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Comments:

I think you are going to create a higher flooding potential for our homes located in the Bella Vita 55+ sub division. What guarantees do we have that this will not happen as a result of the USACE Clear Creek project?

More studies need to be done regarding the impact on our community. We are old and should not have to be exposed to devastation by USACE from miscalculated projects.

We have millions of \$ of property in Bella Vita - how are you going to assure us we will not get flooded?

What impact will this project have on our nature preserve in Bella Vita and our wildlife ??

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Ruth Cheek
Address 2306 N Lago Vista Dr
Pearland TX 77581

Ruth Cheek
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	This Recommended Plan decreases Clear Creek's water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.
2	Thank you for your comment.
3	There will always be some risk of flooding with or without the project. This Recommended Plan decreases the risk of flooding in the BellaVita area by lowering Clear Creek's water surface elevations during large flood events. During detailed design careful consideration will be given to maintaining the berm height, lowering the water surface elevation, and ensuring no adverse flooding impacts to the BellaVita community.
4	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.

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Comments:

See Attached Sheet

Mail your comments by ~~January 30, 2012~~ to:

FEB 14

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name *Paul Chapdelaine*

Address *2308 N Lago Vista Dr*

Pearland, TX 77581

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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Comments:

1.

In attached comment sheet

Mail your comments by ~~January 30~~, 2012 to:

FEB 14

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name

Address

1
PATRICIA CHAPDELAIN
2308 N. LAKE VISTA DR
PEARLAND, TX 77581

My concern is that the Corp of Engineers' plan to excavate, the Clear Creek high wall channels, south of Bella Vita to a level below the actual 1955 level of the ox bows will destroy the healthy Ecology that now exists in our Wetland area as well as, disrupt the wide range of flora and fauna that flourishes there . If the Corp proceeds with its current plan, I am concerned that this area cannot be repaired in the foreseeable future.

1

The current Berm and Dense Foliage in the area of Clear Creek create a privacy and sound break for the south side of Bella Vita which Bella Vita residents need. In addition I am concerned that USACE may develop that area as a recreational area in the future and I strongly protest making our Private Property open to the Public.

2

I strongly oppose the Corps' recommendation for the reason that based on information I have received, the current plan may relocate channels for moving water too close to the Bella Vita housing areas, which will create a higher potential for homes in Bella Vita to flood. Based on estimate I have seen, this action will directly expose 65 houses that back onto Clear Creek to flooding as well as 58 adjacent houses on the street, 41 houses on our retention lake and 34 adjacent houses on lake street. Further, the Bella Vita Clubhouse is located adjacent to our retention lake which may also be exposed to flooding. Based on the figures I have seen, all of this flooding potential represents an exposure of more than \$150 M in property losses for Bella Vita residents as well as additional flood losses which may occur in Villa d' Este.

3

SUMMARY: For those reasons stated above, I am OPPOSED to the USACE's proposed plan to modify the area of Clear Creek south of Bella Vita.

Patricia Chapdelaine
Paul Chapdelaine
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
2	<p>The Recommended Plan does not include features for public recreation. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
3	<p>This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.</p>

**GALVESTON DISTRICT
PUBLIC MEETING
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1. The 75 acres in our Nature Reserve is a healthy ecology with a wide range of flora and fauna including coyotes, bobcats, and most recently river otters. This riparian habitat has developed since the channelization in the 50s. This is a balanced ecology and should be left alone.

FL1

The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita.

2. The largest oxbow fronts the base of the main embankment of the BV detention lake. Any river flow water would create the potential of eroding this earthen dam. If this dam were to be eroded under flood conditions a minimum of 50 acre feet of water would be immediately released into Clerk and would undoubtedly be catastrophic down stream. What is USACE doing to prevent this scenario?

FL2

4. The berm and the dense foliage create a privacy and sound break for the South side of BellaVita, which is gated and fenced on all other sides. BellaVita needs this privacy break to be maintained. What will USACE implement to replace this security function? Also, USACE documents indicate potential for 'recreational development'. BellaVita does not intend to ever have this private property open to the public. Does USACE intend to develop public recreation along this part of the Creek?

FL3

5. It is our opinion that creating channels for moving water that are closer to housing areas than currently creates a higher potential for those houses to flood. In BV this directly affects 65 houses that back onto Clear Creek worth \$13M, 58 adjacent houses on the street worth \$11.6M, 41 houses on the lake worth \$12.3M, and 34 adjacent houses on lake street worth \$9.3M. In addition the BellaVita clubhouse backs on lake and is worth \$2.5M. This is a \$48.7M total potential direct affect on lake or reserve streets. This number is approx \$150M for BellaVita total and does not include Villa d'Este which may also be impacted. If any of these numbers are added back to the project as 'new structures now in danger' the cost benefit of the project is significantly reduced.

FL4

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Your Name

Virginia BABIN

Address

2514 S. Venice DR.
Pearland, TX 77581

Comments to USACE regarding 'Clear Creek Draft General Reevaluation Report';

The 75 acres in our Nature Reserve is "pristine parkland". It is a healthy ecology with a wide range of flora and fauna. It contains coyotes, bobcats, and most recently river otters. This is a balanced ecology and should not be disturbed. The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology.

FL1

The largest oxbow fronts the base of the main embankment of the BellaVita detention lake. Any additional flow of water would create the potential of eroding this earthen dam and endanger the integrity of this major detention pond.

FL2

The berm and dense foliage create a privacy and sound break for the South side of BellaVita which is gated and fenced on all other sides. This community consists of all 55+ year old residents. One of the main attractions for most residents is the security and beauty of our park lands.

FL3

Creating channels for moving water closer to the housing will create a higher potential for flooding of our homes.

FL4

Fred Fargo

Helen Fargo

1602 S. Riviera Ct.

Pearland, TX 77581

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
DRAFT GENERAL CONFORMITY DETERMINATION**

January 11, 2012

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Comments:	1. The 75 acres in our Nature Reserve is a healthy ecology with a wide range of flora and fauna including coyotes, bobcats, and most recently river otters. This riparian habitat has developed since the channelization in the 50s. This is a balanced ecology and should be left alone.	FL1
	The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita.	
	2. The largest oxbow fronts the base of the main embankment of the BV detention lake. Any river flow water would create the potential of eroding this earthen dam. If this dam were to be eroded under flood conditions a minimum of 50 acre feet of water would be immediately released into Clerk and would undoubtedly be catastrophic down stream. What is USACE doing to prevent this scenario?	FL2
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	5. It is our opinion that creating channels for moving water that are closer to housing areas than currently creates a higher potential for those houses to flood. In BV this directly affects 65 houses that back onto Clear Creek worth \$13M, 58 adjacent houses on the street worth \$11.6M, 41 houses on the lake worth \$12.3M, and 34 adjacent houses on lake street worth \$9.3M. In addition the BellaVita clubhouse backs on lake and is worth \$2.5M. This is a \$48.7M total potential direct affect on lake or reserve streets. This number is approx \$150M for BellaVita total and does not include Villa d'Este which may also be impacted. If any of these numbers are added back to the project as 'new structures now in danger' the cost benefit of the project is significantly reduced.	FL4

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Diane Hutzler
Address 1608 Berlino Dr.
Pearland, TX 77581

**GALVESTON DISTRICT
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The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita.

2. The largest oxbow fronts the base of the main embankment of the BV detention lake. Any river flow water would create the potential of eroding this earthen dam. If this dam were to be eroded under flood conditions a minimum of 50 acre feet of water would be immediately released into Clerk and would undoubtedly be catastrophic down stream. What is USACE doing to prevent this scenario?

3. 4. The berm and the dense foliage create a privacy and sound break for the South side of BellaVita, which is gated and fenced on all other sides. BellaVita needs this privacy break to be maintained. What will USACE implement to replace this security function? Also, USACE documents indicate potential for 'recreational development'. BellaVita does not intend to ever have this private property open to the public. Does USACE intend to develop public recreation along this part of the Creek?

4. 5. It is our opinion that creating channels for moving water that are closer to housing areas than currently creates a higher potential for those houses to flood. In BV this directly affects 65 houses that back onto Clear Creek worth \$13M, 58 adjacent houses on the street worth \$11.6M, 41 houses on the lake worth \$12.3M, and 34 adjacent houses on lake street worth \$9.3M. In addition the BellaVita clubhouse backs on lake and is worth \$2.5M. This is a \$48.7M total potential direct affect on lake or reserve streets. This number is approx \$150M for BellaVita total and does not include Villa d'Este which may also be impacted. If any of these numbers are added back to the project as 'new structures now in danger' the cost benefit of the project is significantly reduced.

Mail your

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name Sunny B. Ward
Address 1206 North Riviera Circle
Pearland TX 77581

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
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- Comments: 1. The 75 acres in our Nature Reserve is a healthy ecology with a wide range of flora and fauna including coyotes, bobcats, and most recently river otters. This riparian habitat has developed since the channelization in the 50s. This is a balanced ecology and should be left alone. _____ FL1
- _____ The process of excavating high wall channels below the actual 1955 level of the oxbows will _____
_____ totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of _____
_____ most of the current residents of BellaVita. _____
- _____ 2. The largest oxbow fronts the base of the main embankment of the BV detention lake. _____
_____ Any river flow water would create the potential of eroding this earthen dam. If this dam _____ FL2
_____ were to be eroded under flood conditions a minimum of 50 acre feet of water would be _____
_____ immediately released into Clerk and would undoubtedly be catastrophic down stream. What _____
_____ is USACE doing to prevent this scenario? _____
- _____ 4. The berm and the dense foliage create a privacy and sound break for the South side of _____
_____ BellaVita, which is gated and fenced on all other sides. BellaVita needs this privacy break to _____ FL3
_____ be maintained. What will USACE implement to replace this security function? Also, USACE _____
_____ documents indicate potential for 'recreational development'. BellaVita does not intend to _____
_____ ever have this private property open to the public. Does USACE intend to develop public _____
_____ recreation along this part of the Creek? _____
- _____ 5. It is our opinion that creating channels for moving water that are closer to housing areas _____ FL4
_____ than currently creates a higher potential for those houses to flood. In BV this directly affects _____
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_____ \$150M for BellaVita total and does not include Villa d'Este which may also be impacted. If _____

Mail your co

District Engineer cost benefit of the project is significantly reduced. Base Print:

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Your Name Sharon Burnside
Address 1202 N. RIVIERA CIR.
PEARLAND, TX 77581

(Form Letter)

Virginia Babin, Fred Fargo, Helen Fargo, Diane Hutzler, Sunny B. Ward, Sharron Burnside
(all Pearland, Texas)

FL1	<p>The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
FL2	<p>This will be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam.</p>
FL3	<p>The Recommended Plan does not include features for public recreation. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 of the SEIS for more information. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site.</p>
FL4	<p>This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.</p>

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Comments:

Thank you for an amazingly well researched and documented project. The project will be a great benefit to everyone in the Clear Creek watershed for many generations. The massive change in design and concept is to be applauded. We have learned a great deal regarding the environment we live in while researching this project.

Our BellaVita community has a small problem with a very small part of the project – mitigation. We are committed to finding a mutual solution with the Corps that satisfies the needs and commitments of both parties. Our comments regarding this issue are attached.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name

Address

BILL BORDICK V.P.
BELLA VITA
1548-B NORTH RIVIERA CIRCLE
PEARLAND, TX 77581

Bill Burdick
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comment.
2	<p>A meeting with the USACE and representatives of the BellaVita HOA and Nature Reserve Committee was held on February 1, 2012, to discuss the project. The USACE also met with representatives of the BellaVita HOA and Nature Reserve Committee on March 28, 2012, and conducted a site visit of the property. The Recommended Plan does not include features for public recreation. The BellaVita detention lake will be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>



District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro

1. The 75 acres in our Nature Reserve is a healthy ecology with a wide range of flora and fauna including coyotes, bobcats, and most recently river otters. This riparian habitat has developed since the channelization in the 50s. This is a balanced ecology and should be left alone.
The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita. 1
2. The largest oxbow fronts the base of the main embankment of the BV detention lake. Any river flow water would create the potential of eroding this earthen dam. If this dam were to be eroded under flood conditions a minimum of 50 acre feet of water would be immediately released into Creek and would undoubtedly be catastrophic down stream. What is USACE doing to prevent this scenario? 2
4. The berm and the dense foliage create a privacy and sound break for the South side of BellaVita, which is gated and fenced on all other sides. BellaVita needs this privacy break to be maintained. What will USACE implement to replace this security function? Also, USACE documents indicate potential for 'recreational development'. BellaVita does not intend to ever have this private property open to the public. Does USACE intend to develop public recreation along this part of the Creek? 3
5. It is our opinion, that creating channels for moving water that are closer to housing areas than currently creates a higher potential for those houses to flood. In BV this directly affects 65 houses that back onto Clear Creek worth \$13M, 58 adjacent houses on the street worth \$11.6M, 41 houses on the lake worth \$12.3M, and 34 adjacent houses on lake street worth \$9.3M. In addition the BellaVita clubhouse backs on lake and is worth \$2.5M. This is a \$48.7M total potential direct affect on lake or reserve streets. This number is approx \$150M for BellaVita total and does not include Villa d'Este which may also be impacted. If any of these numbers are added back to the project as 'new structures now in danger' the cost benefit of the project is significantly reduced. 4
6. In our analysis we the BellaVita homeowners association, representing a community of about 1000 residents on Clear Creek, believe that the plan has major flaws and object to the proposed plan without modifications. 5

Thank you for reviewing our comments seriously.

Bill Burdick
Vice President of BellaVita at Green Tee HOA

Bill Burdick
Pearland, Texas

Comment No.	Response
1	<p>The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
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3	<p>The Recommended Plan does not include features for public recreation. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 of the SEIS for more information. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site.</p>
4	<p>This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.</p>
5	<p>Thank you for your comment.</p>

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Comments:

PLEASE see ATTACHED.

Mail your comments by ~~January 30, 2012~~ to:

FEB 14

District Engineer, Galveston District

U.S. Army Corps of Engineers

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, Texas 77553-1229

Please Print:

Your Name Sheldon MAXwell

Address 2320 MESSINA DR.

PEARLAND, TX 77581-5332

1. The 75 acres in our Nature Reserve is a healthy ecology with a wide range of flora and fauna including coyotes, bobcats, and most recently river otters. This riparian habitat has developed since the channelization in the 50s. This is a balanced ecology and should be left alone.

1

The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita.

2. The largest oxbow fronts the base of the main embankment of the BV detention lake. Any river flow water would create the potential of eroding this earthen dam. If this dam were to be eroded under flood conditions a minimum of 50 acre feet of water would be immediately released into ^{Creek} ~~Creek~~ and would undoubtedly be catastrophic down stream. What is USACE doing to prevent this scenario?

2

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3

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4

02-14-12

IN ADDITION TO THE ABOVE, WE HAVE LIVED IN BELLAVITA ALMOST 7 YEARS AND OWN ONE OF THE HOUSES ON THE LAKE. FROM WHAT WE UNDERSTAND, THIS AREA HAS NOT FLOODED AND IS NOT PRONE TO FLOODING. IF YOU PROCEED WITH THIS PROJECT, KNOWING THERE IS A GREAT POTENTIAL FLOODING HAZARD TO OUR PROPERTY CAUSED BY YOUR ACTIONS, I ASSUME YOU WOULD BE LEGALLY LIABLE FOR ANY DAMAGES CAUSED BY YOUR ACTIONS AND WOULD COMPENSATE US ACCORDINGLY. OF COURSE, ALL OF THE ABOVE POINTS ARE OF GREAT CONCERN, SHELDON MAXWELL.

5

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
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District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Thank You for extending the comment deadline, so that the residents of BellaVita at Green Tee community may ask of you the following:

The 75 acres in the BellaVita Nature Reserve is a healthy ecology with a wide range of flora and fauna, including coyotes, bobcats, and most recently river otters. This habitat has developed since the channelization in the 50s.

This is a balanced ecology and should be left in its current state.

1

The process of excavating high wall channels below the actual 1955 level of the oxbows will **completely** destroy this balanced ecology. The ecology balance of our nature preserve will not be restored in the lifetimes of most of the current residents of BellaVita.

The largest oxbow fronts the base of the main embankment of the BV detention lake. Any river flow water would create the potential of eroding this earthen dam. If this dam were to eroded under flood conditions a minimum of 50 acre feet of water would be immediately released into Clear Creek and would undoubtedly be catastrophic downstream.

2

What is USACE doing to prevent this scenario?

The berm and the dense foliage creates a security, privacy and sound break for the South side of BellaVita, which is gated and fenced on all other sides. BellaVita residents want this privacy break to be maintained.

What will USACE implement to replace this security function?

3

Also, USACE documents indicate potential for 'recreational development'. BellaVita does not intend to ever have this private property open to the public.

Does USACE intend to develop public recreation along this part of the Creek?

It is our opinion that creating channels for bringing moving water closer to housing areas creates a higher potential for those houses to flood. In BellaVita this directly affects 65 houses bordered by Clear Creek worth \$13M; 58 adjacent houses on the street worth \$11.6M; 41 houses on the lake worth \$12.3M, and 34 adjacent houses on lake street worth \$9.3M.

4

In addition the BellaVita clubhouse sits on lake side property and is valued at \$2.5M. This is a \$48.7M total potential direct affect on lake or reserve streets. The approximately \$150M for BellaVita property does not include the Villa d'Este community to the east of BellaVita, which would also be impacted.

Any changes to the BellaVita Nature Preserve would impact over 1,000 residents and over 600 homes.

5

I ask that the USACE not make the proposed changes in the Nature Preserve.

Please Print:
Name Carol Dyson

Address 1502 North Primavera Drive
Pearland, Texas 77581

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
2	<p>This will be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam.</p>
3	<p>The Recommended Plan does not include features for public recreation. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 of the SEIS for more information. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site.</p>
4	<p>This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.</p>
5	<p>This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community. There will always be some risk of flooding with or without the project. This Recommended Plan decreases the risk of flooding in the BellaVita area by lowering Clear Creek's water surface elevations during large flood events. During detailed design careful consideration will be given to maintaining the berm height, lowering the water surface elevation, and ensuring no adverse flooding impacts to the BellaVita community.</p>

**GALVESTON DISTRICT
PUBLIC MEETING
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT PROJECT
DRAFT GENERAL REEVALUATION REPORT,
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT, AND
DRAFT GENERAL CONFORMITY DETERMINATION**

January 11, 2012

Open House 5:30 – 6:30 PM, Public Meeting 7:00 PM

Comment Form

This form is provided for your comments regarding the U. S. Army Corps of Engineers, Galveston District Clear Creek, Texas Flood Risk Management Project. Please use the space below, attaching additional pages if necessary. The form may be deposited in the comment box, or mailed to the address provided below. We appreciate your interest in and contributions towards, this project.

Comments:

I have attached my concerns for this project. I deeply feel this project will do more harm than good by destroying our Nature Preserve. Please do not move forward with this project and destroy our nature preserve and potentially our homes.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name

Billy G. Pottel

Address

*2301 E. Capri Dr.
Pearland, Texas 77581-5276*

Billy G. Potter
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return.</p>

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Comments:

PLEASE SEE ATTACHED.

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name JOSEPH E. HARTMAN


Address 1624 BERLINO DRIVE
PEARLAND, TX 77581

Joe Hartman
2/8/2012

COMMENTS TO DRAFT USACE CLEAR CREEK

FLOOD RISK MANAGEMENT PLAN

1. Spending \$181 Million to reduce the flood plain by 2 feet downstream is a waste of taxpayers' money. Having lived for 30 years "downstream" of the proposed project (in Nassau Bay) I have witnessed first-hand the results of up to 7 feet of water in neighbors homes. A 2 foot flood plain reduction would not have saved these flooded homes. Nor would this project have saved the homes of those Friendswood residents who were "bought out" of their homes some years ago. As a tax-payer, I am opposed to throwing away money that could be put to better use on an ill-conceived, poorly thought out project. 1
2. The 75 acres in the BellaVita Nature Reserve provides a healthy ecology with a wide range of flora and fauna including coyotes, bobcats, and most recently river otters. This riparian habitat has developed since the channelization that was done in the 50s. It is a balanced ecology that should be left undisturbed. The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita. 2
3. And what about the river otter? While the North American river otter is considered a species of Least Concern according to the IUCN Red list, as it is not currently declining at a rate sufficient for a threat category. Never-the less, River otters have been virtually eliminated through many parts of their range, especially around heavily populated areas in the Midwestern and eastern United States. Reintroduction projects have been particularly valuable in restoring populations in many areas of the United States. However, river otters remain rare or absent in the southwestern United States. Water quality and development inhibit recovery of populations in some areas. It seems they need to be left alone as they attempt to survive in Clear Creek. 3
4. The largest oxbow fronts the base of the main embankment of the BellaVita detention lake. Any river flow water would create the potential of eroding this earthen dam. If this dam were to be eroded under flood conditions a minimum of 50 acre feet of water would be immediately released into Clear Creek and would undoubtedly be catastrophic downstream. What is USACE doing to prevent this scenario? 4
5. The berm and the dense foliage create a privacy and sound break for the South side of BellaVita, which is gated and fenced on all other sides. The berm and foliage are an integral part of the security for the development. BellaVita needs this privacy break to be maintained. What will USACE implement to replace the degraded security provisions? Also, USACE documents indicate potential for 'recreational development'. BellaVita does not intend to ever have this private property open to the public. Does USACE intend to develop public recreation along this part of the Creek? 5
6. It is our opinion that creating channels for moving water that are closer to housing areas than currently creates a higher potential for those houses to flood. In BellaVita this directly affects 65 houses that back onto Clear Creek worth \$13M, 58 adjacent houses on the street worth \$11.6M, 41 houses on the lake worth \$12.3M, and 34 adjacent houses on lake street worth \$9.3M. In addition the BellaVita clubhouse backs on lake and is worth \$2.5M. This is a \$48.7M total potential direct affect on lake or reserve streets. This number is approx \$150M for BellaVita total and does not include Villa d'Este which may also be impacted. If any of these numbers are added back to the project as 'new structures now in danger' the cost benefit of the project is significantly reduced. Additionally, will USACE inform each 6


2-8-2012

Joseph E. Hartman
Pearland, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comment.
2	The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
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4	This will be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam.
5	The Recommended Plan does not include features for public recreation. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 of the SEIS for more information. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site.
6	This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.

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Comments:

DEAR USACE,

WHILE WE APPRICATE THE EFFERTS AND GOOD WARK
YOU ARE NOTED FOR, WE STRONGLY RECOMMEND THAT YOUR
CLEAR CREEK DRAINAGE PROJECT NOT TAKE PLACE-

PLEASE REVIEW THE SUGGESTED COMMENTS MADE
BY OUR BELLA VITA NATURE RESERVE COMMITTEE-(ATTACHED)

MANY OF OUR RESIDENTS IN BELLA VITA ENJOY THE RESERVE
WITH ITS WILD LIFE AND FLORA-

I HAVE WATCHED WOOD DUCK COME IN TO SLEEP THERE
LATE IN THE AFTERNOON. "PROTECTED"

AS YOU KNOW THE BELLA VITA RESERVE IS PRIVATE PROPERTY
AND OUR NATURE RESERVE COMMITTEE HAS SPENT MANY HOURS
ON MAKING TRAILS AND ETC.

IF YOU ARE OUT THIS WAY STOP BY AND HAVE A CUP
OF COFFEE

Mail your comments by January 30, 2012 to:

District Engineer, Galveston District
U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

Please Print:

Your Name HERSCHEL GUILLOT
Address 2512 S. VENICE
PEARLAND, TEXAS 77581

and
Myra C. Guillot

RESPONSE TO COMMENTS

Comment No.	Response
1, 2, 3	<p>Within the footprint of the recommended mitigation plan, the USACE has no intention of eliminating the area of dense native forest vegetation that exists between Clear Creek and the BellaVita and Green Tee residential developments. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish the low flow of Clear Creek into these areas. Excavation to reconnect the cut-off meanders within the mitigation site would be limited to the minimum footprint necessary within the bottom of the meander channel to reestablish this low flow. As such, the current "foot trails" cleared and used by BellaVita would not likely be impacted by construction of the mitigation. The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. Thus, the natural security barrier afforded the subdivision by the dense vegetation and high ground would be preserved within the mitigation site. Excavation within the footprint of the high-flow flood benches may, however, result in some removal of some forested vegetation and soil from the berm of material sidecast from the original straightening of Clear Creek; this would occur as necessary within the footprint of the proposed high-flow flood bench to achieve the design elevation and width. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>

BV Resident possible Comment to USACE

The paragraphs below provide a framework for a Comment to USACE re their Clear Creek project. All comments must be postmarked by 2/14/12.

1. The 75 acres in our Nature Reserve is a healthy ecology with a wide range of flora and fauna including coyotes, bobcats, and most recently river otters. This riparian habitat has developed since the channelization in the 50s. This is a balanced ecology and should be left alone.

1

The process of excavating high wall channels below the actual 1955 level of the oxbows will totally destroy this balanced ecology. This ecology will not be repaired in the lifetimes of most of the current residents of BellaVita.

2. The largest oxbow fronts the base of the main embankment of the BV detention lake. Any river flow water would create the potential of eroding this earthen dam. If this dam were to be eroded under flood conditions a minimum of 50 acre feet of water would be immediately released into Clerk and would undoubtedly be catastrophic down stream. What is USACE doing to prevent this scenario?

2

4. The berm and the dense foliage create a privacy and sound break for the South side of BellaVita, which is gated and fenced on all other sides. BellaVita needs this privacy break to be maintained. What will USACE implement to replace this security function? Also, USACE documents indicate potential for 'recreational development'. BellaVita does not intend to ever have this private property open to the public. Does USACE intend to develop public recreation along this part of the Creek?

3

5. It is our opinion that creating channels for moving water that are closer to housing areas than currently creates a higher potential for those houses to flood. In BV this directly affects 65 houses that back onto Clear Creek worth \$13M, 58 adjacent houses on the street worth \$11.6M, 41 houses on the lake worth \$12.3M, and 34 adjacent houses on lake street worth \$9.3M. In addition the BellaVita clubhouse backs on lake and is worth \$2.5M. This is a \$48.7M total potential direct affect on lake or reserve streets. This number is approx \$150M for BellaVita total and does not include Villa d'Este which may also be impacted. If any of these numbers are added back to the project as 'new structures now in danger' the cost benefit of the project is significantly reduced.

4

I have 39 acres on Clear Creek near Dixie farm. It has a lot of trees. Cut them down and create new wetlands, floodplain and anything else you need. I also have 14 acres plus another 15 or so that is currently the regional detention pond for Bellavita that can be dug out another 3 or 4 feet and connected to the 14 acres. It is located just west of Country Club Drive. This is all upstream of where all the problems are and the dirt will not have to be hauled off. Surely this will solve the problems downstream and be more effective than the other alternative.

5

Please consider something this alternative. We can not risk the flooding problems that you will open us up to and the government is never around years later when we have to rebuild our houses because their "theories" did not work.

I have attached maps and aerials of the sites. Please feel free to call me anytime.

Renee L. McGuire

R. West Development Company, Inc.

7918 W. Broadway, #06

Pearland , Tx. 77581

Cc Sharon Tirpak, Project Manager, USACE Galveston District

Al Lentz, Brazoria County Drainage District #4

RESPONSE TO COMMENTS

Comment No.	Response
1	<p>The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.</p>
2	<p>This will be addressed during the preconstruction engineering and design phase of the project to avoid erosion of the earthen dam.</p>
3	<p>The Recommended Plan does not include features for public recreation. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 of the SEIS for more information. The conceptual mitigation plan would be to excavate a narrow pilot channel within the cut off meanders of Clear Creek (i.e., "oxbows") to restore low flow, and let the system reestablish its natural channel morphology. It is the USACE's goal to avoid removing any native vegetation within the mitigation site. No native vegetation or berms would be removed from the mitigation site except for what is necessary to reestablish flow into these areas. The sites would be left densely vegetated, and where necessary planted with native trees, although any invasive species (e.g., Chinese tallow) would be removed. As such, the natural security barrier afforded the subdivision by the dense vegetation and earthen mounds would be preserved within the mitigation site.</p>
4	<p>This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community.</p>
5	<p>Offsite detention alternatives were evaluated during the screening process for the Recommended Plan. These alternatives were eliminated as they not economically justified. This Recommended Plan decreases Clear Creeks water surface elevations during large flood events in the vicinity of BellaVita. Careful consideration will be given during the preconstruction engineering and design phase of the project to avoid adverse flooding impacts to the BellaVita community. A meeting with the USACE and representatives of the BellaVita HOA and Nature Reserve Committee was held on February 1, 2012, to discuss the project.</p>

Catanzaro, Andrea SWG

From: Stephan Robinson [srobinson@ardentrealtygroup.com]
Sent: Tuesday, January 31, 2012 4:32 PM
To: Catanzaro, Andrea SWG
Subject: Clear Creek Improvement Plan
Attachments: Aerial Image.pdf

Ms. Catanzaro,

I am representing a land owner that has a 40 acre tract on Clear Creek near the intersection of Harris, Brazoria and Galveston County. This property would make an excellent site for a regional detention pond to reduce the potential for flooding in this area.

I have been reading through proposed plan produced by the USACE to mitigate flooding in this this area and I believe we can provide a far less expensive and more effective solution to the problem.

I have attached an aerial of the land we ownPlease have one of the engineers working on this project contact me.

Stephan Robinson
Ardent Hardcastle Real Estate

Office 713-970-1018
Cell 713-594-6962

Web site: www.AH-us.com



Stephan Robinson

RESPONSE TO COMMENTS

Comment No.	Response
1	Offsite detention alternatives were evaluated during the screening process for the Recommended Plan. These alternatives were eliminated as they were not economically justified. A meeting with the USACE and representatives of the BellaVita HOA and Nature Reserve Committee was held on February 1, 2012, to discuss the project.
2	Engineers met with Mr. Robinson at the USACE SWG District Fort Point building and viewed aerials and discussed the project on February 1, 2012. A meeting with the USACE and representatives of the BellaVita HOA and Nature Reserve Committee was held on February 1, 2012, to discuss the project.

January 24, 2012

Ms. Andrea Catanzaro
Galveston District
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229

Dear Ms. Catanzaro,

Enclosed are my personal comments regarding the U.S. Army Corps of Engineers (Corps), Galveston District, and Harris County Flood Control District (HCFCD) Draft Supplemental Environmental Impact Statement (DEIS) for the Clear Creek General Reevaluation Study, Brazoria, Fort Bend, Galveston, and Harris Counties, November 2011.

The Setting

The Clear Creek Watershed (CCW) drains parts of Brazoria, Fort Bend, Galveston, and Harris Counties; is about 250 square miles (about 160,000 acres); has 17 main tributaries; is 45 miles long; and ranges from 2-13.5 miles wide.

The Problems

Some factors that make flood problems along the CCW difficult include:

1. Governmental authorities have policies on flooding that are numerous and at times conflict.
2. Many in the area have been subject to subsidence.
3. The watershed continues to experience very rapid population growth and hard surface development.
4. Extremely heavy rainfall and high tides associated with tropical storms occur.
5. There is a low parks/open space to population ratio.
6. The area is a sensitive nursery area for shrimp, crabs, and fish.

The Proposal – General Reevaluation Project (GRP)

1. **Super C(d) Section Feature** – Bennie Kate Road to Dixie Farm Road, which includes Section C5(d), and the Mud Gully, Turkey Creek, and Mary's Creek tributaries, conveyance construction from State Highway (SH) 288, 4,000 feet

downstream of Bennie Kate Road and construction of 10.8 miles of 200 foot bottom width high-flow channel along Clear Creek in Harris and Brazoria Counties. The existing Clear Creek Channel would be preserved for low-flow conveyance and a 65 foot corridor of floodplain forest vegetation along the stream bank (riparian zone) of Clear Creek would be preserved and rehabilitated or re-established.

2. C5(d) Section Feature – From 4,000 feet downstream of Bennie Kat Road to Dixie Farm Road, provide conveyance by construction for 4.4 miles of a 90 feet wide bottom width high-flow channel. The existing Clear Creek Channel corridor of floodplain forest along the stream bank would be preserved and rehabilitated.

3. In-Line Detention Features – Up to 485 acre-feet of water detention will be provided within segments of the proposed conveyance measures. This will require deepening of the high-flow channel in areas where the high-flow channel diverges from the low-flow channel.

4. Turkey Creek Conveyance Feature – Conveyance will be constructed for 2.4 miles as an earthen grass-lined channel on Turkey Creek from Dixie Farm Road to its confluence with Clear Creek.

5. Mud Gully Conveyance Feature – Conveyance would be constructed along 0.8 mile of Mud Gully from Sagedowne to Astoria. The channel would be concrete lined with a bottom width of 45 feet. The modifications would be located within the median between the northbound and southbound lanes of Beamer Road.

6. Mary's Creek Features – Construction of a grass-lined trapezoidal channel for 2.1 miles of Mary's Creek, from Harkey Road to 3,940 feet upstream of McClean Road. The channel bottom width would be 15 feet to 27.5 feet 100 feet upstream of McClean Road and downstream of McClean Road to SH 35 the channel bottom width would be 35 feet.

The Solutions

1) Protect the riparian woodland and bottomland hardwood forested wetlands of the CCW. The Houston Area has lost far too much of these important habitats to lose any more. In addition, in certain areas where construction and clearing occurs plant prairie native grasses and wildflowers as a way to recapture some of the biodiversity that will be lost due to this proposal. I am against the language that is used "preserved and rehabilitated or re-established" because it hides the fact that some of the best floodplain wetlands left in the CCW will be destroyed or degraded and then a lesser ecological functional value of wetlands, trees, and other vegetation planted in its place.

- 2) The GRP does little to ensure that CCW will be protected for children as a place to hike, bike, and canoe and kayak. Where are the amenities? Clear Creek is place to get away from sprawl, noise, and enjoy solitude. There is little in this proposal that supports such public uses. 3
- 5) Clear Creek has been channelized before and flooding has not gotten better but worse. Regulation of the 100 year floodplain is not enough. The Corps and HCFCD must assume 100% build-out of the watershed and protect the 100-floodplain from being developed. Buy-outs are the best way to go along with restoration of the hydrological features of Clear Creek. 4
- 6) I do not support reconnecting oxbows to Clear Creek. The Oxbows that remain naturally were pinched off and developed into a different habitat than the flowing creek. These oxbows are some of the best bottomland hardwood forested wetlands left on Clear Creek. Connecting them will mean destruction or degradation of these wetlands and will change the water flow and wildlife habitat values that these areas presently have. Don't mess with the oxbows. 5
- 6) HCFCD must guarantee that every development constructed has the same rate of run-off after development as when it was undeveloped. Regional detention pond construction cannot keep up with the construction of development and will not fully succeed. The CCW will eventually be built out 100%. Plan for 100% build out along with 80% impervious surface to ensure that excessive development does not dump flood flows into the CCW and degrade its natural condition. 6
- 7) Detention ponds as currently constructed by HCFCD are an ecological disaster because natural land and wetlands is traded for large St. Augustine grass lined basins with little ecological value. What's needed is the protection of natural wetlands and the natural design of additional wetlands where the detention ponds are needed so they serve as real ecological treasures and not a ugly basins. 7
- 8) The best thing that the Corps and HCFCD can do is avoid particularly sensitive parts of the CCW. In manipulated areas plant native grasses and wildflowers and native other plants. 8
- 9) Any proposal must not encroach on the flood-carrying capacities of the 100-year floodplain and floodway. Non-structural solutions and particularly protecting existing habitat and buy-outs are the best solutions and structural solutions like the GRP and the worst solutions. In essence the Corps and HCFCD have not developed new and modern alternatives. The Corps and HCFCD are still thinking in 1968 (with a few pretty-ups to make it seem otherwise) instead of 2012. This is not acceptable. 9

- 10) Aesthetics is important and one reason to keep a natural CCW. Protection of aesthetics keeps property values high. This is way so many people have moved to the area. They like a natural CCW and don't want to heavy handed CRP. The GRP fails to keep much of Clear Creek shaded so that stream temperatures are low and D.O. levels high. At a minimum trees that line Clear Creek must be protected. 10
- 11) The GRP does not estimate all the environmental costs that this proposal will entail. The art of estimating environmental costs has now reached the point where this should be integrated into the Corps cost/benefit ratio. Selling Clear Creek out for 10-year flood protection makes no sense. The document fails to clearly show the public how the 100-floodplain and floodway have changed since 1982 or 30 years ago. Because of this the public has no sense of the magnitude of flood hazard and protection that the GRP entails. The Corps and HCFCD fail to provide all information that the public needs to review, comment on, and understand the full environmental impact of the GRP. 11
- 12) Any destruction of riparian woodlands or bottomland hardwood forested wetlands must require a 10:1 mitigation ratio; the mitigation must be done in the CCW and not the Greens Bayou Mitigation Bank or anywhere else; the mitigation must be of the same type or kind of wetland that is destroyed or degraded; there must be permanent monitoring required to ensure that mitigation always functions as the DEIS states. In addition I oppose any proposal that requires the loss of park lands. If park lands will be lost via the GRP they must be replaced at least 3:1. 12
- 13) I do not support any of the alternatives shown. I support buying up as much of the Clear Creek 100-year floodplain as possible now and in the future. This should be a perpetual goal for as long as there is an active Clear Creek Project. 13
- 14) The DEIS does not, but must, include analysis for hurricane or other storm surge and flows to Clear Creek and the CCW. 14
- 15) The DEIS does not, but must, include analysis of sea level rise and other impacts due to climate change (like increased rain events). The Corps and HCFCD ignore climate change, which is due mostly to the release of carbon dioxide (CO₂) air pollution. Climate change will alter existing ecosystems and make it more difficult for plants and animals to adapt successfully to these changed ecosystems. The Corps and HCFCD must address questions like: 15
1. How will the CCW be affected by climate change? 16
 2. What can be done to create more resilient and resistant habitats and ecosystems in the CCW?

3. What can the Corps and HCFCD do to reduce CO₂ or other greenhouse gas emissions within the CCW?

4. What can be done to assist plants and animals so they can adapt to climate change in the CCW?

The Corps and HCFCD should prepare and include in this DEIS a climate change ecological resilience and resistance plan. This plan would assess the biological and ecological elements in the CCW and the effects that climate change has had and will have on them. The plan would also assist plants, animals, and ecosystems in adapting to climate change and would require monitoring of changes and mitigation measure effectiveness. The plan would be based on:

1. Protection of existing functioning ecosystems in the CCW.
2. Reduction of stressors on the ecosystems in the CCW.
3. Restoration of the natural functioning ecological processes in the CCW.
4. Use of natural recovery in the CCW, in most instances.
5. Acquisition of buffers and corridors to expand and ensure connectivity of ecosystems in the CCW.
6. Intervention to manipulate (manage) ecosystems in the CCW will be done only as a last resort.
7. Reduction of climate change gas emissions.

16) Although stated as an objective the proposed GRP will not improve fish and wildlife resources in Clear Creek and its tributaries. Ditching, concreting, straightening, and destroying riparian woodland, wetlands, and other vegetation will not make these streams better habitat for fish and wildlife. Fewer trees along the streams will ensure that temperatures will be higher and dissolved oxygen levels will be less. There will be less vegetation to shade and provide shelter and food for wildlife.

There will be less coarse woody debris, both on land (on the floodplain) and in the water to provide habitat for fish and wildlife species and stabilize stream courses. There will be more scouring of stream banks and thus greater erosion due to greater flows which will bring in more litter, toxic fluids, and solid matter like soil particles.

17) No wetland delineation is provided to the public. Without this the public cannot review, comment on, and understand the full environmental impacts of this proposal. There must be a wetlands delineation in the DEIS. 19

18) I object that the Notice of Intent was not published in the Federal Register. How is the public supposed to learn about and have enough time to review, comment on, and understand the full environmental effects of the proposal? The Corps is playing fast and loose with public participation requirements in the National Environmental Policy Act (NEPA). Shame on the Corps and HCFCD! 20

In 1997 at Public meetings were held by HCFCD and 1,600 people attended. In 2001 scoping meeting were held and 250 people attended. Meetings were also held in 2004. Yet the Corps and HCFCD does not document in the DEIS what all the comments are that have been provide for this proposal since its inception and what it has done to respond to all public comments. This is not acceptable. 21

19) I am opposed to the GRP. If approved the Corps and HCFCD will place people at greater risk of injury, death, and property damage due to the short-term shrinking of the 100-year floodplain from structural flood methods and the false sense of security this gives people about the possibility that floods in the area will no longer occur. 22

This proposal will encourage additional development and further destruction of more coastal prairie, floodplain, riparian woodlands, bottomland hardwood forested wetlands, freshwater emergent wetlands, and other coastal habitats. Hurricanes and other storms and sea level rise due to climate change will create conditions that result in further degradation of natural habitats around this proposal to a much greater degree than if this area was left in a natural state. 23

I request that a new EIS be prepared for this proposal and not the inadequate supplement that has been offered to the public. Using a 1982 EIS that is 30 years old for a flood project from 1968 that is 44 years old makes no sense. The Corps and HCFCD base the proposal on a 30 year old EIS. There is no supplement that can alter the vast changes that have occurred over the past 30 years. A brand new EIS is need so that all the current conditions can be considered, the newest research provided, the latest mitigation techniques considered, the changes in the floodplain, and the most modern alternatives features. 24

The conditions of the area of the DDW have so changed that a supplement is not comprehensive and protective enough when dealing with environmental impacts. The population, amount of development in the floodplain, road network, impervious surface, run-off volume and rate, floodplain size, and other development has increased immensely in the past 30 years. Only a new EIS can accurately and comprehensively deal with all the Corps proposals over the year and the thousands of public comments that have been submitted. The public has

been consistent and vocal in its call for nonstructural methods of flood control that cause the least harm to Clear Creek and which protect habitats of the CCW the most.

20) The GRP allows additional development which will have negative impacts including house pets and feral cats and dogs which will kill, wound, or disturb wildlife including amphibians, birds, reptiles, and small mammals. Exotic plant species can escape from the development allowed by the proposal and infest the areas that are protected for mitigation and cross property boundaries. Mosquito control will result in loss of aquatic life. Buildings in migratory flyways can increase bird collisions which cause deaths or woundings. Night lights will reduce habitat for nocturnal animals and will interfere with sky watching. This is not addressed in the DEIS. 25

21) The Corps and HCFCD must acknowledge and analyze the economic impacts that this proposal has in relation to environmental impacts. This includes the qualitative and quantitative impacts on nature tourism and existing recreational pursuits in the area including long-term environmental impacts. The NEPA requires such analysis as follows: 26

1. **Section 101(a)** of the NEPA states, "The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances ... to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans."

2. **Section 101(b)(5)** of the NEPA states, "achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities".

3. **Section 102(1)(B)** of the NEPA states, "... which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decision-making along with economic and technical considerations".

4. **Section 102(1)(C)** of the NEPA states, "... major Federal actions significantly affecting the quality of the human environment". (what is economics but a part of the human environment)

5. **Section 201(2)** of the NEPA states, “current and foreseeable trends in the quality, management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation”.

6. **Section 201(3)** of the NEPA states, “the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures”.

7. **Section 202** of the NEPA states, “to be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of the Nation”.

8. **Section 204(4)** of the NEPA states, “to develop and recommend to the president national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation”.

9. **Section 1501.2(b)** of CEQ NEPA regulations states, “Identify environmental effects and values in adequate detail so they can be compared to economic and technical analyses.”

10. **Section 1508.8(b)** of CEQ NEPA regulations states, “... Effects includes ecological ... aesthetic, historic, cultural, economic, social or health, whether direct, indirect, or cumulative”.

11. **Section 1508.14** of CEQ NEPA regulations states, “... This means that economic or social effects are not intended by themselves to require preparation of an environmental impact statement. When an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment”.

Without a full accounting of the economic and environmental costs the Corps will not be integrating all the costs of the proposed flood project and providing that information to the public for its review and comment about all costs and benefits of the proposal.

22) The Corps and HCFCD has public interest review factors that recommend against the GRP including flood hazards, land use, fish and wildlife values, wetlands, aesthetics, economics, conservation, shore erosion and accretion, safety, water quality, air quality, climate change, and general environmental concerns.

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23) I am concerned about the long-term protection of mitigation areas and whether created habitat will be done appropriately in the GRP. Some of the questions that must be answered but are not in the DEIS include:

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1. What agency will be responsible for monitoring and enforcement of each and or every mitigation measure?
2. What resources does this agency have to conduct unannounced inspections and what is that agency's track record?
3. What will occur if the agency finds a violation of each and or every mitigation measure?
4. How often will that agency monitor each and or every mitigation measure for this proposal?
4. How long with that agency monitor each and or every mitigation measure for this proposal?
4. What criteria will be used to determine if each and or every mitigation measure is functioning as required?
5. How will this be determined and or measured?
6. How long does the responsible agency expect each and or every mitigation measures to last?

24) I request that the Corps and HCFCD fully examine all cumulative impacts due to the GRP in a new EIS. This has not been done. The cumulative impacts of all past, present, and future foreseeable actions must be identified and their impacts must be assessed, analyzed, and evaluated. The cumulative impacts analysis in the EIS must comply with the Council on Environmental Quality (CEQ) NEPA implementing regulations, **40 CFR 1502.16, 1508.7, 1508.8, 1508.25, and 1508.27.**

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The CEQ has extensively described the minimum requirements for analysis and mitigation of cumulative impacts on environmental quality. At minimum, an adequate cumulative effects analysis must:

1. Identify the past, present, and reasonably foreseeable actions of the Corps and HCFCD and other parties affecting each particular aspect of the affected environment
2. Must provide quantitative information regarding past changes in habitat quality and quantity, water quality, resource values, and other aspects of the affected environment that are likely to be altered by Corps and HCFCD actions

3. Must estimate incremental changes in these conditions that will result from Corps and HCFCD actions in combination with actions of other parties, including synergistic effects
4. Must identify any critical thresholds of environmental concern that may be exceeded by Corps and HCFCD actions in combination with actions of other parties
5. Must identify specific mitigation measures that will be implemented to reduce or eliminate such effects

The Corps and HCFCD must use the CEQ's January 1997 document, "Considering Cumulative Effects Under the National Environmental Policy Act" for determining cumulative impacts and carrying out its analysis, assessment, and evaluation. It is clear that the Corps has an affirmative duty, a statutory duty, and a regulatory duty to carry out cumulative impacts assessment.

Some of the especially important quotes from the CEQ document include:

- a. On page v, "Only by reevaluating and modifying alternatives in light of the projected cumulative effects can adverse consequences be effectively avoided or minimized. Considering cumulative effects is also essential to developing appropriate mitigation and monitoring its effectiveness."
- b. On page v, "By evaluating resource impact zones and the life cycle of effects rather than projects, the analyst can properly bound the cumulative effects analysis. Scoping can also facilitate the interagency cooperation needed to identify agency plans and other actions whose effects might overlap those of the proposed action."
- c. On page vi, "When the analyst describes the affected environment, he or she is setting the environmental baseline and thresholds of environmental change that are important for analyzing cumulative effects. Recently developed indicators of ecological integrity (e.g., index of biotic integrity for fish) and landscape conditions (e.g., fragmentation of habitat patches) can be used as benchmarks of accumulated change over time ... GIS technologies provide improved means to analyze historical change in indicators of the condition of resources, ecosystems, and human communities, as well as the relevant stress factors."
- d. On page vi, "Most often, the historical context surrounding the resource is critical to developing these baselines and thresholds and to supporting both imminent and future decision-making."

e. On page ... the consequences of human activities will vary from those that were predicted and mitigated ... therefore, monitoring the accuracy of predictions and the success of mitigation measures is critical.

f. On page vi, "Special methods are also available to address the unique aspects of cumulative effects, including carrying capacity analysis, ecosystem analysis, economic impacts analysis, and social impact analysis.

g. On page vii, Table E-1, "CEA Principles ... Cumulative effects analysis ... Address additive, countervailing, and synergistic effects ... Look beyond the life of the action.

h. On page 1, "The range of actions that must be considered includes not only the projects proposal but all connected and similar actions that could contribute to cumulative effects.

i. On page 3, "The purpose of cumulative effects analysis, therefore is to ensure that federal decisions consider the full range of consequences of actions ... If cumulative effects become apparent as agency programs are being planned or as larger strategies and policies are developed then potential cumulative effects should be analyzed at that times.

j. On page 3, Cumulative effects analysis necessarily involves assumptions and uncertainties, but useful information can be put on the decision-making table now ... Important research and monitoring programs can be identified that will improve analyses in the future, but their absence should not be used as a reason for not analyzing cumulative effects to the extent possible now ... adaptive management provisions for flexible project implementation can be incorporated into the selected alternative."

k. On page 4, "The Federal Highway Administration and state transportation agencies frequently make decisions on highway projects that may not have significant direct environmental effects, but that may induce indirect and cumulative effects by permitting other development activities that have significant effects on air and water resources at a regional or national scale, The highway and other development activities can reasonably be foreseen as "connected actions.

l. On page 7, "Increasingly, decision makers are recognizing the importance of looking at their projects in the context of other development in the community or region (i.e., of analyzing the cumulative effects) ... Without a definitive threshold, the NEPA practitioner should compare the cumulative effects of multiple actions with appropriate national, regional, state, or community goals to determine whether the total effect is significant ... Cumulative effects results from spatial (geographic) and temporal (time) crowding of environmental perturbations. The effects of human activities will accumulate when a second perturbation occurs at

a site before the ecosystem can fully rebound from the effect of the first perturbation.”

m. On page 8, Table 1-2, lists 8 principles of cumulative effects analysis. See copy enclosed.

n. On page 19, “The first step in identifying future actions is to investigate the plans of the proponent agency and other agencies in the area. Commonly, analysts only include those plans for actions which are funded or for which other NEPA analysis is being prepared. This approach does not meet the letter or intent of CEQ’s regulations ... The analyst should develop guidelines as to what constitutes “reasonably foreseeable future actions” based on planning process within each agency ... In many cases, local government planning agencies can provide useful information on the likely future development of the region, such as master plans. Local zoning requirements, water supply plans, economic development plans, and various permitting records will help in identifying reasonably foreseeable private actions ... These plans can be considered in the analysis, but it is important to indicate in the NEPA analysis whether these plans were presented by the private party responsible for originating the action. Whenever speculative projections of future development are used, the analyst should provide an explicit description of the assumptions involved ... NEPA litigation ... has made it clear that “reasonable forecasting” is implicit in NEPA and that it is the responsibility of federal agencies to predict the environmental effects of proposed actions before they are fully known.

o. On page 23, “Characterizing the affected environment in a NEPA analysis that addresses cumulative effects requires special attention to defining baseline conditions. These baseline conditions provide the context for evaluating environmental consequences and should include historical cumulative effects to the extent feasible.

p. On page 29, “Lastly, trends analysis of change in the extent and magnitude of stresses is critical for projecting the future cumulative effects.

q. On page 29, “Government regulations and administrative standards ... often influence developmental activity and the resultant cumulative stress on resources, ecosystems, and human communities.

r. On page 31, “Cumulative effects occur through the accumulation of effects over varying periods of time. For this reason, an understanding of the historical context of effects is critical to assessing the direct, indirect, and cumulative effects of proposed actions. Trends data can be used ... to establish the baseline for the affected environment more accurately (i.e., by incorporating variation over time) ... to evaluate the significance of effects relative to historical degradation (i.e., by helping to estimate how close the resource is to a threshold

of degradation) ... to predict the effects of the actions (i.e., by using the model of cause and effects established by past actions)."

s. On pages 38-40, "Using information gathered to describe the affected environment, the factors that affect resources (i.e., the causes in the cause-and-effect relationships) can be identified and a conceptual model of cause and effect developed ... The cause-and-effect model can aid in the identification of past, present, and future actions that should be considered in the analysis ... The cause-and effect relationships for each resource are used to determine the magnitude of the cumulative effect resulting from all actions included in the analysis ... one of the most useful approaches for determining the likely response of the resource ... to environmental change is to evaluate the historical effects of activities similar to those under consideration.

t. On page 41, "The analyst's primary goal is to determine the magnitude and significance of the environmental consequences of the proposed action in the context of the cumulative effects of other past, present, and future actions ... The critical element in this conceptual model is defining an appropriate baseline or threshold condition of the resource.

u. On page 43, "Situations can arise where an incremental effect that exceeds the threshold of concern for cumulative effects results, not from the proposed action, but the reasonably foreseeable but still uncertain future actions.

v. On page 45, "The significance of effects should be determined based on context and intensity ... Intensity refers to the severity of effect ... As discussed above, the magnitude of an effect reflects relative size or amount of an effect. Geographic extent considers how widespread the effect might be. Duration and frequency refers to whether the effect is a one-time event, intermittent, or chronic.

w. On page 45, "Determinations of significance ... are the focus of analysis because they lead to additional (more costly) analysis or to inclusion of additional mitigation (or a detailed justification for not implementing mitigation) ... the project proponent should avoid, minimize, or mitigate adverse effects by modifying alternatives ... in most cases, however, avoidance or minimization are more effective than remediating unwanted effects."

y. On page 51, "different resource effects that cumulatively affect interconnected systems must be addressed in combination."

The failure of the Corps and HCFCD to look at all cumulative impacts, like future development that will be generated by the GRP, means that the DEIS is inadequate on its face and the public will not be able to review, comment on, and understand all the environmental impacts of the GRP.

25) The Corps and HCFCD do not include important information in the DEIS which obscures from the public and decision-makers the magnitude and significance of the GRP. The need for this information and for a new EIS is documented by the following:

1. **CEQ NEPA Regulation, 1500.1(b)**, "NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA."
2. **CEQ NEPA Regulation, 1500.1(c)**, "The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences."
3. **CEQ NEPA Regulation, 1500.2(b)**, "Implement procedures to make the NEPA process more useful to decision-makers and the public."
4. **CEQ NEPA Regulation, 1500.2(d)**, "Encourage and facilitate public involvement in decisions which affect the quality of the human environment."
5. **CEQ NEPA Regulation, 1500.4(b)**, "Preparing analytic rather than encyclopedic environmental impact statements."
6. **CEQ NEPA Regulation, 1500.4(f)**, "Emphasizing the portions of the EIS that are useful to decision-makers and the public."
7. **CEQ NEPA Regulation, 1501.2(b)**, "Identify environmental effects and values in adequate detail so they can be compared to economic and technical analyses."
8. **CEQ NEPA Regulation, 1502.2**, "EISs shall be analytic rather than encyclopedic."
9. **CEQ NEPA Regulation, 1502.4(a)**, "Agencies shall make sure the proposal which is the subject of an EIS is properly defined."
10. **CEQ NEPA Regulation 1502.16**, "This section forms the scientific and analytic basis for the comparisons ... environmental impacts of the alternatives including the proposed action, any adverse environmental effects which cannot be avoided should the proposal be implemented, the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and irreversible or irretrievable commitments of resources."

11. **CEQ NEPA Regulation, 1502.21**, "No material may be incorporated by reference unless it is reasonably available for inspection by potentially interested persons within the time allowed for comment."

12. **CEQ NEPA Regulation, 1502.24**, "Agencies shall insure the professional integrity, including scientific integrity, of the discussions and analyses in EISs. They shall identify any methodologies used and shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the statement."

13. **CEQ NEPA Regulation, 1506.6(a)**, "Agencies shall make diligent efforts to involve the public in preparing and implementing their NEPA procedures."

14. **CEQ NEPA Regulation, 1508.3**, "Affecting means will or may have an effect on."

15. **CEQ NEPA Regulation, 1508.14**, "Human Environment shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment ... When an EIS is prepared and economic or social and natural or physical environmental effects are interrelated then the EIS will discuss all of these effects on the human environment."

16. **CEQ NEPA Regulation, 1508.18**, "Major Federal action includes actions with effects that may be major and which are potentially subject to Federal control and responsibility. Major reinforces but does not have a meaning independent of significantly ... Actions include new and continuing activities, including projects ... approval of specific projects, such as construction or management activities located in a defined geographic area."

17. **CEQ NEPA Regulation, 1508.27**, "Significantly as used in NEPA requires considerations of both context and intensity ... Context means that the significance of an action must be analyzed in several contexts ... For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as whole ... Intensity refers to the severity of impact ... impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believe that on balance the effect will be beneficial ... Unique characteristics of the geographic area ... The degree to which the effects on the quality of the human environment are likely to be highly controversial ... The degree to which the possible effects ... are highly uncertain or involve unique or unknown risks ... Whether the action is related to other actions with individually insignificant but cumulatively significant impacts ... Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment."

26) For a new EIS, dictionary usage of words or phrases will not suffice to provide the public with a clear picture of what the intensity, significance, and

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context of environmental impacts are. In other words, an all qualitative assessment, analysis, and evaluation of environmental impacts is not sufficient to deal with the clearly articulated CEQ requirements in **Section 1502.14**, that the EIS "should present the environmental impacts of the proposal and the alternatives in comparative form, thus **sharply defining the issues and providing a clear basis for choice among options by the decision-maker and the public**".

1. Quantitative assessment, analysis, and evaluation are necessary to ensure that alternatives and environmental impacts are clearly defined and shown in the EIS. As stated in the CEQ NEPA implementing regulations, **Section 1500.1(b)**, Purpose, "NEPA procedures must insure that environmental information is available to public officials and citizens ... The information must be of high quality. Accurate scientific analysis ... are essential to implementing NEPA".

2. As stated in **Section 1501.2(b)**, "Identify environmental effects and values in adequate detail so they can be compared to economic and technical analyses."

3. As stated in **Section 1502.8**, "which will be based upon the analysis and supporting data from the natural and social sciences and the environmental design arts."

4. As stated in **Section 1502.18(b)**, about the Appendix, "Normally consist of material which substantiates any analysis fundamental to the impact statement".

5. As stated in **Section 1502.24**, "Agencies shall insure the professional integrity, of the discussions and analyses ... They shall identify any methodologies used and shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the statement."

The analysis that the Corps and HCFCD must conduct for this EIS is much more than "**best professional judgment**". "**Best professional judgment**" is where a group of people, using their experience, decide what is important. This level of assessment, analyses, and evaluation for environmental impacts and alternatives is an insufficient foundation upon which to base an EIS.

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27) The Corps and HCFCD must define what phrases and words mean so that the public can review, comment on, and understand what the Corps and HCFCD refers to regarding the GRP. Decision-makers must know this information. The qualitative description of phrases used to describe environmental impacts or the protectiveness of an alternative does not provide the public with the degree of comparison required by the CEQ's mandatory NEPA implementing regulations. These regulations state, in **Section 1502.14, Alternatives including the proposed action**, that, "This section is the heart of the EIS ... it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice

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among options by the decision-maker and the public ... Devote substantial treatment to each alternative in detail ... so that reviewers may evaluate their comparative merits."

The CEQ also states, in **Section 1502.16 and (d), Environmental consequences**, that, "This section forms the scientific and analytic basis for the comparisons ... The environmental effects of alternatives including the proposed action the comparisons under **Section 1502.14** will be based on this discussion."

It is key that the Corps and HCFCD clearly compare and make apparent the distinctiveness of each alternative and its impacts or protectiveness. This is not accomplished when phrases are used qualitatively instead of quantitatively with more detailed and clear descriptions of qualitative information. **I request that the Corps and HCFCD clarify and detail clearly the comparative differences between each alternative and define clearly what the words or phrases used mean.**

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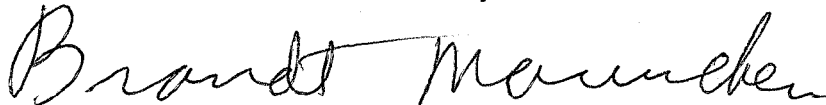
28) I request that:

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1. The Corps and HCFCD must withdraw the supplemental DEIS.
2. The Corps and HCFCD must prepare a new EIS.
3. The new EIS must clearly document how public input has been considered and used.
4. The Corps and HCFCD must include in the EIS adequate mitigation for the loss of all types of wetlands including riparian woodlands, bottomland hardwood forested wetlands, freshwater emergent wetlands, and all other types of wetlands and provide an up-to-date snapshot of what has changed between 1982 and 2012.
5. The Corps and HCFCD must put the EIS back out for public comment with a 90-day comment period so the public has sufficient times to review, comment on, and understand the full environmental impacts of the proposal.

I appreciate the opportunity to comment. Thank you.

Sincerely,



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RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comments. These are all issues that are discussed in the EIS. For information regarding interagency coordination teams, see Section 1.7. For information on local subsidence, see Section 3.1.5.1. For information regarding population growth, see Historic and Projected Population in Section 3.13.2.1. For effects on land use and recreation, see Section 4.14. For information on local climate patterns, see Section 3.1.4, and see Section 4.4 for anticipated effects on the hydrology of the area. For Fish and Wildlife Resources, see Section 4.10.
2	The USACE has fully analyzed and accounted for all impacts of the Recommended Plan, and the proposed project including the mitigation plan fully offsets these impacts. Refer to Section 5.4.2 for Habitat Evaluation Procedure (HEP) Results for Mitigation Measures, as well as Appendix B.
3	The tentatively recommended GRP does not include features for public recreation. Opportunities for recreation may be explored by the non-federal cost-share sponsors after project completion.
4	Buyouts and nonstructural solutions were considered as alternatives in the formulation of the Recommended Plan. These alternatives were not economically justifiable and were eliminated from the Tentatively Selected NED Plan. Please reference Section 2 of the Engineering Appendix for additional information, and Section 2.3 of the EIS for Alternative Plans Considered.
5	Excavation to reconnect the cut-off meanders within the mitigation site would be limited to the minimum footprint necessary within the bottom of the meander channel to reestablish this low flow. The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. Excavation within the footprint of the high-flow flood benches may, however, result in some removal of some forested vegetation and soil from the berm of material sidecast from the original straightening of Clear Creek; this would occur as necessary within the footprint of the proposed high-flow flood bench to achieve the design elevation and width. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. Please see Section 4.10.2.3 for additional information regarding potential impacts to wildlife.
6	Regional detention and construction within the floodplain are local issues that are typically addressed by the county, city or community floodplain managers having jurisdiction over a particular area.
7	Thank you for your comment. Offline detention (ponds) are not included in the Recommended Plan.
8	The Recommended Plan avoids the sensitive areas of Clear Creek downstream of Dixie Farm Road that have not been channelized. It is the intent of the USACE to plant native species in all

areas of the project. See Section 4.0 of the FSEIS (Environmental Consequences) for anticipated effects to soil quality, water quality, hydrology, physiography, fish and wildlife, vegetation, air quality, and more.

9	Buyouts and nonstructural solutions were considered as alternatives in the formulation of the Recommended Plan. These alternatives were not economically justified and were eliminated from the Recommended Plan. Please reference Sections V and VI of the FGRR and Section 2.3 of the FSEIS for information regarding the screening of these alternatives.
10	The recommended GRP incorporates a continuous 60-foot-wide corridor of floodplain forest along the low-flow channel of Clear Creek; this corridor would provide for shading and habitat along the stream. See Sections 4.9.3 and 4.10.2.1 of the FSEIS.
11	Per USACE guidance, relevant costs for environmental impacts and the required mitigation to these impacts have been included in the Recommended Plan.
12	Current USACE guidance requires habitat impacts and mitigation to be developed based on the significance, quantity and quality of the habitat being impacted. The habitat impacts and required mitigation to offset these impacts have been assessed per USACE guidance and incorporated into the Recommended Plan. See Appendix B and Section 3.9.5 for a description of the HEP modeling that was done and Section 5 for a description of the mitigation plan and its development. The GRP Alternative is expected to have a minimal impact on parks. The study area exhibits a generally moderate to high level of impact from human development and alteration. This would not change with implementation of the GRP Alternative. See Section 4.14.2 of the SEIS for more information. Under the GRP Alternative, areas along flood benches (from SH 288 to Dixie Farm Road) would be maintained as a parklike setting (i.e., grasses and trees). These parklike areas, in conjunction with restored, more-natural riparian vegetation, and parks and recreational facilities such as hike/bike trails, scenic parks, and picnic facilities, would provide additional and increased recreation potential for Clear Creek. See Section 4.13.2.2 for more information.
13	Buyout alternatives, as a stand alone measure or coupled with conveyance, considered throughout the planning of the project, and attempts were made to incorporate this practice where economically feasible when both benefits and costs were considered. However, the costs for implementing buyouts were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, alternatives that included buyouts were not economically justified and were not included in the proposed plan. Please reference Section 2.3 of the FSEIS for information regarding the screening of these alternatives.
14	Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis is limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.
15	An analysis of sea level rise has been performed in accordance with USACE guidance and is included in Chapters 3 and 4 of the FSEIS. Please reference Section 3.5.1.2, Eustatic Sea Level Rise.

16	Additional analysis has been conducted and greenhouse gas and climate change have been addressed in the FSEIS. USACE evaluated GHG emission impacts of the Recommended Plan and related these impacts to global climate change in accordance with the Council on Environmental Quality's "Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions". This discussion was incorporated as an attachment to FSEIS Appendix H (General Conformity Determination and Air Emissions Estimates). A summary of this analysis is included in the air quality section of the FSEIS, Chapter 4.5.
17	The analysis of GHG emissions and climate change included in the FSEIS follows the required guidance. See Section 4.5 for air quality impacts and Appendix H for general conformity determination.
18	The Recommended Plan avoids the sensitive areas of Clear Creek downstream of Dixie Farm Road that have not been channelized. The recommended GRP incorporates a continuous 60-foot-wide corridor of floodplain forest along the low-flow channel of Clear Creek; this corridor would provide for shading and habitat (overhead and instream cover) along the stream and bank stabilization along the low-flow channel. Current USACE guidance requires habitat impacts to be assessed and mitigation to be developed based on the significance, quantity and quality of the habitat being impacted. The habitat impacts and required mitigation to offset these impacts have been assessed per USACE guidance and incorporated into the Recommended Plan. See the description of alternatives in Section 2.0, impacts to vegetation in Section 4.9, and Appendix B for the Habitat Evaluation Procedures (HEP).
19	The wetlands within the footprint of the Recommended Plan are identified in the FSEIS Section 4.9 and Figure 3.9-2. Reference to figure was appropriately inserted throughout the document.
20	A NOI was published in the <i>Federal Register</i> on June 24, 2008, and is included in Appendix A-7 of the FSEIS.
21	The intent of the various scoping and public meetings was to gather information on issues and concerns related to the Clear Creek project consistent with 40 CFR 1501.7. This information was considered in the formulation of alternatives evaluated by the study. Please reference Section 12 of the FSEIS for information regarding public involvement, review, and consultation, and Appendix A for information regarding the public meeting.
22	The objective of the Recommended Plan is to reduce flood risk for economic, social, and environmental purposes along Clear Creek and its tributaries, not necessarily to eliminate flooding. As noted in Section 4.13, Socioeconomic Resources, the GRP Alternative will reduce flooding risks for 65 percent of the structures within the 100-year floodplain of the study area, in compliance with EO 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". Conversely, the No Action Alternative could possibly have a negative effect on the local economy from increased costs associated with flood damages.
23	As noted in Section 3.13 of the FSEIS, populations in municipalities and counties within the study area are expected to increase by 300% by 2050. As noted in Section 4.13.2, the GRP Alternative is not anticipated to have an effect on population growth trends in the study area; however, it may stimulate growth in portions of the Clear Creek corridor potentially resulting in a shift in density of populations within the study area. The No Action Alternative assumes the current configuration of Clear Creek and its tributaries would be maintained. As a consequence of increased urbanization, the quantity and quality of the remaining natural vegetation

communities would decline. Peak flows would increase resulting in increased flooding and reduced base flow. Impervious cover would increase, reducing available land for native habitat and infiltration of runoff. With a reduction of native riparian vegetation accompanied by increased fragmentation and reduced patch size, the abundance and diversity of wildlife species dependent on these habitats would decline. Water quality (dissolved oxygen, turbidity, and salinity) would degrade as a result of reduced pollutant filtration provided by the floodplain forests. In some cases, stream buffer vegetation would be completely removed. Water temperatures would likely increase because of reduced shading of the creek and its tributaries. Noxious and/or exotic species would proliferate on disturbed land that would restrict colonization by native vegetation. Increased flooding and reduced riparian vegetation would increase shoreline erosion and cause additional loss of (or at least changes in the location of) riparian vegetation. Shoreline armoring would probably be done to control erosion, further reducing habitat available to floodplain forest vegetation and aquatic organisms. Wetlands in the 100-year floodplain that are farther from the creeks may experience more-frequent inundation, which could change plant communities within those low areas. Jurisdictional and nonjurisdictional wetlands would also be impacted as a result of continued urban development. With the GRP Alternative, there would be no impacts to coastal prairies associated with the construction of project features since the detention features that were proposed at one time are no longer part of the GRP Alternative. No losses or impacts of tidal marsh (including SAV) or coastal prairie are anticipated. As seen in Table 4.9-5, the predicted floodplain forest community change in functionality under the GRP Alternative is expected to be a net loss of 106 AAHUs, despite the avoidance and minimization features built into the project. Mitigation efforts are intended to compensate for unavoidable losses by providing 131 AAHUs (+25 AAHUs in excess of impacts). See Sections 4.9.3 and 4.9.2 for detailed vegetation impacts for either alternative.

24	During USACE policy review, it was determined that an SEIS of sufficient level of detail and scope as required by guidance was appropriate for this study. Although this is a supplemental EIS, all resource information has been updated and re-evaluated as appropriate. Section 1.2 provides a summary of the history of this project and Section 1.1 has been revised to explain that this EIS is essentially equivalent to a new EIS, but is referred to as a supplement for consistency and continuity in the process.
25	Increases in projected future development are not anticipated as a result of the Recommended Plan. As noted in Section 3.13 of the FSEIS, populations in municipalities and counties within the study area are expected to increase. As noted in Section 4.13.2, the GRP Alternative is not anticipated to have an effect on population growth trends in the study area; however, it may stimulate growth in portions of the Clear Creek corridor potentially resulting in a shift in density of populations within the study area.
26	Per USACE guidance, relevant costs for environmental impacts and the required mitigation to these impacts have been included in the Recommended Plan.
27	As required by NEPA, the Recommended Plan was formulated and evaluated with respect to the relevant public interest review factors as described in the FSEIS. Please see Section 1.5, Planning Objectives, for a comprehensive set of objectives for the Clear Creek Project. These include: reduce flood risk for economic, social, and environmental purposes along Clear Creek and its tributaries; improve fish and wildlife resources of Clear Creek and its tributaries; preserve and protect natural and cultural resources for public education and historical appreciation; develop

opportunities for recreation for Clear Creek and its tributaries; facilitate stabilization of the stream banks of Clear Creek and its tributaries; and improve the quality and quantity of habitat for Clear Creek and its tributaries.

28	All lands, easements, rights-of-way, relocations and placement areas associated with the project (including mitigation sites) will be acquired by the Government through the non-Federal sponsor(s). Upon completion of the construction of the project, the maintenance and monitoring will be turned over to the project's non-Federal sponsor(s), with Government oversight for monitoring of mitigation areas in accordance with the Mitigation, Monitoring and Adaptive Management Plan described in Chapter 5 and Appendix J of the FSEIS. As noted in Section 5.5.3.3.1, periodic monitoring reports will be assessed by the Interagency Coordination Team (ICT).
29	An analysis of the cumulative impacts has been provided in Section 4.15 of the FSEIS. During USACE policy review, it was determined that an SEIS of sufficient level of detail and scope as required by guidance was appropriate for this study. Although this is a supplemental EIS, all resource information has been updated and re-evaluated as appropriate. Section 1.2 provides a summary of the history of this project and Section 1.1 has been revised to explain that this EIS is essentially equivalent to a new EIS, but is referred to as a supplement for consistency and continuity of the process. An analysis for the Cumulative Impacts has been provided in Chapter 4 (Section 4.15) of the FSEIS.
30	Section 1.2 provides a summary of the history of this project and Section 1.1 has been revised to explain that this SEIS is essentially equivalent to a new EIS, but is referred to as a supplement for consistency and continuity of the process. This was necessary as it is important to show the linkage and continuation of past NEPA efforts to federal and state agencies and the other entities involved in this effort. The documentation summarizes and includes pertinent information from the original EIS to allow a side-by-side comparison of the impacts to the human environment proposed in the 1982 effort with the recommended plan described in the current SEIS. All ecological resources and their significance have been addressed. The original EIS was provided as a reference on the district's website along with the draft SEIS during the public comment period for the draft SEIS.
31	As required by Section 1502.14 in the CEQ regulations, a brief side-by-side comparison of the alternatives with respect to the effects on biological, physical and socioeconomic resources is presented the FSEIS, Section 2.4. The information presented allows the reader to discern the relative differences between the alternatives considered and provides information on their rational for elimination from further evaluation. As required, a more-thorough quantitative evaluation of the No Action and Recommended Plans were provided in the subsequent sections of the FSEIS.
32	Quantitative data was gathered and analyses were performed to assess the impacts of the alternatives as appropriate. Best professional judgment of federal and state resource agency protection personnel was incorporated into these evaluations as necessary with consideration given to the level of risk involved.
33	As required by Section 1502.14 in the CEQ regulations, a brief side-by-side comparison of the alternatives with respect to the effects on biological, physical and socioeconomic resources is presented the FSEIS, Section 2.4. The information presented allows the reader to discern the

relative qualitative and quantitative differences, where appropriate, between the alternatives considered and provides information on their rational for elimination from further evaluation. As required, a more-thorough quantitative evaluation of the No Action and Recommended Plans were provided in subsequent sections of the FSEIS.

34 As required by Section 1502.14 in the CEQ regulations, a brief side-by-side comparison of the alternatives with respect to the effects on biological, physical and socioeconomic resources is presented the FSEIS, Section 2.4. The information presented allows the reader to discern the relative qualitative and quantitative differences, where appropriate, between the alternatives considered and provides information on their rational for elimination from further evaluation. As required, a more-thorough quantitative evaluation of the No Action and Recommended Plans were provided in the subsequent sections of the FSEIS.

35 See previous responses provided. In response to number 5, availability of the DSEIS for public review was noticed in the *Federal Register* on December 16, 2011, with a comment period ending January 30, 2011. An extension of the comment period was published in the *Federal Register* on January 27, 2012, extending the comment period to February 14, 2012. Thus, a 60-day comment period was provided for review and comment of the DSEIS. This exceeds the minimum 45-day period required in CFR 1506.10(c).

From: [Heather Biggs](#)
To: [Catanzaro, Andrea SWG](#)
Subject: Comments regarding the Draft Supplemental Environmental Impact Statement for the General Reevaluation Plan for Clear Creek
Date: Tuesday, February 14, 2012 4:41:54 PM
Attachments: [GBK comments Clear Creek Project DSEIS.pdf](#)

Please see the Attached comments.

Heather Biggs

Program Coordinator

Galveston Baykeeper

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February 14, 2012

U.S. Army Corps of Engineers
Attn: Andrea Catanzaro
Regulatory Branch, CESWG-PE-RB
P.O. Box 1229
Galveston, Texas 77553-1229

Dear Ms. Catanzaro,

The enclosed comments are on behalf of Galveston Baykeeper (GBK) regarding the Clear Creek Draft General Reevaluation Report Draft Supplemental Environmental Impact Statement (DSEIS). This Draft Supplemental EIS was prepared as a requirement under NEPA for the evaluation of the impacts of the **General Reevaluation Plan** initiated in 1999.

Galveston Baykeeper would like to thank the US Army Corps of Engineers (USACE) for extending the comment period from January 30 to February 14, 2012.

1

Background

The General Reevaluation Plan (GRP) includes the following proposed activities (*text taken directly from the DSEIS*).

- **Super C(d) Section Feature:** was added based on the evaluations. SH288-Bennie Kate Road. Bennie Kate Road to Dixie Farm Rd (Section C5(d), and the tribs Mud Gully Turkey Creek, and Mary's Creek. Conveyance improvement from SH 288 – 4,000 ft downstream of Bennie Kate Road. Construction of 10.8 miles of 200-ft bottom width high flow channel along Clear Creek in Harris and Brazoria Counties. The existing Clear Creek channel would be preserved for low-flow conveyance. In addition, a 65-ft corridor of floodplain forest vegetation along the stream bank (riparian zone) of Clear Creek would be preserved and rehabilitated or reestablished.
- **C5(d) Section Feature:** From approximately 4,000 ft downstream of Bennie Kate Road to Dixie Farm Road, this flood risk management feature provides conveyance via construction of 4.4 miles of 90-ft-wide (bottom width) high-flow channel. The existing clear creek channel corridor of floodplain forest along the stream bank would be preserved and rehabilitated.
- **In-Line Detention Features:** These features would provide detention for up to 485 ac-ft of water within limited segments of the proposed conveyance measures. Construction of these features would require minor deepening of the high-flow channel in areas where the high-flow channel diverges from the low flow channel.

- **Turkey Creek Conveyance Feature:** This feature would provide improved conveyance via construction of a 2.4 mile earthen grass-lined channel on Turkey Creek from Dixie Farm Road to the confluence with Clear Creek.
- **Mud Gully Conveyance Feature:** The conveyance improvement would occur along 0.8 mile of Mud Gully from Sagedowne to Astoria. The proposed channel would be concrete lined with bottom width of 45 ft. The proposed modifications for the stream are located within the median between the northbound and southbound lanes of Beamer Road.
- **Mary's Creek Features:** construction of a grass-lined trapezoidal channel along 2.1 miles of Mary's creek. From Harkey Road to 3,940 ft upstream of McClean Rd. The channel bottom width would be 15 ft from that point to 100 ft upstream of McClean road, 27.5 ft wide. Downstream of McClean Road to SH 35, the channel bottom width = 35 ft.

Comments

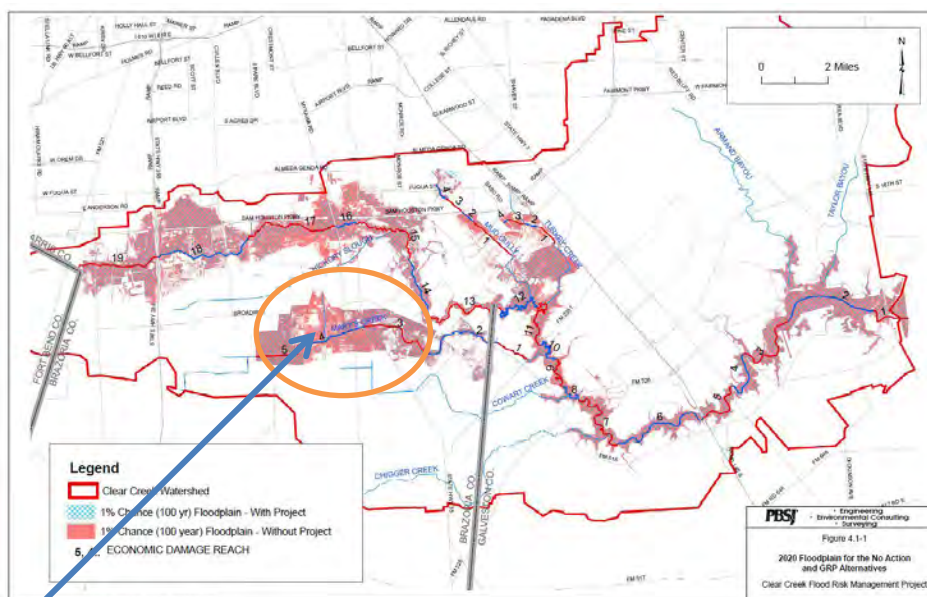
Galveston Baykeeper would like to comment in response to the proposed activities.

1. **Wetlands:** According to a study conducted by the EPA Coastal Wetlands Team and the NOAA Coastal Change Analysis Project, an estimated 11,900 acres of freshwater wetlands have been lost from 1996 to 2006 in the East and West Galveston Bay Watersheds. The study states that the majority of the losses (90 percent) were within non-tidal sections of Galveston Bay tributaries and 57 percent of the loss occurred in woody freshwater wetlands (palustrine forested and palustrine scrub). This study also states that the majority (63 percent) of the wetlands loss was due to development and the conversion to bare land, which is generally associated with future development. These types of wetlands still readily occur within the CCW and should be protected. Wetland delineations need to be conducted in order to accurately mitigate for wetland losses that may occur. Most likely, due to the proximity to the proposed activities along the creeks, all wetland habitat would be considered Jurisdictional and would require mitigation. Wetland delineations need to be conducted, not only within the project boundary, but also the adjacent areas that will be hydrologically altered by the project. 2 3
2. **Mitigation:** Mitigation needs to occur within the Clear Creek watershed. Mitigation also needs to include routine monitoring of both water and habitat quality. 4
3. **Total Cost:** Cost associated with this project needs to include the continued maintenance of the proposed high-flow grass-lined channels as well as other routine maintenance that will be needed for the project, including downstream dredging that will likely need to occur due to increased flow upstream. Habitat monitoring within mitigation areas also should be considered and calculated in the cost analysis. 5
4. **Buyout Alternatives:** Section 2.3.6.2. states that the GRP Alternative with 10 Percent AEP Buyouts would likely include 50 percent of the homes to be removed or bought out - totaling approximately 68 homes. This alternative would be a long-term solution, decreasing the need for structural alternatives, 6

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while preserving the natural habitat. GBK recommends that buy-outs, at some level, be strongly considered.

5. **Water Quality:** With the adoption of nine Total Maximum Daily Loads (TMDLs) for Clear Creek and its tributaries in 2008 by the Texas Commission of Environmental Quality (TCEQ), increased water quality testing pre and post construction is warranted to ensure that any construction within the Clear Creek Watershed (CCW) does not further degrade the quality of water within these water bodies. GBK would like to recommend increased water testing be conducted before, during and up to five years after any of the proposed plan is constructed. Water quality within the CCW is very important to the health of not only humans, but also other terrestrial and marine wildlife. Two thirds of all commercial and sport fish species harvested in the Gulf of Mexico spend some or all of life cycle in the Gulf's bays and tributaries. The quality of the water within these bays and tributaries is critical to the health of our seafood, birds and other animals that eat the seafood, including humans.
6. **Floodplains:** It is unclear based on the DSEIS to what extent this proposed plan would alter the floodplains. According to the map on Page 4.1-1 (below) only a slight reduction in floodplain occurs. The largest reductions appear to occur along Mary's creek west of Hwy 35 south of CR 555. Based on aerial photography the reduction in floodplain occurs, at least in part, in a low densely populated area where buy-outs seem plausible. On the south side of Mary's creek in this vicinity, an existing detention basin is present and would not likely be developed in the near future. New structural development within the floodplain should be prohibited. Create amenities, such as parks, in these areas that everyone can enjoy versus misleading people into a false sense of security.



Area of most reduction in floodplain (Figure 4.1-1 from DSEIS).

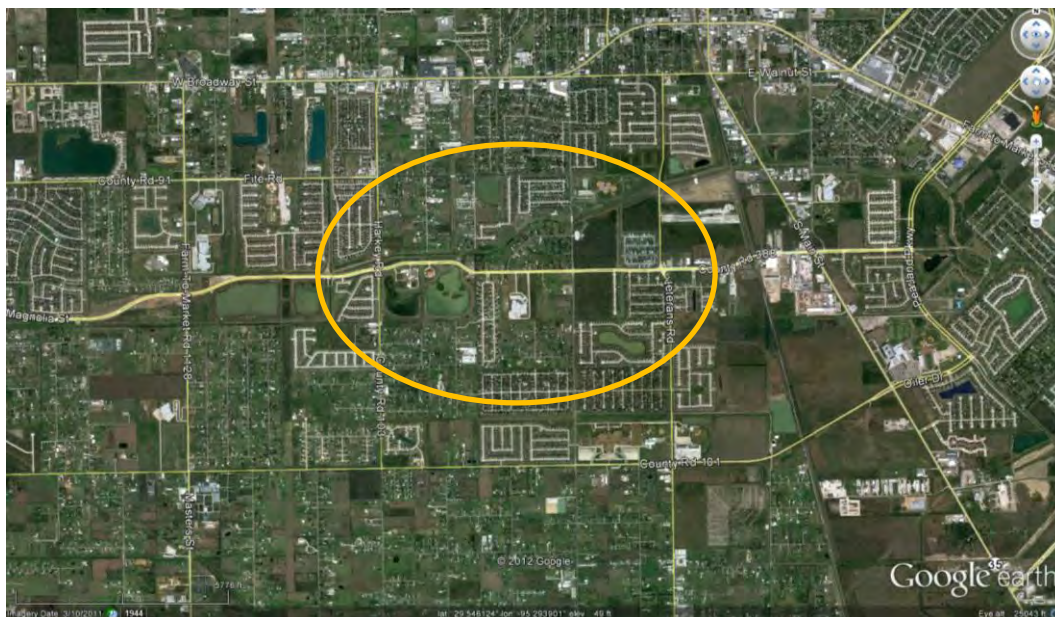


Figure 2: Area of the most proposed reduction in floodplain from Figure 4.1-1 above.

7. **Flow:** It is also difficult to pin point the increase in flow that will occur due to the proposed project within the DSEIS. The downstream section of Clear Creek is, in some places, more narrow than the upstream sections where activities are proposed. Increasing the flow from upstream may increase flooding downstream. This may also increase siltation downstream, impacting variable wetland habitat and increasing the need to additional maintenance dredging.

With millions of people moving to the Houston area within the temporal scope of this project, the time for planning is now. We need to preserve the critical habitat, including riparian forest and wetlands, water quality, and other amenities that the natural environment provides for future generations.

Galveston Baykeeper would also like to support the comments submitted by Natalie O'Neill and Vanessa Hamilton (GBK Board Members), Scott Jones (Galveston Bay Foundation) and Brandt Mannchen. Thank you for the opportunity to comment.

Sincerely,

Heather Biggs, GISP
Galveston Baykeeper
Program Coordinator

Charlotte Wells
Galveston Baykeeper
Executive Director

Heather Biggs
Galveston Bay Keeper, Program Director
Seabrook, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comment.
2	Thank you for your comment.
3	The wetlands within the footprint of the Recommended Plan are identified in the FSEIS Section 4.9 and Figure 3.9-2. Reference to figure was appropriately inserted throughout the document.
4	The proposed mitigation is located within the Clear Creek watershed, within the floodway of Clear Creek. Monitoring of the mitigation is outlined in the Final SEIS Chapter 5 and Appendix J.
5	Maintenance of all project features of the Recommended Plan, including mitigation, have been included in the cost estimates for the project. The Economic Appendix in the GRR provides detailed description of the cost/benefit analysis.
6	Buyouts and nonstructural solutions were considered as alternatives in the formulation of the Recommended Plan. These alternatives were not economically justifiable and were eliminated from the Recommended Plan. Please reference Sections V and VI of the GRR and Section 2.0 of the SEIS for a list of alternatives considered.
7	The most current published water and sediment quality data will be documented and evaluated prior to project construction during the Pre-Construction Engineering and Design Phase of the project; based on this evaluation, testing will be performed as needed.
8	The projected changes in water flow and surface elevations for both without- and with-project conditions are theoretical estimates obtained from HEC-1 and HEC-RAS models. These models were run for general conditions to show how the project will affect flooding problems for surrounding communities, and cannot be used to provide details about the specific location of the area that may be removed from the floodplain. To adequately address how a wetland may be affected from a reduction in the lateral extent floodplain or reduced flooding frequency, additional hydrological and hydraulic analyses would be necessary to identify which source of hydrology (i.e., sheet flow, surface water ponding or out of bank flooding) is the driving factor for survival/functioning of a particular discrete wetland. Such analyses would be time consuming and costly, and are beyond the scope of this study.
9	The modifications included in the Recommended Plan for Clear Creek and its tributaries include inline detention features as well as conveyance improvements. These modifications acting in combination will not cause significant increases in downstream flows or a more rapid rise in the waters of Clear Lake. Temporary and permanent erosion control features (e.g., soil stabilization measures and vegetation regrowth) as necessary and BMPs would be implemented as needed to minimize siltation during and after construction of the project. The need for these features would be determined during the preconstruction engineering and design phase of the project. Additionally, the natural soils in the proposed project areas is mostly composed of erosion

resistant high plasticity clay. During construction sporadically sand and silt deposits that may be discovered would be protected with additional erosion prevention measures as needed.

10	Thank you for your comment.
11	Thank you for your comment.

U.S. Army Corps of Engineers, Galveston District
Attention: Andrea Catanzaro
P.O. Box 1229
Galveston, TX 77553

January 29, 2012

Dear Ms. Catanzaro,

Please enter into the record my concerns regarding the current redesign described in the General Reevaluation Report and Supplemental Clear Creek DSEIS. I hope that these issues are addressed before the project is summarily approved. In the 20 years I have commented on USACE projects, the people and local governments' opinions are merely logged in for the record. It is my hope that under the current colonel this exercise is more than an opportunity for the stakeholders to vent. I would like to thank you and the Colonel for extending the date for our comments until February 14, 2012. I personally did not get a phone call notifying me that it was extended but was told by Galveston Baykeeper that it had been. This extension will give the local cities time to respond due to the notice and hearing being scheduled between Christmas and just after New Years Day when most municipal offices were closed.

I understand and support the need for control of local flooding and the need to provide for future development upstream; as long as that development is outside the current 100 year flood plain. I do not support the reduction of the size of the current floodplain (FIRM maps) upstream at the cost of losing vital tidal wetlands or causing any additional losses to those already living downstream. After 20 years of meetings, studies and discussions we have learned that nonstructural solutions such as detention, acquisition and relocation are not only less costly but also act to protect critical riparian habitats, minimize degradation of water quality and provide for greater groundwater recharge. Ground water recharge is a critical consideration in our current climate.

The Clear Creek and Clear Lake Area's economy is dependent on the fishing and shrimping industries, the aesthetic values of our properties, and our lakes recreational values. If the current design is implemented (i.e. Clear Creek's natural shoreline is cut upstream) increased erosion, increased storm water volume and lack of tree roots and other shoreline stabilizers will cause silt to deposit in the existing tidal wetlands and at the opening to Clear Lake. It seems near impossible to add to the capacity of the existing creek without damaging the fringe wetlands or riparian hardwood bottomland downstream. The unintended consequences of removing vegetation, trees, and cutting the "benches" upstream will increase erosion and siltation. Even if silt fences are used to reduce downstream siltation it will not prevent it. During the USACE

construction and during [increased] development upstream, silt will flow down to those marsh areas and slowly settle, filling in the wetlands; killing the spartina grasses and existing federally protected wetlands. The end result will be that the wetlands at the tidal end of Clear Creek will look like Pine Gully in Seabrook; a once thriving tidal wetland marsh, now dead due to silt filling the gully. When those wetlands are damaged and filled due to increased erosion and siltation, storm water will be deposited into Clear Lake without opportunity to filter allowing herbicides, pesticides, fertilizer and other nonpoint source pollutants to settle in Clear Lake. The silt that makes it through the marsh into Clear Lake will dump where the creek meets the lake, causing problems for the marinas in Nassau Bay and South Shore Harbor. Continuous dredging will be required to maintain the marinas and channels at the western end of Clear Lake. As you know, dredging is not an option for removing silt from the wetland marsh.

Clear Creek's federally protected wetlands are productive nursery habitats for the bay's seafood species and also serve valuable functions to stabilize shorelines, moderate flooding and remove contaminants. Wetlands store flood waters, filter flood waters (thereby improving our lake and bay's water quality), produce algae (food source), and provide cover from predators for juvenile bay species. Two thirds of all commercial and sport fish species spend all or part of their life cycle in or near these shallow habitats. Both humans and migratory birds are dependent on seafood productivity. Those 34 acres of wetlands you site in the DEIS are not the only wetlands that will be impacted by this project. It is imperative that you also consider those downstream wetlands that get filled due to siltation.

5

I did not see discussion in the DEIS, but it is very important that the channelization of Mud Gully does not stir up any toxins which have settled in the sediment from Brio and the Exxon spill. I ask that this is studied and action taken to prevent any remaining toxins from entering the watershed.

6

Although I applaud the reconnecting of the 13 remnant oxbows, the 32 acres of flood plain forest it hopes to restore will not make up for the loss of 278 acres of floodplain forest.

7

It is difficult for me to understand how cutting the 100 foot benches on either side of Clear Creek upstream and channelizing the three creeks in Friendswood would prevent increased flood volumes and velocities downstream, especially where the "improvements" stop just before Friendswood. It seems that the natural narrowing of the creek through Friendswood would be akin to a five lane highway reducing to one lane; however storm water will not wait to merge like traffic- instead it would just flood the homes on either side of the narrow natural creek. The Harris County Flood Control Plan we supported a few years ago had linear detention that bypassed these valuable wetlands and diverted water away from the Friendswood area. This has been removed from the current design.

8

Under the Harris County Flood Control (HCFC) design study Clear Creek's capacity was shown to be approximately 24,000 cubic feet per second (cfs). Under HCFC's study if no controls are initiated and the watershed is fully developed Clear Creek would need to handle approximately 88,000 cfs. The old federal plan increased the capacity to 39,700 cfs and the HCFC plan showed a projected increase of capacity to 30,600 cfs. I could not find in the DSEIS what your current design's flow capacity would be. I would like to know specifically, how much capacity the current design flow shows and how much detention will be needed upstream to offset the difference at full development. I would also like to know who will oversee the over 10 cities and four counties enforcement of the many floodplain management plans that require that detention.

I support floodplain regulations that increase the responsibility of the developer to provide for detention and to build structures above the required Base Flood Elevation. I support buyout of repetitive loss structures. Unfortunately, the new updated plan relies entirely on Harris County and local communities to provide detention and to enforce flood control measures and smart development policies. While I understand and agree that every city must do its part to regulate growth and demand detention for new development - it is very disappointing that the new updated federal plan provides none.

9

The two concerns most often verbalized by bay area citizens are downstream flooding and environmental impacts. The problem of downstream flooding has been vocalized because the modeling did not consider a tidal influence of 4-9 feet above the normal mean high tide. These higher tides often come with a series of thunderstorms and easterly winds. Even when the second outlet is left closed the surge still affects those of us east of I45. During a storm event additional water will come downstream while the bay is surging inland. The second outlet, if open, is an inlet if the bay is higher than the lake. It is for this reason that we support stormwater detention basins. Clear Creek and Clear Lake will accept the water after the storm surge has receded.

10

While the downstream communities are aware that the USACE plan can not fix the storm surge and does not consider the second outlet, we do expect that your modeling take storm surge into account. It is incomprehensible that the USACE's models are strictly riverine when the project is clearly both tidal and riverine. I ask, yet again, that your models include the surge that often comes with a storm.

11

When calculating the costs and benefits, please consider that after the creek's sides are cut out into benches and hydromulched that will not be the end of the citizens' cost. The maintenance (mowing, initial planting, then replanting, and placement of stone in eroded areas) of the creek will be continuous. The cost of increased dredging the Clear Lake channels and marinas should also be considered in your cost benefit analysis. And under NEPA, please consider the cost due to habitat losses as this will impact the shrimping/fishing industry as well as resort, recreation and eco-tourism industries. Eco-tourism is the second

largest growth industry in Texas. As I understand NEPA, federal projects should be evaluated based on aesthetics, economics, conservation, fish and wildlife values, shore erosion, flood protection, food production, and water.

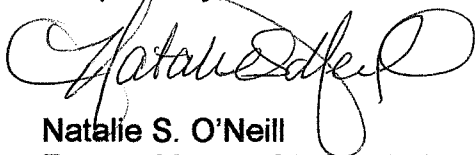
As a former mayor, I understand the importance of the cities upstream doing their part by adopting city ordinances requiring new development to provide detention and to zone flood prone areas for agricultural or recreational development only. But each community writes and enforces their own ordinances. The ordinances/laws can (and often do) change every time there is a new administration voted in. Enforcement is another issue altogether. In order to prevent subsidence [new flood plain areas developing] those communities upstream must stop pumping out ground water. It is my understanding that not all of the upstream communities are part of the subsidence district. These issues can significantly undermine the value of the current plan.

12

It is my hope that these issues will not only be discussed but addressed in the final plan. Clear Creek is more than a drainage ditch it supports the economic health of the entire bay area.

13

Respectfully,



Natalie S. O'Neill
Former Mayor of Taylor Lake Village
Current Boardmember of Galveston Baykeeper

Cc: Colonel Christopher Sallese, Commander Galveston District
P.O. Box 1229
Galveston, TX 77553

Mayor Jon Powell, City of Taylor Lake Village
500 Kirby Blvd.
Taylor Lake Village, TX 77586

Mayor Don Matter, Nassau Bay
18100 Upper Bay Road, Suite 200
Nassau Bay, TX 77058

Natalie S. O'Neill
Galveston Bay Keeper
Taylor Lake Village, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for comments.
2	Thank you for comments.
3	The goal of this project is flood damage reduction, and the Recommended Plan is formulated based on cost/benefit analysis. In some areas lowering the water surface elevations, and decreasing the size of the floodplain provided the best benefit/cost ratio. Non-structural solutions such as buyouts and detention ponds were considered and evaluated but were not economically justified and were eliminated during the Plan selection process. Please see Section 2.0 of the FSEIS for a full review of the refinement and screening of the alternatives.
4	Temporary and permanent erosion control features will be used to minimize siltation during and after construction of the project. Best Management Practices to reduce silt runoff will be utilized and required during construction. The majority of soils in the area are high plasticity clay which is naturally resistant to erosion. Any silt and sand areas will be protected by geotextiles riprap and permanent turf reinforce matt or articulated concrete block for erosion protection to prevent siltation. Permanent erosion control devices will be placed where needed such as geotextiles, riprap and articulated concrete blocks. See Section 4.3 of the FSEIS, Sediment Quality, for detailed information.
5	Temporary and permanent erosion control features will be used to minimize siltation during and after construction of the project. Best Management Practices to reduce silt runoff will be utilized and required during construction. The majority of soils in the area are high plasticity clay which is naturally resistant to erosion. Any silt and sand areas will be protected by geotextiles riprap and permanent turf reinforce matt or articulated concrete block for erosion protection to prevent siltation. Permanent erosion control devices will be placed where needed such as geotextiles, riprap and articulated concrete blocks. See Section 4.3 of the FSEIS, Sediment Quality, for detailed information.
6	Modifications to Mud Gully would occur between Sagedown and Astoria Drive and would not extend beyond the existing right-of-way between the north and southbound lanes of Beamer Rd. The proposed modifications to Mud Gully would be more than 1 mile upstream of the Brio Site; as such the project would not involve disturbances to any sediments related to the Brio Site. Please see Section 4.8.1.2 of the EIS for more information.
7	Impacts to the 278 acres of floodplain forest have been offset by incorporating the restoration of 155 acres of floodplain forest, which includes the rehabilitation of 122 acres and reestablishment of 33 acres, as a continuous forested corridor within and along the low-flow channel of Clear Creek within the design footprint of the Recommended Plan. The remaining unavoidable impacts would be compensated through restoration (rehabilitation) of 31 acres of floodplain forest by re-establishing the low flow channel and forested riparian corridor through former channel

meanders or “oxbows” that have were cut off over time as a result of channel excavation and straightening, not through natural processes. This will result in reestablishing greater sinuosity along this section of Clear Creek that resembles the more natural meandering characteristic of the creek that was present prior to any channel straightening activities (likely prior to the 1940s time period, but shown in the 1955 USGS topographic maps). Mitigation plans for federally-funded USACE civil works projects are developed through an evaluation of the quality and quantity of habitat being impacted, which is expressed in habitat units. As such, the trade off between impacts and mitigation are not always acre-for-acre, but instead are habitat unit for habitat unit. No direct text edits were made based on this comment since much of the information is clearly outlined in Section 5.0; however, the achievement of “no net loss” is more clearly described in several sections including Section 4.9, 5.1, and 7.12.

8	Detention requirements due to local development is the responsibility of local authorities. Please contact the local Flood Plain Managers for details on specific County or City detention requirements. The proposed project includes linear detention as a feature. The combination of detention and channel improvements were optimized to minimize any adverse impacts to the downstream area. This project was formulated based on a cost/benefit analysis, not on a specific design flow or channel capacity. Design of transitions between proposed sections and existing section will be optimized during design.
9	Local authorities establish and enforce development and detention policies and floodplain management.
10	Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis is limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.
11	Construction and maintenance of all project features of the Recommended Plan, including mitigation, have been included in the cost estimates for the project. The SEIS addresses the potential impacts of the proposed project on the human environment consistent with CEQ guidance and 40 CFR 1506-1508.
12	Thank you for your comment.
13	Thank you for your comment.

Attn: Andrea Catanzaro

P.O. Box 1229

Galveston, TX 77553

Dear Ms. Cantanzaro

Please enter into the record my concerns regarding the current redesign described in the General Reevaluation and Supplemental Report of Clear Creek.

I attended the January 11, 2012 meeting at which time the USACE, the Harris County Flood Control District (HCFCD), and the Brazoria County Drainage District #4 (BDD4) presented the information; answered questions; and explained the approval steps for this project

However, I still have the following questions and concerns:

1. Cost estimate for the project. I would like to see more input on the premises and assumptions done for the modeling which determined the cost estimate for this project. 1
2. Plan for integration into a total project. There were too many times at the meeting on January 11 when questions were deferred. For example, although retention ponds along the Creek are important to drainage, that is not being taken into consideration into this plan because the USACE is not responsible for retention ponds, another entity is. In addition, another study was mentioned that has to do with Creek flood effects due to a storm surge. This study could not be discussed at the January 11 meeting. Without total integration of all these studies and entity responsibilities, this study should not be considered complete, nor can a true cost estimate be determined. 2
3. Environmental issues from areas impacting the widening of the Creek. It is unknown if the area around the Brio Superfund Site will be effected. If it is, what are mitigation plans; what toxins are still in that area; and how will discovered toxins be dealt with? Again, what are the unknown costs of this project? 3
4. Silt. If current design is implemented increased erosion, increased storm water volume and lack of tree roots and other shoreline stabilizers will cause silt to deposit in the exiting tidal wetlands, in a sense this will become the Clear Creek Delta. And, this will financially impact small municipalities like Nassau Bay and South Shore Harbor who depend on boating and marina business. More dredging will be needed and more funds for clearing channels of silt will be needed. Where will municipalities get funds to do this additional dredging? 4
5. Wetlands Restoration. The 34 acres of wetlands sited in the study are not the only wetlands that will be impacted by this project. It is imperative that all wetlands impacted be identified and that the true restoration cost be part of the overall cost estimate. 5

Thank you for allowing these questions into the final record. I look forward to the next meeting.



Grace Martinez, Chair of the Galveston Bay Area Sierra Club Houston

Cc: Colonel Christopher Sallese, Commander Galveston District

2021 Harbour Dr
Houston, TX
77058

Grace Martinez
Chair, Galveston Bay Area
Sierra Club Houston, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	The complete engineering appendix, which includes the H&H and cost engineering analyses, is part of the project's public record and is available upon request.
2	The purpose of the public meeting was to disseminate and gather public information regarding the Recommended Plan, not a forum for discussions. The Sabine Pass to Galveston Bay Storm Damage Reduction Study was being initiated at the time of the public meeting, as such details of the study scope had not been developed.
3	Modifications to Mud Gully would occur between Sagedown and Astoria Drive and would not extend beyond the existing right-of-way between the north and southbound lanes of Beamer Rd. The proposed modifications to Mud Gully would be more than 1 mile upstream of the Brio Site; as such the project would not involve disturbances to any sediments related to the Brio Site. Please see Section 4.8.1.2 of the EIS for more information.
4	Temporary and permanent erosion control features will be used to minimize siltation during and after construction of the project. Best Management Practices to reduce silt runoff will be utilized and required during construction. The majority of soils in the area are high plasticity clay which is naturally resistant to erosion. Any silt and sand areas will be protected by geotextiles riprap and permanent turf reinforce matt or articulated concrete block for erosion protection to prevent siltation. Permanent erosion control devices will be placed where needed such as geotextiles, riprap and articulated concrete blocks. See Section 4.3 of the FSEIS, Sediment Quality, for detailed information.
5	All wetlands that would be impacted from construction of the Recommended Plan have described in the FSEIS. Section 5.3.1, Avoidance and Minimization Elements of the General Reevaluation Plan (GRP) Alternative, has been revised to clarify impacts, as well as enhancement and avoidance measures. The costs for avoiding, minimizing and compensating for the project impacts, including construction, monitoring, maintenance and adaptive management, have been included in the costs for the Recommended Plan. Various text regarding wetland impacts, including addition of Figure 3.9-2, was added to the document - See section 4.9.3.2.

From: [Scott Jones](#)
To: [Catanzaro, Andrea SWG](#)
Subject: Galveston Bay Foundation comments on Clear Creek Reevaluation DEIS
Date: Tuesday, February 14, 2012 5:01:42 PM
Attachments: [Clear Creek General Reevaluation DEIS GBF Comments.pdf](#)
Importance: High

Dear Ms. Catanzaro-

Please find attached the comments of the Galveston Bay Foundation on the Clear Creek General Reevaluation Study Draft Environmental Impact Statement.

Thank you for the opportunity to provide comments.

Sincerely-

Scott A. Jones

Environmental Policy and Outreach Specialist

Galveston Bay Foundation

17330 Highway 3, Webster, TX 77598

281-332-3381 x209 (direct)

281-332-3153 (fax)

sjones@galvbay.org



February 14, 2012

U.S. Army Corps of Engineers, Galveston District
Attn: Andrea Catanzaro
P.O. Box 1229
Galveston, Texas 77553-1229

RE: Clear Creek General Reevaluation Study Draft Environmental Impact Statement

Dear Ms. Catanzaro:

Please consider the following comments of the Galveston Bay Foundation (GBF) on the Draft Environmental Impact Statement (DEIS) for the Clear Creek General Reevaluation Study, Brazoria, Fort Bend, Galveston, and Harris Counties, Texas. GBF is a 501(c)(3) non-profit organization founded in 1987. Our mission is to preserve, protect, and enhance the resources of Galveston Bay for current users and for posterity. Therefore, impacts to the Bay's watersheds and tributaries are of major importance to GBF, as is the protection of the various uses of the estuary and the protection of the watershed's residents and their livelihoods.

GBF believes that the Clear Creek Flood Control Project has improved since it was first authorized in 1968 and since the original 31-mile long proposal was provided to the public. We understand the charge to the Corps and the local sponsors to manage flood damages. GBF appreciates the dialogue and comments provided by many individuals and organizations, including our own, were considered by the Corps and the non-federal sponsors in the development of the reevaluation and revised project plans. We believe that the impacts to Clear Creek and to the Galveston Bay Estuary have been reduced with a more environmentally-friendly flood management approach than was commonplace in the 1960s and beyond. Related, GBF has witnessed much more environmentally-friendly flood management planning and implementation by the Harris County Flood Control District, one of the local sponsors.

1

As described in the DEIS, the Preferred Alternative includes a series of flood risk management measures and mitigation areas, referred to as project features. Flood risk management measures include conveyance measures areas on or adjacent to Clear Creek from State Highway (SH) 288 to Bennie Kate Road [Section Super C(d)], Bennie Kate Road to Dixie Farm Road [Section C5(d)], and on three tributaries: Mud Gully, Turkey Creek, and Mary's Creek. Mitigation features include avoidance, minimization, and compensation for project impacts through rehabilitation and reestablishment of floodplain forest. Excavated material from construction and maintenance activities would need to be placed in upland confined placement areas. Approximately 375.8 acres of placement areas would be identified outside of the 500-year floodplain in areas suitable for placement of excavated material associated with the project.

While there have been improvements over the original proposal, GBF feels there is still much more room for improvement in aspects of the Preferred Alternative. We believe that if our concerns are analyzed and addressed then the environmental impacts will be further reduced. Our specific observations and recommendations are as follows:

1. In a naturally functioning stream setting, GBF would be against the reconnection of oxbows as they are formed by the natural processes of isolation of the former channel meanders. Reconnecting such naturally-formed oxbows would be neither natural nor beneficial to the riparian habitat or the estuary and thus GBF would oppose using such reconnection as mitigation. Rather, GBF would recommend that the reconnected oxbows be accounted for in the mitigation. The DEIS describes the oxbows between Country Club Drive and Dixie Farm Road to have been created by man-made channelization projects and seeks to reestablish the 1955 sinuosity patterns. We reviewed imagery from 1944 to the present and have concluded reconnection of these oxbows would reestablish the more natural sinuosity that was present in 1955 and further in 1944, as shown in the oldest Google Earth imagery available. We must temper this statement by noting that the stream flows have changed with the development of the watershed and increased flashiness of Clear Creek and reduced base flows. GBF would like assurances in the form of monitoring of habitat function and water quality functions of the restored stream channel and adjacent wetlands are at the level that is required for this component of the project to be counted as mitigation. 3
2. GBF recommends that no matter the component of the project, be it a main stem conveyance feature on Clear Creek, a non-channel conveyance or detention feature adjacent to Clear Creek, or modifications to the conveyance of Turkey Creek, Mary's Creek, or Mud Gully that the project minimize the removal of existing riparian forest and native vegetation to the maximum extent possible. Where the removal of mature trees is deemed unavoidable, there loss should be mitigated at a minimum 10:1 ratio due to the high lost time value of habitat function. Any mitigation should be performed within the Clear Creek Watershed. 4
3. GBF would like to see for the Clear Creek Project to feature the "next generation" of conveyance and detention features, meaning that we would like to see the use of non-native grasses be eliminated or kept to a minimum and the preservation of existing native vegetation take precedence over less natural cleared side slopes and installation of non-native vegetation. GBF is not convinced that mowed stream banks provide more conveyance than more natural stream banks and would like to see more extensive justification of the creation of conveyances and detention areas denuded of native trees and plants and instead a monoculture of non-native grasses. 5
4. GBF understands that the flooding in the Pearland and Friendswood areas would be reduced as a result of the project. This is a worthy goal and one that we would certainly support. However, we would like more assurances that flooding would not be increased downstream as a result of the project, and therefore we would like to see the DEIS include an analysis of hurricane and storm surge flows into Clear Lake and Clear Creek. 6

Thank you for the opportunity to comment. Please contact me at (281) 332-3381 x209 or sjones@galvbay.org if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott A. Jones". The signature is stylized with a large, looped "S" and "J".

Scott A. Jones
Environmental Policy and Outreach Specialist
The Galveston Bay Foundation

cc: TCEQ – 401 Program
TPWD
USEPA
USFWS

Scott Jones
Galveston Bay Foundation
Webster, Texas

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comments.
2	Thank you for your comment.
3	All mitigation for the project will be maintained and monitored in accordance with the Maintenance, Monitoring and Adaptive Management Plan described in Section 5.5.3 and Appendix J of the Final SEIS.
4	Mitigation plans for federally-funded USACE civil works projects are developed through an evaluation of quality of the quantity of habitat being impacted, which is expressed in habitat units. As such, the trade off between impacts and mitigation are not always acre-for-acre, but instead are habitat unit for habitat unit. The mitigation included in the Recommended Plan is located within the floodway of Clear Creek. See Section 5.5.3 of the FSEIS for information on mitigation standards, general performance and success criteria, operation and maintenance, monitoring and contingency plans, and implementation. See Appendix J for Mitigation Monitoring and Adaptive Management Plan.
5	The conveyances and depressions within the in-line detention features of the high flow flood benches which provide flood damage reduction benefits may be planted with native grasses but cannot be planted with hardwood trees or other woody vegetation that increases the roughness values in the hydrologic and hydraulic analyses; increases in the Manning's roughness coefficient of the conveyances would slow down the flow velocity so that the balance between conveyance and added capacity afforded by the project would be disturbed potentially resulting in localized induced flooding.
6	Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis is limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3, Study Authority and Location, of the SEIS for more information.

February 14, 2012

US Army Corps of Engineers
Galveston District
ATTN: Andrea Catanzaro
P. O. Box 1229
Galveston, TX 77553-1229

RE: Public Comment for the Draft Supplemental Environmental Impact Statement for the Clear Creek General Reevaluation Study

Hello,

Thank you for extending the public comment period to February 14. This extension allowed me ample time to review the many detailed documents associated with this stage of the development of the project. Though I previously served as the Vice-Chair for the Clear Creek Project Steering Committee, many years have passed when I have been completely removed from all progress on the project.

First, I am most impressed with the data collection and analysis. Some of the manipulation and analysis is sleep inducing but other parts reflect a thorough evaluation of hydrology, economics, political, environmental, and other concerns across many years incorporating knowledge and lessons learned from different offices and resources of the USACE, local natural resource agencies, and knowledgeable citizens of the Clear Creek Watershed. Perhaps because I am somewhat removed from the day to day management of the Project, it appears to be close to finding consensus and actually being prepared for shovels in the ground if funding can be found. Yes, you may assume my comments will mostly be favorable.

An elected official and I were chatting at a social event not long ago when she replied to my query about the status of the board she chaired, saying with much humor, "If I could be dictator, everything would be just fine." And, so, I approach my comments from this point of view understanding (and mostly appreciating) the regulations under which the federal government currently manages this type of project.

1. Buy Out. In the early days of European settlement in this watershed, common sense prevailed and homes were mostly built out of reach of flood waters from either hurricanes or heavy rain events. The watershed was comprised of coastal prairies, wetlands, and riparian forest allowing for the natural absorption and retention of rainwater, absorption of tidal surge, and erosion control. If I were dictator, the homes which we are trying to reduce the flood damages to would simply be removed from harms way. Isn't that just common sense? But, alas, your economic models tell me this is not financially the best route to go. I tend to disagree but do not have the credentials to refute your calculations. And, of course, it is extremely difficult for political will to prevail upon homeowners to leave their homes.

2. No ecosystem restoration. A major failing of this DGRR is the lack of a cost-share sponsor resulting in no ecosystem restoration component being evaluated or proposed for approval. The initial meeting on trying to find a cost-share sponsor was at least 10 years ago, if my memory serves me well. Many of us in the room were overworked and scrambling for our own funding. Asking us to find more funding and give our limited resources of staff and time for an uncertain project that was many years in the future was a major deterrent for all of us. If we were together again, facing the reality of this project, would our response be different? Could financial resources be found? If there are any restoration plans, is this being developed as a Master Plan to be fulfilled as funding and organizations are available? If a restoration plan is available to the public now, it could serve as a blue print for organizations like Sierra Club, Clear Creek Environmental Foundation, Galveston Bay Foundation, and Nature Conservancy to follow.

4

3. Preservation of ecology in the watershed. Landuse/Landcover (LULC) classes present in the Clear Creek Watershed., Fig. 9 of Clear Creek Watershed Flood Risk Management Habitat Assessments Using Habitat Evaluation Procedures (HEP), July 2010. This Landuse/Landcover Characterization of the Clear Creek Watershed is a guiding document for preservation of barren land, cultivated crops, deciduous forest, developed open space, emergent herbaceous wetlands, evergreen forest, hay/pasture, mixed forest, shrub/scrub, and woody wetlands with open water. Some of our society values land use for development more highly than ecological benefit. Again, if I were dictator, we would use this area map as a guide to manage development in a manner consistent with preserving and restoring the hydrological functions of the watershed creating a sustainable balance of landcover classes including pervious and impervious landcover. Isn't this a guiding principle with the current trend toward SmartGrowth? Are we overlooking a major factor of floodplain management by not considering this? In setting a value on the forest or even a single tree, there are no dollar values given or economic modeling for carbon sequestering, or the ability of a single tree to absorb up to 300 gallons of water per day, or erosion control by the roots of vegetated banks. Aesthetic value is acknowledged and, at various locations, justifies buffer landscaping, habitat planting, and park planting.

5

4. Ecological Reach 4, FM 2351 to Country Club Drive has the 2nd largest flood plain forest, 1053 acres. Between Country Club Drive and Dixie Farm Road, oxbows will be reconnected. How much damage to the flood plain forest will be incurred by this activity? Where will dredged material be placed and how will it be removed from the forested areas? Turkey Creek Conveyance joins the main stem of Clear Creek between Dixie Farm Road and FM 2351. How much damage to the flood plain forest will be incurred by this activity?

6

5. Ecological Reach 2, Chigger Creek. This reach of Clear Creek includes the healthiest and most extensive stands of flood plain forest in the study area, 1,095 acres of flood plain forest. Willow oak and cedar elm are common. This reach is

7

basically from I-45 to 528. It appears there will not be any construction in this area. Is there any effort to preserve and enhance this valuable resource?

6. Recreational amenities. While serving on the Steering Committee, we organized a kayak and canoe trip beginning at 1776 Trail, immediately south of 2351 bridge near the buyout site at Imperial Estates, to Countryside Park in League City. I have had the opportunity to participate in two more trips along this same section of the Creek since then. League City is implementing a paddle trail with the first launch being at Countryside Park; the remainder of the launches are downstream. This project is sponsored by the Parks Department and in cooperation with Galveston County Parks as Walter Hall Park will be one of the launch sites. The vision of the future includes linkages to other launches upstream. There seems to be no discussion of recreational opportunities along with these structural changes to the Creek and its tributaries. Dovetailing construction of canoe/kayak launches with structural changes would create some cost savings, wouldn't it? In Figure 38, Plan View Example of Areas Including Inline Detention on Main Stem of Clear Creek shows a rural area adjacent to prairie pothole remnants and what appears to be wetlands or riparian forest. Could this area provide recreational opportunities in the absence of high flow?

8

7. Figure 40. Harkey Rd to SH 35. 30' easement on either side within the proposed right of way allows for a 10' plant buffer and 20' reserved maintenance access. Why is there no landscaping or re-establishment of forest or habitat? This would particularly provide an aesthetic benefit.

9

8. 278 acres loss of flood plain forest. Preserving and rehabilitating 122 acres of floodplain forest. Reestablishing 33 acres of flood plain forest. Mitigation = rehabilitating 31 acres of flood plain forest. What is the net loss? What is the mitigation plan? Is it intact? As I pieced these figures together from various parts of the document, my figures ranged from 156 acres net loss to 92 acres loss. This is a significant statistic of the project and should be clearly stated and readily accessible.

10

9. Maintenance. In light of the drought which is upon us, how will the new plantings be watered for at least the first two years to give them a chance for proper establishment? Will the maintenance be carried out by knowledgeable and skilled laborers? Will maintenance be funding into the year 2070?

11

Overall, this is a huge improvement over the plan that was thrown out in 1999. I saved my bumper sticker, "No Channelization" just in case it was needed again. I hope you will consider my concerns though I expect this will just be filed with other public comments. Everyone who has attended meetings, executed the studies, re-written reports, lobbied politicians, and maintained the focus on an acceptable final outcome should be congratulated and appreciated. Thank you for the opportunity to comment.

12

Sincerely,

Vanessa Hamilton

Vaness Hamilton
950 Power Street
League City, TX 77573
281-554-8085

cc: Arline Laughter, Brett Sachtleben, Dabbagunte Dayananda, Dennis O'Keefe, Jack Murphy, John Tully, Ken Clark, Mike Fitzgerald, Mike Klaus, Jeff Brennan, Ray Holbrook, Robert W. Heinly, Curtis Lampley, Tim Paulissen, Chien Wei, Mike Talbot, Glenn Laird

RESPONSE TO COMMENTS

Comment No.	Response
1	Thank you for your comment.
2	Thank you for your comment.
3	Thank you for your comment.
4	Opportunities to incorporate ecosystem restoration were considered early on in the study. However, efforts to identify a non-federal cost share sponsor capable and able to share in study and construction costs for ecosystem restoration were not successful. As such, detailed plans for ecosystem restoration were not developed and analyzed as a part of this study.
5	These points are noted, however they are beyond the scope of this specific study.
6	In the Executive Summary and sections 5.4.1.3 and 5.5.2 of the Draft SEIS, the following assumptions were made regarding the location and impacts relating to the siting of the placement areas: "The excavated material would be deposited at a designated upland confined placement area. The locations of the placement areas would be determined during the preconstruction engineering and design phase. Attempts will be made to site the placement areas on agricultural lands, pasture, and other urban land to avoid wetlands and/or other ecological resource areas." Sections and appendices in the GRR and SEIS will be modified, where applicable, to reflect this language so that it is clear that the intent is to avoid additional impacts to these resources. For more information on BMPs, placement areas, and soil quality issues, see Section 4.3.2 of the SEIS. The goal is to avoid impacts to native forested vegetation within the mitigation site, limiting the removal of vegetation to include only invasive species such as Chinese tallow. The area would be left densely vegetated, and where necessary planted with native trees. As with all residential and commercial development that has occurred in this area recently and in the past, and that will occur in the future, there may be some temporary disturbance or displacement of wildlife by the construction equipment and noise. However, once construction is completed, the wildlife is expected to return. See Section 4.10.2.3 for more information regarding impacts to wildlife. As seen in Table 4.9-5, the predicted floodplain forest community change in functionality under the GRP Alternative is expected to be a net loss of 106 AAHUs, despite the avoidance and minimization features built into the project. Mitigation efforts are intended to compensate for unavoidable losses by providing 131 AAHUs (+25 AAHUs in excess of impacts). See Sections 4.9.3 and 4.9.2 for detailed vegetation impacts for either alternative.
7	The Recommended Plan would not involve any construction, preservation or enhancement within Eco-Reach 2 or Chigger Creek.
8	These features may be compatible with recreational opportunities, however the Recommended Plan was not formulated to include recreation. In the development of an alternative for the Clear

Creek General Reevaluation Study, preservation, reestablishment, and rehabilitation were considered in the analysis. See Section 2.1 of the FSEIS for more information.

9	The section of Mary's creek that is included in the GRP Alternative has been so extensively modified by recent and past channel improvement activities and development; this section of the creek currently resembles a trapezoidal grass-lined ditch and not longer contains any floodplain forest or other habitat. Therefore, a trapezoidal design was considered the most efficient and cost effective, environmentally acceptable design for this component of the project. While there would be some limited native tree plantings within a 10-foot-wide buffer along the outer edge of the project for aesthetic purposes, no habitat restoration is proposed.
10	Impacts to the 278 acres of floodplain forest have been offset by incorporating the restoration of 155 acres of floodplain forest, which includes the rehabilitation of 122 acres and reestablishment of 33 acres, as a continuous forested corridor within and along the low-flow channel of Clear Creek within the design footprint of the Recommended Plan. The remaining unavoidable impacts would be compensated through restoration (rehabilitation) of 31 acres of floodplain forest by re-establishing the low flow channel and forested riparian corridor through former channel meanders or "oxbows" that were cut off over time as a result of channel excavation and straightening, not through natural processes. This will result in reestablishing greater sinuosity along this section of Clear Creek that resembles the more natural meandering characteristic of the creek that was present prior any channel straightening activities (likely prior to the 1940s time period, but shown in the 1955 USGS topographic maps). Mitigation plans for federally-funded USACE civil works projects are developed through an evaluation of quality and the quantity of habitat being impacted, which is expressed in habitat units. As such, the trade off between impacts and mitigation are not always acre-for-acre, but instead are habitat unit for habitat unit. Various text regarding wetland impacts, including addition of Figure 3.9-2, was added to the document - See sections 4.9.3.2, 5.1, and 7.12.
11	Maintenance of the mitigation features would include watering of any plantings through the third year. Additional watering need would be identified during monitoring as performed through adaptive management. Monitoring and adaptive management of the proposed mitigation is outlined in the Final SEIS Chapter 5 and Appendix J.
12	Thank you for your comments.

From: [Vaness Hamilton](#)
To: [Catanzaro, Andrea SWG](#)
Cc: [sandifor@verizon.net](#); [b.sachtleben@dannenbaum.com](#); [ddayananda@ci.pasadena.tx.us](#); [Dennis OKeeffe](#); [Jack Murphy](#); [jtully18@verizon.net](#); [ken.clark@co.galveston.tx.us](#); [mike.fitzgerald@co.galveston.tx.us](#); [likeos2@aol.com](#); [bdd4@swbell.net](#); [craymary@mac.com](#); [Heinly, Robert W SWG](#); [Curtis \(Flood Control\) Lampley](#); [tim paulissen](#); [Chien Wei](#)
Subject: Public comment for the Draft Supplemental Environmental Impact Statement for the Clear Creek General Reevaluation Study
Date: Tuesday, February 14, 2012 3:04:34 PM

Hello Andrea,

Here is a copy of the letter I will be posting via the US Postal Service today. Please excuse the numbering, it did not translate from the Pages software to here.

Thank you for your consideration of this matter.

Kind regards,
Vaness Hamilton

February 13, 2012

US Army Corps of Engineers
Galveston District
ATTN: Andrea Catanzaro
P. O. Box 1229
Galveston, TX 77553-1229

RE: Public Comment for the Draft Supplemental Environmental Impact Statement for the Clear Creek General Reevaluation Study

Hello,

Thank you for extending the public comment period to February 14. This extension allowed me ample time to review the many detailed documents associated with this stage of the development of the project. Though I previously served as the Vice-Chair for the Clear Creek Project Steering Committee, many years have passed when I have been completely removed from all progress on the project.

First, I am most impressed with the data collection and analysis. Some of the manipulation and analysis is sleep inducing but other parts reflect a thorough evaluation of hydrology, economics, political, environmental, and other concerns across many years incorporating knowledge and lessons learned from different offices and resources of the USACE, local natural resource agencies, and knowledgeable citizens of the Clear Creek Watershed. Perhaps because I am somewhat removed from the day to day management of the Project, it appears to be close to finding consensus and actually being prepared for shovels in the ground if funding can be found. Yes, you may assume my comments will mostly be favorable.

An elected official and I were chatting at a social event not long ago when she replied to my query about the status of the board she chaired, saying with much humor, "If I could be dictator, everything would be just fine." And, so, I approach my comments from this point of view understanding (and mostly appreciating) the regulations under which the federal government currently manages this type of

project.

1. Buy Out. In the early days of European settlement in this watershed, common sense prevailed and homes were mostly built out of reach of flood waters from either hurricanes or heavy rain events. The watershed was comprised of coastal prairies, wetlands, and riparian forest allowing for the natural absorption and retention of rainwater, absorption of tidal surge, and erosion control. If I were dictator, the homes which we are trying to reduce the flood damages to would simply be removed from harms way. Isn't that just common sense? But, alas, your economic models tell me this is not financially the best route to go. I tend to disagree but do not have the credentials to refute your calculations. And, of course, it is extremely difficult for political will to prevail upon homeowners to leave their homes.

1. No ecosystem restoration. A major failing of this DGRR is the lack of a cost-share sponsor resulting in no ecosystem restoration component being evaluated or proposed for approval. The initial meeting on trying to find a cost-share sponsor was at least 10 years ago, if my memory serves me well. Many of us in the room were overworked and scrambling for our own funding. Asking us to find more funding and give our limited resources of staff and time for an uncertain project that was many years in the future was a major deterrent for all of us. If we were together again, facing the reality of this project, would our response be different? Could financial resources be found? If there are any restoration plans, is this being developed as a Master Plan to be fulfilled as funding and organizations are available? If a restoration plan is available to the public now, it could serve as a blue print for organizations like Sierra Club, Clear Creek Environmental Foundation, Galveston Bay Foundation, and Nature Conservancy to follow.

1. Preservation of ecology in the watershed. Landuse/Landcover (LULC) classes present in the Clear Creek Watershed., Fig. 9 of Clear Creek Watershed Flood Risk Management Habitat Assessments Using Habitat Evaluation Procedures (HEP), July 2010. This Landuse/Landcover Characterization of the Clear Creek Watershed is a guiding document for preservation of barren land, cultivated crops, deciduous forest, developed open space, emergent herbaceous wetlands, evergreen forest, hay/pasture, mixed forest, shrub/scrub, and woody wetlands with open water. Some of our society values land use for development more highly than ecological benefit. Again, if I were dictator, we would use this area map as a guide to manage development in a manner consistent with preserving and restoring the hydrological functions of the watershed creating a sustainable balance of landcover classes including pervious and impervious landcover. Isn't this a guiding principle with the current trend toward SmartGrowth? Are we overlooking a major factor of floodplain management by not considering this? In setting a value on the forest or even a single tree, there are no dollar values given or economic modeling for carbon sequestering, or the ability of a single tree to absorb up to 300 gallons of water per day, or erosion control by the roots of vegetated banks. Aesthetic value is acknowledged and, at various locations, justifies buffer landscaping, habitat planting, and park planting.

1. Ecological Reach 4, FM 2351 to Country Club Drive has the 2nd largest flood plain forest, 1053 acres. Between Country Club Drive and Dixie Farm Road, oxbows will be reconnected. How much damage to the flood plain forest will be incurred by this activity? Where will dredged material be placed and how will it be removed from the forested areas? Turkey Creek Conveyance joins the main stem of Clear Creek between Dixie Farm Road and FM 2351. How much damage to the flood plain forest will be incurred by this activity?

1. Ecological Reach 2, Chigger Creek. This reach of Clear Creek includes the healthiest and most extensive stands of flood plain forest in the study area, 1,095 acres of flood plain forest. Willow oak

and cedar elm are common. This reach is basically from I-45 to 528. It appears there will not be any construction in this area. Is there any effort to preserve and enhance this valuable resource?

1. Recreational amenities. While serving on the Steering Committee, we organized a kayak and canoe trip beginning at 1776 Trail, immediately south of 2351 bridge near the buyout site at Imperial Estates, to Countryside Park in League City. I have had the opportunity to participate in two more trips along this same section of the Creek since then. League City is implementing a paddle trail with the first launch being at Countryside Park; the remainder of the launches are downstream. This project is sponsored by the Parks Department and in cooperation with Galveston County Parks as Walter Hall Park will be one of the launch sites. The vision of the future includes linkages to other launches upstream. There seems to be no discussion of recreational opportunities along with these structural changes to the Creek and its tributaries. Dovetailing construction of canoe/kayak launches with structural changes would create some cost savings, wouldn't it? In Figure 38, Plan View Example of Areas Including Inline Detention on Main Stem of Clear Creek shows a rural area adjacent to prairie pothole remnants and what appears to be wetlands or riparian forest. Could this area provide recreational opportunities in the absence of high flow?

1. Figure 40. Harkey Rd to SH 35. 30' easement on either side within the proposed right of way allows for a 10' plant buffer and 20' reserved maintenance access. Why is there no landscaping or re-establishment of forest or habitat? This would particularly provide an aesthetic benefit.

1. 278 acres loss of flood plain forest. Preserving and rehabilitating 122 acres of floodplain forest. Reestablishing 33 acres of flood plain forest. Mitigation = rehabilitating 31 acres of flood plain forest. What is the net loss? What is the mitigation plan? Is it intact? As I pieced these figures together from various parts of the document, my figures ranged from 156 acres net loss to 92 acres loss. This is a significant statistic of the project and should be clearly stated and readily accessible.

9. Maintenance. In light of the drought which is upon us, how will the new plantings be watered for at least the first two years to give them a chance for proper establishment? Will the maintenance be carried out by knowledgeable and skilled laborers? Will maintenance be funding into the year 2070?

Overall, this is a huge improvement over the plan that was thrown out in 1999. I saved my bumper sticker, "No Channelization" just in case it was needed again. I hope you will consider my concerns though I expect this will just be filed with other public comments. Everyone who has attended meetings, executed the studies, re-written reports, lobbied politicians, and maintained the focus on an acceptable final outcome should be congratulated and appreciated. Thank you for the opportunity to comment.

Sincerely,

Vaness Hamilton
950 Power Street
League City, TX 77573
281-554-8085

cc: Arline Laughter, Brett Sachtleben, Dabbagunte Dayananda, Dennis O'Keefe, Jack Murphy, John

Tully, Ken Clark, Mike Fitzgerald, Mike Klaus, Jeff Brennan, Ray Holbrook, Robert W. Heinly, Curtis Lampley, Tim Paulissen, Chien Wei, Mike Talbot, Glenn Laird

U.S. ARMY CORPS OF ENGINEERS
CLEAR CREEK, TEXAS
FLOOD RISK MANAGEMENT GENERAL
REEVALUATION STUDY PUBLIC MEETING
JANUARY 11, 2012

The Clear Creek, Texas Flood Risk Management
Reevaluation Study public meeting was held on the 11th
day of January, 2012, from 7:01 p.m. to 8:21 p.m., before
Kathy Genung, CSR in and for the State of Texas, reported
by machine shorthand, at the Marie Flickenger Fine Arts
Building, San Jacinto College South, 13735 Beamer Road,
Houston, Texas.

A P P E A R A N C E S

Colonel Chris Sallese, District Engineer for
Galveston District,
US Army Corps of Engineers

Sharon Tirpak, Project Manager

Pete Perez, Deputy District Engineer and Program and
Project Manager for the Galveston District

Steve Fitzgerald, Harris County Flood Control District,
Local Sponsor

Jeff Brennan, Brazoria Drainage District Number 4,
Pearland, Texas, Local Sponsor

Sheri Willey, Planning Lead, and Timekeeper

Carolyn Murphy, Chief of the Environmental Section

SPEAKERS:

Houston City Council Member Mike Sullivan

Natalie O'Neill, Galveston Baykeeper

Einar Goerland

Linda Whiteley

Doug Sweeney

Scott Jones, Galveston Bay Foundation

Heather Biggs, Galveston Baykeeper

Wayne Hanks

Larry Alvarez

Susan Taylor

Charles Taylor

Don Johnson

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1 COLONEL SALLESE: Well, good evening,
2 everyone. First of all, I want to say thank you for
3 coming to this public meeting this evening to discuss the
4 General Reevaluation Report and the Draft Supplemental
5 Environmental Impact Statement and the Draft Conformity
6 Determination on the Clear Creek project. Before we get
7 started, I just want to introduce the folks who are up
8 here on the panel with me tonight. I'm Colonel Chris
9 Sallese. I'm the District Engineer for Galveston
10 District, US Army Corps of Engineers.

11 MS. TIRPAK: I am Sharon Tirpak. I am the
12 Project Manager on the Clear Creek study.

13 MR. PEREZ: I'm Pete Perez. I'm the Deputy
14 District Engineer and Program and Project Manager for the
15 Galveston District.

16 MR. FITZGERALD: I'm Steve Fitzgerald from
17 the Harris County Flood Control District, local sponsor
18 for the project.

19 MR. BRENNAN: I'm Jeff Brennan with
20 Brazoria Drainage District Number 4, Pearland, Texas, one
21 of the local sponsors.

22 COLONEL SALLESE: Specifically tonight, we
23 are here to present information and accept public comment
24 on the following draft documents that were released for
25 public review on the 16th of December 2011: The Draft

1 General Reevaluation Report for the Clear Creek Flood
2 Risk Management Project, Texas; the Draft Supplemental
3 Environmental Impact Statement for the Clear Creek Flood
4 Risk Management Project, Texas; and the Draft General
5 Conformity Determination.

6 For the record, let me state that this
7 public meeting is being convened at 7 p.m. on 11 January
8 2011, at the Marie Flickenger Fine Arts Building at
9 San Jacinto College South in Houston, Texas.

10 I would like to thank y'all for being here
11 this evening. This is an important part of our process.
12 We strive to always maintain transparency in our studies.
13 And the input from the community, from the environmental
14 groups, from our local sponsor, from the concerned
15 citizens as yourself is important to this process to make
16 sure that we can reach consensus on a plan that will take
17 us forward to minimize the flood risk elements that are
18 associated with the Clear Creek project. I would like to
19 thank Steve Fitzgerald, Harris County Flood Control
20 District, and Mr. Jeff Brennan from the Brazoria Drainage
21 District Number 4 for being here tonight.

22 As you know, the Corps of Engineers,
23 Harris County Flood Control District, Galveston County,
24 Brazoria Drainage District Number 4 have been performing
25 this study analyzing and potential modifications to

1 Clear Creek and its tributaries. Six objectives were
2 identified for the study. These objectives were reduce
3 flood risk for economic, social, and environmental
4 purposes along Clear Creek and its tributaries; restore
5 fish and wildlife resources of Clear Creek and its
6 tributaries; preserve and protect natural and cultural
7 resources for public education and historical
8 appreciation purposes; develop opportunities for
9 recreation in Clear Creek and its tributaries; facilitate
10 stabilization of the stream banks of Clear Creek and its
11 tributaries; and, finally, restore the quantity and
12 quality and habitat on Clear Creek and its tributaries
13 through ecosystem restoration activities.

14 A cost-effective plan has been identified
15 by the study team that meets these objectives. The plan
16 which we refer to as the Tentatively Recommended Plan
17 will be described by the project manager, Ms. Tirpak,
18 following my presentation. We are specifically seeking
19 input concerning the plan and associated environmental
20 impacts that are described in these documents.

21 I hope that all of you had an opportunity
22 to read the announcement of the public meeting either on
23 the Galveston District's website or in individual
24 announcements that were mailed to individual agencies,
25 organizations, and new media believed to have an interest

1 in these proceedings this evening. The meeting notice
2 was also published in The Facts covering Brazoria County,
3 the Houston Chronicle, and the Galveston County Daily
4 News. An additional information sheet is available at
5 the entrance. The announcement mailing list and list of
6 those present will be made a part of the record for this
7 meeting. A court reporter is here who will transcribe
8 these proceedings and all public comments.

9 There's a few people I'd like to recognize
10 tonight who played an important part in allowing us to
11 reach this point with this particular study. Mr. Perez,
12 my Deputy District Engineer, my right-hand man in the
13 district; Ms. Diana Laird, she's my Chief of Planning and
14 Environmental Branch; Mr. Robert Heinly, he's the Chief
15 of the Galveston District Planning Section; Ms. Carolyn
16 Murphy, she's the Chief of the Environmental Section;
17 Sharon Tirpak, she's the Project Manager for the
18 Clear Creek study; Ms. Sheri Willey, she's the Planning
19 Lead; Mr. Carlos Tate, he's the Project Engineer. He's
20 outside receiving additional guests. Mr. Eric Wood, he
21 did the hydrology and hydraulics. He's the
22 hydrology/hydraulics engineer for the project.

23 At this point I would like to turn the
24 meeting over to Ms. Tirpak who will describe the ground
25 rules for tonight's meeting.

1 MS. TIRPAK: Okay. I hope everyone signed
2 in on the attendance list when they entered the meeting
3 tonight. If not, I ask that you either do so now or on
4 your way out. The attendance list is used to record the
5 participants at this public meeting. And, additionally,
6 there was a comment or registration form available when
7 you came in, which is to inform us of your desire to make
8 a public comment tonight. If you turned in the comment
9 or registration form, you will be given an opportunity to
10 speak after the project presentations.

11 If you did not fill out this card and you
12 would like to speak, raise your hand; and someone will
13 bring you a card to fill out to turn in. If you prefer
14 not to speak, you may submit your comments in writing
15 using one of the comment cards that we have available.
16 And they were also out at the front table. You can fill
17 one out on your way out if you haven't done that or you
18 can mail it in to us. You can return your completed card
19 in the basket or mail it in.

20 The purpose of the meeting, we would like
21 to emphasize that this public meeting is not a voting
22 contest. It would simply determine the number of people
23 for or against the project. The purpose of this meeting
24 is to present information and provide you with the
25 opportunity to present your views, opinions, and

1 recommendations concerning the Tentatively Recommended
2 Plan. I'm going to discuss the format for tonight's
3 meeting.

4 First, the Corps of Engineers study team
5 will present details of the planning and environmental
6 study. I will provide an overview of the project, the
7 Tentatively Recommended Plan, and an overview of the
8 environmental impact assessment plan impacts and proposed
9 mitigation. Then Mr. Steve Fitzgerald of the
10 Harris County Flood Control District will present a
11 sponsor's overview of Clear Creek and the General
12 Reevaluation Study.

13 After these presentations, Colonel Sallese
14 will open the floor for public comments. He will first
15 recognize those federal and state officials that have
16 requested to make a statement, then the federal and state
17 resource agencies, if there's any present and if they
18 would like to make a comment. Finally, Colonel Sallese
19 will recognize each individual from the registration
20 cards that have indicated they wish to make a comment.
21 Everyone who has indicated that they would like to
22 comment will have the opportunity to do so.

23 Please remember that this will not be a
24 question and answer session. This meeting is to provide
25 everyone with an opportunity to publicly comment on the

1 plan. Again, I'd like to ask is there anyone else who
2 would like to speak who has not turned in a card?

3 Mr. Sweeney, I think you turned in a card
4 out front. It was the little half sheets of paper where
5 you identified to speak. If you'd like to speak and
6 haven't filled one out, please raise your hand. As
7 Sheri's doing that, I'm going to continue. Please give
8 all the speakers the courtesy of not making any comments
9 during their presentation. Please turn off your cell
10 phones, and hold all applause or other reactions so that
11 we can have an orderly meeting and to be respectful of
12 everyone's time. All individuals have an equal right to
13 be heard.

14 I think that's it. We will keep time of
15 when people are speaking. You will have five minutes to
16 speak. Sheri is going to have a 30-second card to hold
17 out for indication at 30 seconds when your time's almost
18 up. And then she will also inform you of when your time
19 is up. I'm going to go ahead and start with the
20 presentation.

21 COLONEL SALLESE: Okay. Before Sharon
22 starts with the presentation, it's taken us some time to
23 get here, but what I can say is -- and there's been a lot
24 of controversy that's been around this project over the
25 years. And this project has been going since what, 1968,

1 Sharon? Right. So you say '68, why has it taken us so
2 long to get here. There's been a lot of issues, but I
3 truly believe that through the collaboration and
4 communication and partnership, that we've been able to
5 work together as a group to address the issues which has
6 brought us here tonight to talk about this plan.

7 I appreciate everybody who participated in
8 that process. We couldn't have got here without that,
9 without your help. And we're really looking forward to
10 your comments this evening, because they do add value.
11 Your comments will be addressed as we move into the final
12 report. And Sharon's going to lay out the schedule for
13 this. And at the end of this, I'll talk a little bit
14 about, you know, our timeline, you know, what we would
15 like to do, the Galveston District; but realize that's
16 all dependent upon resources flowing to us from the
17 national program. And, Sharon, I'll turn it to you now.

18 MS. TIRPAK: Is that on? Can you hear me?
19 Not very well? Okay. And excuse my voice. I've been
20 suffering from a sore throat for about a week and a half
21 now. Again, I'm going to present a summary of the
22 Clear Creek Draft General Reevaluation Report and
23 Environmental Impact Statement.

24 The Clear Creek watershed is located south
25 of the city of Houston and includes parts of Harris,

1 Galveston, Brazoria, and Fort Bend Counties. It's
2 approximately 260 square miles and it flows from west to
3 east with drainage into Clear Lake and into Galveston
4 Bay. It exhibits a broad, fairly shallow floodplain on
5 the upstream main, becoming narrower or deeper downstream
6 towards Clear Creek Lake and concludes both natural and
7 man-made characteristics that increase the risks of
8 flooding during storm events.

9 17 cities and four counties are at least
10 partially within the watershed, including Houston,
11 Pasadena, Pearland, Friendswood, Webster, and League
12 City. Because of the continued flooding -- flooding in
13 '73, '76, twice in '79, '89, '94, 2001, 2006, and 2009 --
14 it has caused extensive property damage. Because of the
15 continued flooding impact on watersheds as well as
16 concerns of environmental impact of previously authorized
17 projects, the current GRR, which is our report acronym,
18 identifies measures that will reduce flooding in specific
19 high damage reaches and incorporate features that
20 preserve or create habitat in important corridors.

21 As the colonel said, this project's been
22 around a long time. The initial study actually was
23 started in 1962. The additional authorization was in
24 1968. In '68, there was a 100-year design, recommending
25 a 31-mile long channel rehabilitation from Clear Lake to

1 just inside Fort Bend County; but it also had a special
2 condition on it that we had to do some additional study
3 to consider reasonable balance between structural
4 modification of the creek, floodplain regulations, and a
5 broad program in floodplain management.

6 The mid '70s, we had numerous public
7 meetings on the proposed plan. And in '82, there was a
8 revised plan that was for 15.3 miles long. That was
9 authorized, and funds were appropriated in 1985. In
10 1986, a local cooperation agreement was signed between
11 us, the Corps of Engineers, and Harris County and
12 Galveston County. And it was for a portion of the
13 project between Brazoria and Galveston County line, near
14 Dixie Farm Road and upstream to Mykawa Road -- Oh, I'm
15 sorry. Let me do this again.

16 In 1986, a portion of the project between
17 Brazoria and Galveston County line, near Dixie Farm,
18 upstream to Mykawa was placed inactive at the request of
19 Brazoria Drainage District Number 4. And that was due to
20 their financial capability and cost-shared dollars. But
21 also in '86 is when we signed the cost share with
22 Harris County and Galveston County and moved forward with
23 the project from Clear Lake to the Brazoria County line.
24 In '91, the second outlet gate was completed; and then
25 work slowed due to some bridge, utility, and right-of-way

1 issues. In '97, the second outlet channel was completed.
2 And also in '97, the local sponsor presented proposed
3 alternatives due to public opposition to the USACE
4 project. A lot of those were environmental concerns that
5 were brought to our attention at that point in time.

6 In 1999, the Corps determined that an
7 additional study or general reevaluation report was
8 required due to a change in scope. And in 1999, we
9 actually initiated the study. So since '99, we have been
10 conducting the study; and we're presenting that, the
11 current tentatively recommended plan, tonight. The
12 Project sponsors, as we mentioned, were Harris County
13 Flood Control District, Galveston County, and Brazoria
14 Drainage District Number 4. I'm just going to go through
15 this real quick. The colonel had already, I believe,
16 raised the objectives of the project. And it was to
17 reduce flood risks for economic, social, and
18 environmental resources along Clear Creek; restore fish
19 and wildlife resources in Clear Creek and tributaries;
20 preserve and protect natural and cultural resources for
21 public education and historical appreciation purposes;
22 develop opportunities for recreation in Clear Creek and
23 tributaries; facilitate stabilization of stream banks of
24 Clear Creek and tributaries; and restore the quantity and
25 quality of habitat on Clear Creek and tributaries with

1 ecosystem restoration activities.

2 Okay. This is the map of the plan from the
3 1980s. And it shows the general location of Clear Creek
4 as far as being south of Houston where it's located. And
5 it goes from Cullen to -- Cullen Boulevard to the lake.
6 I also wanted to point out just points of interest. On
7 this map here, this is I-45. And the second outlet gate
8 or second outlet channel is a quarter mile from Clear
9 Creek. Okay. The second outlet channel, which is right
10 here and right here, was completed in 1997. The purpose
11 of the channel was to allow water to drain from Clear
12 Lake more quickly during heavy rain events. The second
13 outlet gate was constructed in '91, and the purpose of
14 the gate is to prevent saltwater intrusion into Clear
15 Lake from the second outlet channel. And this was turned
16 over to Harris County Flood Control for operations. The
17 gate is opened as needed during heavy rain events and
18 will continue to be operated when needed.

19 This is a map again of the general location
20 of the project. And if you -- The red box shows the
21 Tentatively Recommended Plan. This is where the focus of
22 the current plan is. And here's a close-up of the
23 recommended plan. Since '99, the current report
24 identifies measure that were reduced to writing in
25 specific high damage reaches and incorporate features

1 that preserve and create habitat in important corridors.
2 And if you look at the map, again, we call this -- The
3 red part here is the mainstem of Clear Creek. We are
4 also going to have some conveyance features on Mary's
5 Creek, Turkey Creek, and Mud Gully. And we are proposing
6 linear detention within the mainstem channel. That's
7 what these green areas are here.

8 This is 288, and you can see Dixie Farm
9 Road here. This is 2351. The Clear Creek mainstem
10 conveyance features high flow bench, this is an example
11 of cross-section of the mainstem conveyance. And this is
12 from State Highway 288 to Bennie Kate Road. And if I can
13 explain a little bit, here is the existing part of the
14 channel. What we plan to do is excavate to the sides.
15 And what this does is create -- when water rises, it
16 creates an additional area for water to go. And in this
17 way, we also preserve some important, what we call,
18 riparian habitat along the edges of the creek.

19 From Bennie Kate Road to Dixie Farm Road,
20 this is an example. This one is not quite as wide. I
21 believe I didn't point it out, but the last one was a
22 200 foot proposed right of way. This is 180. But,
23 again, here's existing creek bed and the parts of the
24 area that we'd like to excavate. And, again, for the
25 high flow benches so that when the water rises, it can

1 stay within those benches.

2 This is the linear detention. The right of
3 way varies. And this starts at Cullen Boulevard. And
4 some areas -- I have an overhead view in a second. But,
5 basically, here is the existing creek bed. And we are
6 going to excavate beside it. We would like to excavate
7 beside it some in-line detention. So when waters rise,
8 water go into this detention. And in some of these
9 in-line detentions, the in-line detention will slow some
10 of the water or slow down the flow of water as it moves
11 downstream.

12 Again, an example of the high flow bypass
13 and linear detention. And this is by Cullen and Mykawa.
14 Here's the existing creek. Under high rain events, water
15 can flow out and come into here and into this in-line
16 detention. And, again, this is to slow the water as it's
17 going downstream.

18 As a general example, for tributary
19 conveyance improvements, this is a cross-section. And
20 here is the creek and excavation area and the proposed
21 right-of-way is 200 foot. Now, we're doing three
22 tributary conveyance features: One on Mary's Creek, and
23 that's going to be 15 to 35 feet wide and 2.1 miles long
24 and grass-lined. Mud Gully is 45 feet wide, 0.8 miles
25 long, concrete-lined. But Mud Gully -- This is the

1 section that will connect with already concrete-lined
2 portions of Mud Gully. And it's the only concrete-lined
3 portion of the improved channel in the project. Turkey
4 Creek is 20 to 25 feet wide, 2-1/2 miles long, and it
5 will be grass-lined.

6 Over the years, there's been some
7 environmental concerns. And the environmental concerns
8 are associated -- The authorized project watershed in
9 general have included loss of the floodplain forests;
10 coastal prairie and tidal-marsh habitats; loss and
11 deterioration of wetlands; effects on sediment, water,
12 and air quality; and erosion; and increased development.
13 Because of previous concerns regarding environmental
14 impacts to habitats along the creek and the large size of
15 the study area, we utilized a collaborative approach to
16 the identification and evaluation of project impact and
17 the development of a project mitigation plan. And this
18 is normal practice for us when we're developing a study
19 at the Corps of Engineers. We do a lot of -- initially,
20 how the feasibility study meeting, which is open to the
21 public, where we gather information. And then we also
22 have a number of interagency coordination team meetings
23 where we discuss and evaluate and gather information from
24 actually all of these agencies here that are -- that are
25 listed.

1 Important habitats within the floodplains
2 of Clear Creek and its tributaries include over 300 acres
3 of tidal marsh, 3800 acres of floodplain forests, and
4 2600 acres of coastal prairie. Of these habitats, the
5 Tentatively Recommended Plan involves impact only to the
6 floodplain forest. Without the project, the study area
7 would continue to experience loss and fragmentation of
8 floodplain forest and wetland habitat as a result of
9 urbanization and minor flood control improvements.
10 Continued loss of floodplain forest within the study area
11 without this project would lead to decreased forests,
12 stream banks, and wetland habitat and fragmentation of
13 the riparian border. The Tentatively Recommended Plan
14 results in habitat loss, fragmentation due to conveyance
15 improvements, 278 acres of floodplain forests, including
16 34 acres of wetlands along Clear Creek and tributaries;
17 however, the high flow bench design avoids and minimizes
18 the riparian border impacts on Clear Creek. It's
19 important to note that these impacts occur in areas along
20 these streams that have already been impacted by past
21 channelization activities. Also important is the unique
22 design of the high-flow flood bench on the Clear Creek
23 mainstem. The design avoids impact of the low flow
24 stream channel to minimize loss of floodplain forest in
25 the riparian zone. Again, the riparian zone is the area

1 closest to the water stream banks.

2 The Tentatively Recommended Plan design
3 includes avoidance and minimization of habitat losses and
4 fragmentation on Clear Creek. The unique environmentally
5 friendly design provides the opportunity to preserve and
6 rehabilitate through planting 155 acres of floodplain
7 forests and 7 acres of wetlands along the low flow
8 channel of Clear Creek; avoid downstream impact to
9 floodplain forests within the remaining natural,
10 unchannelized stream, and allow for continuous forest and
11 riparian border across the conveyance feature and
12 downstream reaches of Clear Creek.

13 Through collaboration with the ICT, which
14 is that Intercoordination Team, a mitigation plan to
15 fully compensate for the remaining unavoidable impacts to
16 floodplain forests was developed. The proposed
17 mitigation plan would restore the natural flow of Clear
18 Creek through 31 acres of floodplain forest, including
19 over 27 acres of wetlands within 13 remnant oxbow lakes
20 that were cut off as a result of previous channelization
21 activities. The plan would also include removal and
22 control of non-native, invasive plant species, such as
23 Chinese tallow.

24 The proposed mitigation area is seen here.
25 And it's located generally between Country Club Drive and

1 Dixie Farm Road. The mitigation areas are the sites are
2 within the red. The estimated total project cost is
3 \$180,000,929. And that brings us -- or the project has
4 annual benefits of \$20,000,619 in benefits or the amount
5 of damages that are reduced from flooding. And the
6 benefit-to-cost ratio is 2.1. And what that means is for
7 every dollar spent on the project, you have double
8 benefits, 2-to-1 benefits.

9 Flooded structures, you always hear the
10 100-year flood or 100-year floodplain or 500-year flood.
11 And that doesn't mean that this event is going to occur
12 every 100 years or every 500 years. What it does mean is
13 there's a 1 -- for 100-year flood, there's a 100 -- or a
14 1 percent chance every year of a 100-year flood
15 occurring. And on a 100-year floodplain, the future
16 without the project, the numbers of structures that will
17 be flooded is 3662. The future with the project in that
18 100-year floodplain is 1569. So there's a reduction of
19 number of structures that would be flooded is a total of
20 2093. So it's not every structure that would be taken
21 out of -- not the floodplain but removed from having a
22 chance of being flooded; but there is a good reduction in
23 the number of damages to structures. And then you can
24 see the numbers for the 500-year floodplain.

25 In our current report schedule, our public

1 review, the comments, you can comment tonight or you can
2 get comments into us by January 30th. That's the end of
3 the public review. We will receive comments from the
4 TCEQ on the 401 certification and coastal management
5 consistency and air conformity in February. We will
6 address the public comments and revise the study in May.
7 And we will have the final internal reviews in June.
8 There will be another chance to public comment. That's
9 the public review of the final GRR, EIS. And in that
10 document, you will see our comments based -- or our
11 responses based on the comments that we received tonight.
12 And then the final GRR, EIS is scheduled for October of
13 2012.

14 Now, between two -- Our estimated
15 construction schedule, it really is dependent upon a lot
16 of things. If we get funding in fiscal year '13, we
17 would redo a feasibility cost-sharing agreement with the
18 sponsors for the head phase, which is the planning,
19 engineering, and design phase. We would do our plans and
20 specifications for the first set of plans and specs. The
21 sponsors who are responsible for the land easements and
22 rights-of-way will be spend that year purchasing and
23 negotiating for the lands that are needed for the
24 project. And in 2014, hopefully we would get some
25 appropriated dollars and be able to go ahead and start

1 construction on the project. So there's a lot that banks
2 on that, but this is our estimated construction schedule
3 at this point. As you can see, the project is broken
4 down into seven different contracts. And the
5 construction time would be from October 14 to August of
6 2020.

7 And that's all I have. This is my name,
8 along with a contact number. I'm the Project Manager.
9 Sheri Willey is the Planning Lead. And Andrea of
10 Catanzaro, who couldn't be here tonight, she's the
11 Environmental Lead. And that's her telephone number. If
12 you have any questions, then you could please feel free
13 to contact us.

14 COLONEL SALLESE: Thank you, Sharon.

15 MS. TIRPAK: And now Steve Fitzgerald is
16 going to present as a sponsor.

17 MR. FITZGERALD: Thank you, Sharon,
18 Colonel. It's a pleasure to be here in front of y'all
19 tonight. I was looking out at y'all, and I recognize
20 most of you. I've gotten to know some of y'all better
21 than others since I first met y'all in 1997 at our first
22 local sponsor meeting when we began reevaluation. So
23 good to see y'all here tonight.

24 I'm going to be representing all the local
25 sponsors tonight. There's three of us. And Jeff Brennan

1 down here is representing Drainage District Number 4.
2 He's been with us from the beginning. And Mike
3 Fitzgerald from Galveston County, but Galveston County
4 isn't here, had planned to be here tonight; but he was
5 not feeling well, so he's not here tonight but sends his
6 regards for not being able to come. He's been an
7 important partner in this as well.

8 Just briefly about what is a local sponsor.
9 Many of y'all know this already, but I'm just going to
10 briefly cover it. It's not going to go into a lot of
11 detail. So we're partners with the Corps during the
12 study and design and construction phase of the project.
13 And on an actual project itself, we're responsible for
14 buying land, adjusting bridges or replacing bridges,
15 utilities, and also acquiring and providing a place to
16 put the excavated material. So that's our
17 responsibility. We are responsible for paying for that.
18 We also pay a certain percentage of the construction, at
19 least 5 percent of the construction for the total cost of
20 the project. So we are partners and we're a funding
21 partner as well with the Corps of Engineers.

22 Once it's all built, then we are local
23 sponsors responsible for the operation and maintenance of
24 that project. This is true for every Corps of Engineers
25 project in the United States, just not here in Harris

1 County and the Galveston District.

2 What I first would like to do is talk about
3 what we like on behalf of the sponsors. What we like is
4 a significant reduction in flood risks. Sharon went over
5 some of the numbers on the cost and some of your homes
6 that would be impacted by a flood if this project was in
7 place. So we think that's significant. It also avoids
8 impacts to some of the higher quality habitats along
9 Clear Creek. And there's also environmental enhancements
10 included in the plan, which is important to a lot of us
11 in the community.

12 And then finally the cost is reasonable.
13 Sharon mentioned the cost was about \$181 million total
14 cost. I'm going to talk about our responsibilities as a
15 local sponsor. Looking in the report, when you see that
16 or read it, it will show that the local sponsor share is
17 about 77 million of that 181 million of the total cost.
18 So we have a little bit more than 40 percent of the cost
19 responsibility for this project based on today's
20 estimate.

21 Next I'd like to go over some of the strong
22 points in the recommended plan, starting with flood
23 damage reduction. It does focus on the highest flood
24 damage areas along Clear Creek and the tributaries. The
25 reduction in flood risk is significant, like we

1 mentioned. And the numbers are provided in the report
2 and in the presentation tonight. It's also a good
3 foundation for us local entities to build on. We do not
4 expect the Corps of Engineers anywhere in the
5 United States to solve all of our local drainage
6 problems, but they can be a very important part in the
7 foundation for the local sponsors and local communities
8 to come and compliment the federal projects. So this is
9 a good foundation for that to happen.

10 The environmental strong points, the
11 environmental benefits, Sharon went through this in
12 pretty good detail and talked about avoiding sensitive
13 reaches already. The conveyance improvements are limited
14 to the upstream reaches where it's already channelized.
15 There's been quite a bit of work done upstream, and so
16 that's where these channels are proposed. There's high
17 level flood benches recommended along Clear Creek, and
18 that helps to preserve and restore the desirable
19 environmental habitats along the existing channel. We
20 think that's a good, strong point. It also preserves a
21 lot of the riparian forest, at least where possible. The
22 vast majority of it is preserved and not touched. And
23 then where there were some home buyouts that occurred on
24 both sides of the creek, mainly after Tropical Storm
25 Allison. It included restoring some of those forests in

1 those locations. That's a good thing as well.

2 In summary, our position -- our sponsor's
3 position is that we support -- are supporting the
4 completion of this general reevaluation report. We also
5 support the approval of this report by the Corps of
6 Engineers. There's different levels for approval,
7 according to the Galveston District, always before
8 funding. We would like for that to happen. And why
9 that's so important, you think, it's just a report. But
10 in Corps of Engineers lingo, they call this a decision
11 document. It's a major milestone in the life of a
12 project. You have to get through this step to be able to
13 move on to the next step, which is then to request
14 funding for construction and for implementation of the
15 plan. So this is a very critical point. So we're going
16 to support requesting funding for construction, design
17 and construction, for this project.

18 That being said, I'm going to read this to
19 you. You can read it on the screen. Given that flood
20 risks are significant and the possibility of future
21 federal funding for the recommended plan is uncertain,
22 the local sponsors are exploring opportunities for
23 implementing components of the recommended plan -- that
24 means parts of the recommended plan -- that you see
25 tonight or complementary components of the recommended

1 plan. So we are exploring that with the local sponsors
2 and other local entities to start considering doing some
3 work while waiting for this to move to the next step.

4 I mentioned earlier this is a good
5 foundation for the local committees. And the one thing
6 that is required by the federal government or Corps on
7 this is developing a local watershed management plan.
8 And the Corps of Engineers recommended plan would be an
9 integral part of that. And we're required to do it,
10 which we want to do it anyway, because it's an important
11 thing to do. But what this local watershed management
12 plans does is it preserves the level of flood protection
13 provided by the recommended plan. That means for those
14 flood levels that Sharon talked about, that we want to
15 make sure that we don't do things locally that cause
16 those flood levels to increase over, time. We want to
17 make sure we have good watershed management activities
18 going on in the watershed to keep that from happening.
19 And, also, we want to preserve and protect the
20 environmental recreation features that are provided as
21 part of the recommended plan as well. So we just want to
22 recognize and make sure that we don't compromise the
23 recommended plan.

24 Sharon mentioned the second outlet. I'm
25 going to end with the second outlet, because it is

1 constructed and built. Y'all know where it is or at
2 least here's past it. But just in summary, the second
3 outlet in this reevaluation is not economically
4 justified. I'll leave it at that. It's a good process
5 to go through to justify every federal project. However,
6 there is a flood damage reduction benefit in the
7 communities around the lake. Many of y'all live in the
8 communities around the lake. There's also an
9 environmental benefit. The reason the gate is there is
10 to try to maintain the current salinity of the lake. If
11 that gate was not there, there would be more transfer of
12 the water that could change the environmental aspects of
13 the lake itself. So the recommendation is to continue to
14 operate and maintain the gate and structure there, so we
15 plan to continue that. And just as a reminder, the gates
16 do not provide tidal or hurricane protection for the
17 lakeside, communities, or for Clear Creek community
18 itself. It's for the rainfall that occurs in the
19 watershed that comes down Clear Creek itself.

20 And some of y'all know, we put our updated
21 brochures up there to give you more information about the
22 second outlet on the table out there. If you didn't pick
23 one up, they're still on the table out there. And please
24 take extra ones and take them back to your neighbors, for
25 people in your city. Take them and give them to

1 citizens, because we would like to get the information
2 out about what the gates are there for. And this
3 explains a lot of that, so we ask you to take that. And
4 here's our local sponsor contact numbers. Many of y'all
5 that want to contact us, I'll leave that up there so
6 y'all can wright that down. Thank you.

7 COLONEL SALLESE: Okay. Sheri's bringing
8 up at this time -- Can you hear me? Hello. At this
9 time, Sheri's bringing up all the folks who wish to make
10 a public statement this evening. I will go through these
11 in the order that she gave them to me. But at this time
12 I ask do we have any elected officials or resource
13 agencies who would like to come forward and make a
14 comment? Yes, sir.

15 MR. SULLIVAN: Is it Colonel? Is that
16 correct? Or Major?

17 MS. TIRPAK: Colonel.

18 MR. SULLIVAN: Yes, sir. Good evening.
19 Thank you. I'm Houston City Council Member Mike
20 Sullivan. This is a project that has been long awaited
21 by the community. I'm here to show my support for it.
22 While I lost this section of the city of Houston in
23 restricting January 1st, I can still advocate for the
24 project. So the community has spoken and the community
25 has been interested in it. The Corps of Engineers has

1

1 helped me present it at numerous town hall meetings. And
2 I appreciate the support y'all give to me. So hats off
3 to you. It's a good project, good plan. And let's do
4 what we can to move forward. Thank you.

5 COLONEL SALLESE: Thank you. I appreciate
6 you speaking up. Do we have any other elected officials,
7 State agency officials, resource agencies? Okay. At
8 this time I will call members of the general public who
9 wish to make a statement. I'm going to call on them in
10 the order that they submitted their sheets to Sheri. If
11 I say your name wrong, please when you come forward, say
12 state your name into the microphone so the reporter can
13 get it down properly. Okay. So first this evening, we
14 have Natalie O'Neill. And she's from the Galveston
15 Baykeeper.

16 MS. O'NEILL: Thank you. And I also was
17 the former mayor of Taylor Lake Village for 10 years.
18 The first thing I want to do is thank Harris County Flood
19 Control for purchasing the 135-acre detention. And I
20 also understand that there's another 200-acre detention
21 that is to be purchased. And I urge that that total
22 3500-acre storage will be purchased and built. And thank
23 you very much for that, Steve and everyone who's involved
24 with that. I also want to thank Brazoria County and
25 Pearland for requiring detention for all new construction

1 and urge that they continue the enforcement of those
2 requirements. I appreciate that very much, from a
3 downstream community's point of view.

4 I want to ask for an extension on the
5 comment period due to the timing of the letter coming out
6 for the communities and the other stakeholders that are
7 involved. The letter came out just before Christmas.
8 The meeting is just after New year's. The information is
9 due on the 30th. And we have had very little time to
10 review 800 pages. And so I plead with you, because our
11 engineers are just getting ahold of it now. They really
12 need a little more time to review 800 pages.

13 I do have a few concerns, but I admire all
14 the process that we've all gone through together from
15 when I first moved here 20 odd years ago to where we are
16 today. It has improved greatly. One thing I brought up
17 many times, and Steve will verify this, is that none of
18 the models include any storm surge. And I understand the
19 Corps is going to fix the storm surge with this project,
20 but I feel that the modeling should include storm surge
21 and the cost-benefit analysis should include the impact
22 of a storm surge occurring the same time as flooding,
23 because that does occur. It's not an unusual thing for
24 that to occur simultaneously. I also urge the Corps of
25 Engineers to make jurisdictional determinations on the

1 entire project. Even if the area is not -- you're not
2 planning on impacting the area, it's my experience that
3 due to siltation during the construction of the project,
4 that wetlands downstream will fill. The silt will come
5 down and, suddenly, areas that had beautiful riparian
6 hardwood forests and beautiful *Spartina alterniflora*
7 growing will all start to silt in and fill. And you
8 can't dredge it out without destroying what the silt has
9 filled. And it's been a huge problem along Pine Gully
10 and other places.

11 And speaking of silt, when that silt comes
12 down and some of it gets collected in the grasses, it
13 also dumps right at the edge of Clear Creek where it
14 enters Clear Lake. And Nassau Bay and South Shore Harbor
15 and all of the marinas will need to constantly be dredged
16 as a result of the silt that comes down. And, of course,
17 it's federally protected; and we'll need your permission
18 to dredge regularly to address the problem, like the
19 Mississippi Delta will be occurring right there on Clear
20 Creek.

21 Only two more concerns, I think, if I can
22 find them. No. I think I got them. That's it.

23 COLONEL SALLESE: Thank you.

24 MS. O'NEILL: I probably have more
25 concerns, but I'll write them to you. And if you extend

1 the date, thank you very much.

2 COLONEL SALLESE: Natalie, if you'll get
3 with Diana after this, she can talk to you about some of
4 your storm surge -- another study that we have going on
5 in the district.

6 MS. O'NEILL: I'm aware of the other study.

7 COLONEL SALLESE: It addresses your storm
8 surge concerns.

9 MS. O'NEILL: Certainly. We can talk about
10 that later. Thank you.

11 COLONEL SALLESE: Okay. Speaker number 2,
12 Mr. Einar Goerland from Taylor Lake Village. Did I get
13 that right?

14 MR. GOERLAND: You got it exactly right.

15 COLONEL SALLESE: Thank you.

16 MR. GOERLAND: Einar Goerland, City
17 Council, City of Taylor Lake Village. I appreciate the
18 opportunity to meet with all of you this evening. I was
19 quite impressed with the graphs and the presentation that
20 we saw out in the lobby area here today. I appreciate
21 the comments from various folks we talked to. I would
22 like to echo our former mayor's comment, again the short
23 time for comment. We just learned about this yesterday,
24 as a matter of fact, on our council. So, for some
25 reason, the communications did not come to our mayor nor

1 to our councilmen in a very timely manner.

2 Our concern in Taylor Village over the
3 years -- For those who are not familiar with Taylor Lake
4 Village, we're located right on the lake or, as some
5 folks say, the wider part of the creek down close to the
6 bay. Our concern always has been -- As these projects
7 originally were defined many, many years ago, the
8 original discussions were about channelizing and
9 cementing and concreting. And so we were very concerned
10 always about the rapidity of the water getting down to
11 the lake and raising the levels in the lake faster than
12 they would normally be. Of course, that's also an issue
13 from the storm surge side of things.

14 But I applaud the present study. And not
15 being a hydrologist, I don't know -- I don't understand
16 the models very well; but I'm assured the models that
17 were used with the rainfall amounts that are in the
18 model, that with the widening and the detention that are
19 projected in this project, the water level will actually
20 rise two feet lower or two feet less in Friendswood
21 proper, which would mean that the lake level where we are
22 would not be impacted as it would have been under some of
23 the earlier studies that were done, which we would very
24 much appreciate. I hope that that model is correct.

25 I do, on the other hand, still have a major

10

1 concern; because these storm events that we're talking
2 about, these high rainfall quantities are usually coupled
3 with a tropical storm or a hurricane. And when that
4 comes in, we are caught between the bay and the creek
5 rising. Now, if we can slow down the amount of water
6 coming in the creek, we'll still have to fight the surge,
7 obviously. But, anyway, I appreciate the opportunity to
8 comment. And we will probably submit some additional
9 comments by mail. Thank you.

10 COLONEL SALLESE: Thank you, sir. Speaker
11 number 3 is Linda Whiteley from Webster, Texas.

12 MS. WHITELEY: Good evening. I live at
13 3007 Massengale Lane, which is off of Clear Creek near
14 Challenger Park. There's a couple of canals that are off
15 of that creek. We've lived there since 1993. And sorry
16 to be reading from my notes, but I found out about this
17 meeting yesterday. And most -- the majority of the
18 residents of Clear Creek are not even aware that there is
19 a meeting tonight. So I'll be sure and give them some of
20 the paperwork to be able to submit their comments back to
21 you guys.

22 So we have a \$180 million project that's
23 been studied since the early '60s, before I was even
24 born, as a matter of fact. And so the likelihood of this
25 project getting funded, who knows, maybe it's on the low

1 side. But, regardless, I would still like to have my
2 comments presented and recorded. I speak as a concerned
3 resident and an engineer and want to raise several
4 concerns about the project that I would like to have
5 further evaluated.

6 Mud Gully. Part of this project is near
7 Mud Gully. And I'm concerned about any excavation in
8 that area. I was living in my current address during the
9 time when chemical drums popped up in that gully and
10 fishing was banned on the creek for quite a long time. 12
11 And so I'd like to see more environmental information to
12 ensure there will be no -- there won't be any negative
13 impact environmentally due to Brio, the Superfund site,
14 Mud Gully, and all the surrounding areas. And I would
15 just like to see that.

16 I know your modeling has indicated that
17 there's no impact from I-45, 518. And I understand where
18 am I going with this, but bear with me. But I've lived
19 on the creek since the early '90s. And we have been
20 impacted by the bridge. There's six engineers, including 13
21 myself, who have gone to that bridge during flooding and
22 seen how much water is slowed down due to that bridge.
23 And I understand the modeling doesn't say otherwise. I
24 have modeled and simulated in my career of 20 years. And
25 I know it's only as good as the assumptions that you

1 have. And I am -- you know, I'm concerned about the
2 negative impact of that bridge and what this project is
3 going to do.

4 But that leads me to my point and my
5 concerns about modeling of this study to that project.
6 And that is I want to see quantitative data and
7 assumptions to prove that Clear Creek and the canal where
8 I live won't be negatively impacted. There's nothing in
9 there about storm surges. And that's, you know, to me a
10 major flaw. You've got to look at the whole picture.
11 And I know that there's so many organizations involved.
12 And, you know, people say, oh, that's not my area, the
13 Army, that's Harris County, et cetera. But it all --
14 You have to look at the big picture. And I'm trying to
15 understand, you know, are the assumptions valid and
16 accurate for today. And I would like to see that.

17 What I heard earlier tonight is that the
18 intentions of the project is to not make -- is for there
19 not to be a negative effect to the creek, but good
20 intentions aren't going to help me when I flood. I want
21 to see the data. I want a data check. And I want to see
22 the data. And I'm not seeing -- I see what's happening
23 upstream of the creek. And I hope that it does benefit,
24 but I'm not seeing anything, any data related to the
25 creek based on this project and what's going on upstream.

1 And I would like to see that so that I would have a
2 better comfort feeling as to the benefits of this project
3 from beginning to end. Thank you very much.

4 COLONEL SALLESE: Thank you. I'd like to
5 call on Mr. Doug Sweeney at this time. Mr. Sweeney is
6 from --

7 MR. SWEENEY: League City.

8 COLONEL SALLESE: -- League City, Bayou?

9 MR. SWEENEY: Brae. I guess you never
10 heard of it.

11 COLONEL SALLESE: Okay.

12 MR. SWEENEY: I moved to League City in
13 '77. I've lived in Bayou Brae Subdivision since that
14 time. There's been a lot of changes going since those
15 days, believe me. The whole south end of League City is
16 being drained through Robinson Bayou. There's 40-foot
17 drainage ditches with cement sides. There's all sorts of
18 stuff going on. In about '97 or '98, the 518 road was
19 widened. 270 was put through and crossed over, or Egret
20 Bay Drive in those days, crossed over the creek. When
21 they widened the road and fooled around with the bad
22 intersection down there where 270, 2094, and all of them
23 come together, they put in five-foot drainage ditches for
24 miles. Miles. And they dump in right under that new
25 bridge they did in front of Red River Bar-B-Que on 518

1 and 270. Right now, League City has a project going
2 because the Kroger parking lot is about to fall into
3 that. To them, it's called bank stabilization and
4 ta-da-da-da. I was at the council meeting last night and
5 gave them a harassing, believe me. There's a whole lot
6 of stuff going on there. I'd like to know how much water
7 you think is going through that bayou as compared to,
8 say, five years ago, even ten years ago; because it was
9 coming down through there so fast after the State did
10 their deal.

11 I had a 50-year-old bulkhead. I'm in old
12 League City in an old house. I had to spend \$40,000 to
13 repair the bulkhead. It was coming down so fast, it was
14 going through the seems and blowing out to my backyard.
15 I had quite a hard time with you guys even getting a
16 permit to do anything. So your timing on the project or
17 this meeting, coming up to Christmas, is very poor. I
18 mean, nobody knew about it. Even the City of League City
19 didn't know about it last night. At least the mayor
20 claimed he didn't.

21 I've got some pictures here I'd like to
22 leave with you guys. My backyard, when I moved there --
23 and Robinson Bayou, which you now know where it is, I
24 hope, it actually flows into Clear Creek about 200 yards
25 below where I live. I'm on the tidal spot where things

16

17

18

1 change. Regular tide is maybe six inches to a foot.
2 That's coming in. Low tide going the other way and
3 what's coming out of League City and the road stuff
4 depends on whether there's rain or not. It rained
5 yesterday afternoon, if you happen to remember, just a
6 half a day's rain. Well, it now jumps up about three
7 feet coming down through that bayou. And, I mean, it
8 squirts down there. It's got a fire hose effect, because
9 of all stuff behind it. I mean, you could white water
10 raft in this thing. It used to be eight or nine feet
11 deep. Right now, the Blue Herons walk across it. It's
12 above what the regular ta-da-da-da.

13 You guys really need to consider that a
14 lot, because all that silt that's come down and filled
15 that bayou in eight or nine feet that's filled in over
16 the last ten years goes into Clear Creek a couple hundred
17 feet -- a couple hundred yards down from where I live.
18 There's a big hump there. Now, when you have a pretty
19 good rain, like a couple of days of it, all that stuff
20 coming down Clear Creek meets the incoming tide and
21 forces the water up the bayou where I am. And, of
22 course, now that stuff's coming down, it jumps up real
23 good. It jumps up real good. And when I called and
24 called and called and called about 20 times and couldn't
25 reach anybody, I was getting hotter and hotter.

18

1 However, do you want this paperwork?

2 COLONEL SALLESE: Yes, sir, if you would
3 leave that paperwork with Sheri, please.

4 MR. SWEENEY: Sheri, I'm not an engineer.
5 I'm not anything but a poorly old citizen. But I put
6 some pictures here, including yesterday, with comments on
7 this various stuff. And I'd like you to look very close
8 at that. The city council meeting last night, I was
9 consider really questioning them about what they're doing
10 with the upper reaches of Robinson Bayou, particularly
11 where they're doing bank stabilization supposedly by the
12 Kroger store, because their parking lot's going to fall
13 in there if they don't. It's all undercut.

14 MR. FITZGERALD: Can you go back to the
15 mic, please?

16 MS. WILLEY: And you have about 30 seconds.

17 MR. SWEENEY: There it is right there.
18 Those are my comments. You need to have a good, hard
19 look at that, because there's a huge hump right in Clear
20 Creek that sort of stops everything. Thank you.

21 COLONEL SALLESE: Thank you, sir. Our next
22 speaker is Scott Jones from the Galveston Bay Foundation.

23 MR. JONES: Good evening, Colonel Sallese
24 and Corps staff and sponsors. We appreciate the open
25 house and the opportunity to make comments. I am

1 representing Galveston Bay Foundation this evening.
2 We've been around since 1987. And our mission is to
3 preserve, protect, and enhance Galveston Bay for its
4 current users and future generations. And I just want to
5 echo a few comments made earlier.

6 We also believe that this project has
7 gotten better over the years. I've been following it for
8 quite a while with other organizations I used to work
9 with. But we also would agree that with the timing of
10 the public notice, it'd be very beneficial, I think, to
11 the project to become even better to have a longer time
12 for comment period. So I'd request at least another 30
13 days to the end of February to make comments.

14 I think the project has gotten better in
15 large part because of the comments you received in the
16 past. And I think that additional time would only help.
17 So with that, again I'd like to thank you. And that's
18 all my comments tonight.

19 COLONEL SALLESE: Thanks. Next we have
20 Heather Biggs, Galveston Baykeeper.

21 MS. BIGGS: Hello. And, again, I'd like to
22 thank everybody for the opportunity to speak. I also set
23 on the Wetland Permit Review Committee with Scott Jones,
24 Galveston Bay Foundation, representing Galveston
25 Baykeeper, which is part of Waterkeeper Alliance. And

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1 I'm also a League City resident, and my house is about
2 30 feet from the Clear Creek floodplain. So I'm outside
3 of the floodplain slightly, but just barely. And I live
4 in the Oak Creek Subdivision along 518 and Bay Area
5 Boulevard, so right behind Challenger park.

6 And just a couple of comments. Like some
7 of the other speakers, I would like to request additional
8 time to review the Draft Supplemental Environmental
9 Impact Statement. I, like some of the others, found out
10 Thursday of last week, so I haven't had much time to
11 review the documents. Also, I did review what I could in
12 the last two days and I did not see any actual wetland
13 delineation either already conducted or planned. And I
14 was curious to see if that is part of the standard
15 procedure to actually do wetland delineations within the
16 proposed impact area and also additional wetland
17 delineations on the buffer zones that may be impacted
18 hydrologically from the construction work along the creek
19 conveyance channels.

20 And then another comment is I did not see
21 in this current plan any proposed buyout within the
22 current plan. And I was curious to see why that that was
23 not chosen to be an option within this plan. And in
24 previous years, it has been successful. And I know that,
25 based on the information that I was able to review today,

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1 that there's an 85 percent participation rate within the
2 buyout program. And I think that's probably coming from
3 the Harris County Flood Control Buyout Program from
4 Tropical Allison. And so with that 85 percent
5 participation, it seems to me like folks generally are
6 perceptive of being bought out. And it just seems that
7 that would be a logistically feasible way to go about
8 this program or this plan. And I would like to have that
9 be a part of the plan in the future.

10 The other thing is that we have already
11 lost 30 percent of our fresh water wetlands in Harris
12 County since 1992. And I would like documentation of the
13 wetlands loss and the wetlands mitigation plans for any
14 additional impacts to wetlands in Harris County and the
15 other three counties that will be impacted. And that
16 concludes my comments. Thank you very much.

17 COLONEL SALLESE: All right. Thank you.
18 Next I'd like to call on Wayne Hanks.

19 MR. HANKS: I'm going to reserve mine.

20 COLONEL SALLESE: Okay. Next I'd like to
21 call on Mr. Larry Alvarez from the BellaVita Homeowners'
22 Association. BellaVita.

23 MR. ALVAREZ: I read -- I skimmed over the
24 document. Kudos for completing that. I'm amazed at how
25 you were able to do it by dotting all the "i"s, crossing

1 all the "t"s with all the government agencies involved.
2 However, there's one paragraph in the document, and I was
3 so fortunate to have it on the back page of the fax sheet
4 today. And it concerns the 13 remnant oxbow lakes. Five
5 of these oxbow lakes, the BellaVita Homeowners'
6 Association took title to about a year ago. We have a
7 primitive nature trail through the area. The neighbors
8 love it. We can't quite understand what's going on here
9 with connecting the 13 remnant oxbow lakes. Three of the
10 remnant oxbow lakes are on the Brazoria County side, the
11 others are on the Harris County side. It seems like that
12 would be impossible to connect. The five that are on our
13 property, they already have a 24-inch culvert that
14 replaced an 18-inch culvert from one end of the oxbow
15 that already drains into Clear Creek Channel. We like it
16 just the way it is. Thank you.

17 COLONEL SALLESE: I understand. Thank you,
18 sir, for your comment. Our next speaker is Susan Taylor.

19 MS. TAYLOR: My name is Susan Taylor. I
20 live in Nassau Bay. I live at the mouth of Clear Creek
21 as Clear Creek empties into the lake. We have seen the
22 silt build up right at that location. We have concern
23 over when you do do the dredging, how that will impact
24 the boating area.

25 I also have a bigger concern over the

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1 gates. The more I find out about them, the more I think
2 that there should be more attention to the gates in terms
3 of a backup system. Now, I understand that you don't
4 have -- that we're talking about a hurricane event more,
5 but I think --

6 COLONEL SALLESE: Say that again, ma'am.

7 MS. TAYLOR: A hurricane situation, a surge
8 situation. I understand that that's not part of Clear
9 Creek studies and all of that, but I think it is a part.
10 I think you have to realize and in your objectives -- you
11 have six of them. And I think you don't have -- that you
12 shouldn't make it worse for those downstream. And that
13 was one of the statements a number of years ago that we
14 kept trying to impress. We want a good project upstream.
15 We don't want the people to flood, but I think that
16 should be one of the main objectives, to not flood us
17 downstream and make it worse for us. And I don't -- I'm
18 not completely comfortable with the gates in operation as
19 they are. I think I heard recently tonight that there's
20 generator issue, different issues on those. And how can
21 I be assured that when the gates have to be opened or
22 closed, that somebody's going to be there to do that when
23 there's a surge? And the gates are a part of the
24 project, so --

25 And then the last thing, where would the

1 material go that you will be dredging? I didn't see
2 anything out there on it. And I wonder is there an area
3 that y'all have already decided upon. I appreciate that
4 years ago that you had an area right at the base of Clear
5 Creek. And you have taken that out and very advisedly
6 so, and I appreciate that. Thank you.

7 COLONEL SALLESE: Thank you, ma'am. Our
8 next speaker is Charles Taylor.

9 MR. TAYLOR: Hello, glad to be here. I was
10 here in '97. And you didn't want to have Art Storey come
11 around and sit in. I commend you for listening to our
12 comments last time and really taking them into
13 consideration. And I see that they have been
14 implemented, and it's really a good thing. And I really
15 appreciate that and commend you for it. I'm going to
16 talk about two things. And I apologize for
17 double-teaming you on the gates and the silting, but I
18 did have a couple more things to say about that. And on
19 the gates --

20 Well, first of all, I think it would be
21 good to have more time, because I know our Nassau Bay
22 City engineer is looking into this. And I'm sure he
23 needs some more time to go through the big document.

24 And then on the gates, it's imperative that
25 they work. And, unfortunately, the time that they need

1 to work is in the worst conditions. And I will tell you
2 that if the gates were in a plant environment, a process
3 plant, they would do what is called a HAZOP review on
4 them. And they would rank what is the likelihood of them
5 failing and then they would rank the liability, sort of
6 what would be the impact. And taking those two elements
7 into consideration, they would come up with you'd have to
8 have like triple redundancy and very, very frequent
9 testing to make sure that they do work. And I just think
10 that whatever it takes to make those work, if it's
11 package generators that stand alone and can be remotely
12 operated, I really think that needs to be done. Because
13 it is very crucial to prevent damages in the community.

14 And the other thing is silting. And it's
15 really the amount of dirt that would be excavated in this
16 project. I picture that's a huge amount of earth being
17 moved around. And because we live on the lake and I look
18 at it all the time, I'm out there wind surfing all the
19 time -- as you can see, I've got some damage here from
20 that running aground. So the silting has really
21 increased during the last 12, 14 years. Clear Lake used
22 to be clear. And during the last two or three years,
23 since Ike, it has been clear. Not a lot of rain. But
24 prior to that, I did see a lot of -- I go out on the
25 water and I'm like, Man, what is -- what is wrong here?

1 This water smells like dirt. And I finally -- I think I
2 figured it out that it's probably due to the
3 straightening in Brazoria County, because it looks like
4 there's some straight lines on creeks up there before, so
5 that's probably what had happened. Because, you know, I
6 could see the dirt line in the water coming down every
7 rain. You know, the -- Well, we do have a lot of
8 problem with the silting in there. And Nassau Bay's
9 had -- they spent a ton of the money dredging so they
10 could get their boats in and around the marinas and the
11 properties that people have. So it's really important
12 to -- whatever it takes during construction, to minimize
13 that. I guess there -- they might have sheets of some
14 kind of material to cover it up during rains. And that
15 really has to be enforced. I know how it is during
16 construction projects.

17 Okay. I think that's it. And, again, I do
18 commend you for listening to us last time. Thank you.

19 COLONEL SALLESE: Thank you, sir. At this
20 time I do not have any more requests for folks to speak.
21 But I will open it up if somebody -- if there's somebody
22 in the audience who did not -- who came in late and did
23 not have an opportunity to fill out a card, if you wish
24 to speak now, I ask you to come forward or raise your
25 hand. Yes, sir.

1 MR. JOHNSON: My name is Don Johnson. I
2 didn't hand in a card before. I'm a resident. I live in
3 Friendswood. I just want to make a couple of comments
4 real quick. This has been a long project. And I know
5 it's been a tough project to work on. I live in the hill
6 part of the creek where -- just about where the
7 channelization is going to stop. And so I have a real
8 concern, you know. Right now, it's already partially
9 channelized out there. It handles eight to nine times as
10 much water as our little creek can handle. So we have a
11 flooding problem right there at Dixie Farm Road where
12 everything stops. And then all of a sudden, you have
13 this push of water into this little -- it's like a pinch
14 point on an hourglass. And that creates a problem. So,
15 you know, it's always my hope that, you know, the creek
16 project could have done something more; you know, that it
17 could have done more through the middle creek; but, you
18 know, apparently that's not going to be. So I'm not
19 going to push that side of it.

20 But I guess my concern is, and my other
21 neighbors' concern is, when we go to our local drainage
22 district and we try to talk to them about, Hey, there's
23 some oxbows out there, there's some things we could do
24 that are, you know, a much smaller improvement than what
25 y'all are able to do. But our drainage district could do

1 some of those things. And when we go to talk with
2 them -- and I think we have some representatives here --
3 they tell us that, Well, it's just so difficult to get an
4 Army Corps permit to do anything and it's so difficult to
5 do this. So I would hope that the Army Corps could offer
6 them something, not necessarily as part of this project,
7 but something recognizing that the middle creek is not
8 getting anything out of this. The lake folks, they've
9 got the gates. And then the upper end of the creek,
10 they're getting this project. So what about us poor
11 little guys in the middle, you know, what can we get?
12 You know, is there anything that we can get out of this?
13 Not the Corps project, but at least cooperation from the
14 Corps to help expedite these things and not have
15 Galveston having to consolidate the drainage district and
16 have to worry about coming up with 50- or \$100,000 to try
17 to get somebody to come in and work a permit through the
18 process. That's very frustrating for me, as I'm sure
19 it's very frustrating for them. And I don't understand
20 it, but hopefully y'all can do something to address that.

21 The other thing is I've lived on the creek
22 for a long time. And I've walked up and down the whole
23 creek and I'm very familiar with the creek. And I don't
24 know if the illustrations you put up on the screen were
25 accurate or not, but some parts of that looked like they

1 were showing a bank that was at about a 45-degree angle.
2 And I know that you want to do reforestation of some of
3 those things; but having lived along the creek and really
4 understanding what does it mean, you know, when you talk
5 about a wild environment, the problem you have is
6 maintenance. Where is your maintenance plan? How are
7 you going to get in there and maintain that if you have
8 these impossible creek angles and you have this brush and
9 everything else? Nobody can -- It's impossible, almost,
10 to get through that kind of environment and do anything.
11 You know, I don't know if you've talked to, you know,
12 Jeff up here and asked him what a tough time it is to
13 maintain these things or talked to Harold Whitaker out
14 here, Galveston County Consolidated Drainage District.
15 You're not going to be able to get equipment in and out
16 and along the side of that. And if you reforested
17 everything and put trees in there, it's impossible. You
18 can't do any maintenance. And that's an issue, because
19 you will have trees fall and everything. My neighbors
20 and I, we try to pull things out all the time. And
21 there's been programs along Clear Creek to try and clean
22 the creek up. We've had tires in it. We've had washing
23 machines. You ought to ask these guys what all they've
24 pulled out of the creek that's there. And if you don't
25 have a maintenance plan and you don't have some way to

1 get in there and you reforest it and there's no way to
2 get at it, that creek's going to stop up and it's not
3 going to move water the way the model is showing us the
4 way it is supposed to move water. So I hope those are
5 just some little things you can -- And I haven't really
6 looked at the whole thing. I haven't had time to. I do
7 hope you extend the comment period. And I'd like to see
8 you bring back the citizens' advisory board. I hear that
9 it's in existence. It's just not calling meetings
10 anymore. But I think that's a good place for citizens to
11 come. And, if nothing else, frustrated citizens like me,
12 it's a good place to come and vent, you know, and express
13 our concerns whether anything happens or not. That would
14 be appreciated, if y'all would consider starting that
15 back up. Thank you very much.

16 COLONEL SALLESE: Thank you, sir. Is there
17 anybody else here this evening that would like to speak?
18 Okay. Well, in conclusion, written comments on the Draft
19 Reevaluation Report and the Draft Supplemental EIS, and
20 the Draft General Conformity Determination must be
21 received or postmarked on or other before 30 January
22 2012. The conclusion of the 45-day comment period that
23 began on 16 December 2011, yes, we've heard you tonight
24 about extending that comment period. We will reevaluate
25 that this evening. And we'll look at, you know, our

1 methods of -- that we use to communicate this public
2 meeting. The idea of getting this normally -- Normally,
3 we announce a public meeting, and hold that meeting two
4 weeks later. We understood that the -- we were dealing
5 with the holiday period. That's why we announced the
6 meeting before the holidays and conducted the meeting
7 after the holidays. But it seems like something got lost
8 in the mix there. So we will reevaluate how we do these
9 announcements and also the time required to review
10 comments.

11 I would like to thank the Harris County
12 Flood Control District, Brazoria Drainage District Number
13 4, Galveston County for their efforts and assistance for
14 this meeting. I thank you all for attending and
15 especially for the interest that you've shown tonight.
16 We've heard your comments. We will look at our report.
17 We will address your comments. And I look forward to
18 dealing with you all in the future. At this point this
19 meeting is adjourned.

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RESPONSE TO PUBLIC MEETING COMMENTS

Comment No.	Response
1	Thank you for your comments.
2	Thank you for your comments.
3	The original 45-day comment period established in the NOA for the DSEIS began on December 16, 2011, and ended on January 30, 2012. A 15-day extension to the comment period was granted so that the public would have additional time to review and comment on the Draft SEIS.
4	Thank you for your comments.
5	Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis is limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.
6	The locations of wetlands within the project footprint are included in Section 4.9.3.2 and Figure 3.9-2.
7	Temporary and permanent erosion control features may be used as necessary to minimize siltation during and after construction of the project. Best Management Practices to reduce silt runoff will be utilized and required during construction. The majority of soils in the area are high plasticity clay which is naturally resistant to erosion. Any silt and sand areas will be protected, as needed, by geotextiles, riprap, permanent turf reinforce matt or articulated concrete blocks for erosion protection to prevent siltation. Permanent erosion control devices will be placed where needed such as geotextiles and articulated concrete blocks. The need and locations of permanent erosion control devices will be determined during the preconstruction engineering and design phase of the project. See Section 4.3 of the FSEIS, Sediment Quality, for detailed information.
8	Temporary and permanent erosion control features may be used as necessary to minimize siltation during and after construction of the project. Best Management Practices to reduce silt runoff will be utilized and required during construction. The majority of soils in the area are high plasticity clay which is naturally resistant to erosion. Any silt and sand areas will be protected, as needed, by geotextiles, riprap, permanent turf reinforce matt or articulated concrete blocks for erosion protection to prevent siltation. Permanent erosion control devices will be placed where needed such as geotextiles and articulated concrete blocks. The need and locations of permanent erosion control devices will be determined during the preconstruction engineering and design phase of the project.
9	The original 45-day comment period established in the NOA for the DSEIS began on December 16, 2011, and ended on January 30, 2012. A 15-day extension to the comment period was granted so that the public would have additional time to review and comment on the Draft SEIS.

Comment No.	Response
10	<p>The Recommended Plan reduces the water surface elevations in this area from rainfall events using a combination of linear detention and improvements to Clear Creek and its tributaries. The plan was formulated using a benefit/cost analysis while minimizing any induced damages. Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis is limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.</p>
11	<p>The mailing lists for the NOA for the Draft SEIS were developed from past lists of interested public who attended the various scoping and public meetings held over the course of the study. In addition to the NOAs mailed out to those listed individuals, newspaper notices were published in the <i>Houston Chronicle</i>, <i>Galveston Daily News</i> and <i>The Facts</i> (a Brazoria County publication) on December 15, 2011, informing the public of the availability of the Draft GRR and SEIS and of the public meeting that would be held on January 11, 2012. Information regarding the public scoping meeting is provided in Appendix A of the SEIS.</p>
12	<p>Modifications to Mud Gully would occur between Sagedown and Astoria Drive and would not extend beyond the existing right-of-way between the north and southbound lanes of Beamer Rd. The proposed modifications to Mud Gully would be more than 1 mile upstream of the Brio Site; as such the project would not involve disturbances to any sediments related to the Brio Site. Please see Section 4.8.1.2 of the EIS for more information.</p>
13	<p>The U.S. Army Corps of Engineers models, Harris County models, and FEMA floodplain maps show a wide floodplain backing up west of I-45 bridge, which constricts flow at that location. You can go to the FEMA map service center and view the floodplain maps showing the floodplains (https://msc.fema.gov). Similar floodplain dimensions are reflected in the model the Corp is using for existing conditions. For information on the floodplains and water surface elevations with and without the proposed project please reference Section 2 of the Engineering Appendix to the GRR. Upstream of the I-45 bridge the water surface elevations will be decreased slightly by implementing the tentatively selected NED plan. Additionally the Harris County Flood Control Model for Clear Creek including the I-45 area can be downloaded for free at http://www.m3models.org/ and the existing conditions model can be run and various outputs viewed using free software (HEC-RAS provided by USACE for free by the Hydrologic Engineering Center at http://www.hec.usace.army.mil/software/hec-ras/).</p>
14	<p>Flood damages in the Clear Creek watershed can result from stream flooding along the mainstream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis is limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.</p>

Comment No.	Response
15	Section 2 of the Engineering Appendix to the GRR includes Water Surface Elevation tables and Floodplain maps containing data obtained from the models used in the U.S. Army Corps of Engineers study to select the Tentatively Recommended Plan.
16	The project that altered Robinson Bayou was not constructed or designed by USACE. Robinson Bayou is not under USACE jurisdiction and any involvement by USACE would have been regulatory in nature (permitting). If TxDOT (state) performed the modifications it is recommend you contact the TxDOT Houston District. They should have design plans and drainage impact reports supporting this construction. Runoff from Robinson Bayou is included in the USACE hydrologic model using routing techniques such as Modified-Pulse to estimate flows coming into Clear Creek from Robinson Bayou.
17	On December 16, 2011, the public was informed of the release of the DGRR and DSEIS as well as the January 11, 2012 public meeting date and time through distribution of the NOA to officials elected to jurisdictions within the project area and to individuals, groups and agencies who have inquired about the project or who attended past public meetings. In addition, the public meeting was announced through publishing notices in area newspapers - specifically the Houston Chronicle, Galveston Daily News and The Facts (Brazoria County) - on December 16, 2011.
18	Pictures received and reviewed. The project that altered Robinson Bayou was not constructed or designed by USACE, and maintenance (silt management/removal) is performed by local authorities. Temporary and permanent erosion control features will be used to minimize siltation during and after construction of the proposed USACE project. This includes soil stabilization and vegetation regrowth components. Locations of permanent erosion control features such as geotextiles and articulated concrete blocks will be determined during the project design phase. Best Management Practices to minimize silt runoff will be used and required throughout construction and after. The tentatively selected NED plan does not include any modifications to Robinson Bayou.
19	Thank you for your comments.
20	The original 45-day comment period established in the NOA for the DSEIS began on December 16, 2011, and ended on January 30, 2012. A 15-day extension to the comment period was granted so that the public would have additional time to review and comment on the Draft SEIS.
21	Thank you for your comment.
22	The mailing lists for the NOA for the Draft SEIS were developed from past from lists of interested public who attended the various scoping and public meetings held over the course of the study. In addition to the NOAs mailed out to those listed individuals, newspaper notices were published in the Houston Chronicle, Galveston Daily News and The Facts (a Brazoria County publication) on December 15, 2011, informing the public of the availability of the Draft GRR and SEIS and of the public meeting that would be held on January 11, 2012. The original 45-day comment period established in the NOA for the DSEIS began on December 16, 2011, and ended on January 30, 2012. A 15-day extension to the comment period was granted so that the public would have additional time to review and comment on the Draft SEIS.

Comment No.	Response
23	The locations of wetlands within the project footprint are included the FSEIS, Section 4.9, which has been revised for clarification. The projected changes in water flow and surface elevations for both without- and with-project conditions are theoretical estimates obtained from HEC-1 and HEC-RAS models. These models were run for general conditions to show how the project will affect flooding problems for surrounding communities, and cannot be used to provide details about how a the specific wetland location that may be affected hydrologically. To adequately address how a wetland may be affected from reduced a reduction in the lateral extent floodplain or reduced flooding frequency, additional hydrological and hydraulic analyses would be necessary to identify which source of hydrology (i.e., sheet flow, surface water ponding or out of bank flooding) is the driving factor for survival/functioning of a particular discrete wetland. Such analyses would be time consuming and costly, and are beyond the scope of this study.
24	Buyout alternatives, as a stand alone measure or coupled with conveyance, were considered throughout the planning of the project, and attempts were made to incorporate this practice where economically feasible when both benefits and costs were considered. However, the costs for implementing buyouts were greater than the economic benefits (e.g., dollars of flood damages reduced) gained from them. As such, alternatives that included buyouts were not economically justified and were not included in the proposed plan. See Section 2.3 of the FSEIS for a comprehensive review of the alternative plans considered, including buyouts.
25	The study area for the habitat evaluation is limited to those resources that occur within the potentially affected area of the project which, for Clear Creek, is generally limited within the 500-year floodplain within the watershed. Cataloging data for entire area of the counties which may span other watersheds, is not within the scope of this study. Section 4.9 has been modified to clarify potential impacts to wetlands.
26	Thank you for your comment
27	Thank you for your comment
28	The detailed designs to reconnect the low flow of Clear Creek back into the cut off meanders within the proposed mitigation site to restore the natural sinuosity of Clear Creek in this area would be developed during the preconstruction engineering and design phase of the project.
29	The construction of the project has not started yet, so this siltation is not caused by any USACE actions. Clear Creek is not dredged by USACE and any dredging is performed by local authorities or local private interests. Temporary and permanent erosion control features will be used as necessary to minimize siltation during and after construction of the project. Best Management Practices to reduce silt runoff will be utilized and required during construction. The majority of soils within the proposed project footprint are high plasticity clay which is naturally resistant to erosion. Any silt and sand areas will be protected as necessary by geotextiles, riprap and permanent turf reinforced mats, and/or articulated concrete blocks for erosion protection to prevent siltation. The need and locations for these BMPs and erosion control features will be determined during the preconstruction engineering and design phase of the project. For more information on BMPs, placement areas, and soil quality issues, see Section 4.3.2 of the SEIS.

Comment No.	Response
30	The operation and maintenance of the 2nd Outlet and Gates is the sole responsibility of the HCFCF, not the USACE.
31	Flood damages in the Clear Creek watershed can result from stream flooding along the main stream and tributaries and also from storm surge from Galveston Bay. The GRR study authority only addresses flood damages from stream flooding, so this analysis is limited to that flood source. The congressional authorization for this project only allows the consideration of reducing flood damage caused by rainfall runoff along the main channel of Clear Creek and not coastal flooding caused by tropical storm systems. See Section 1.3 of the SEIS for the Study Authority and Location, and Section 1.5 for Planning Objectives.
32	The proposed Tentatively recommended NED Plan does not make the situation worse downstream. It utilizes a combination of linear detention and channel improvements to reduce flooding in sections of the stream while minimizing adverse impacts to the rest of the Creek and its tributaries. See Figure 4.4-1a-b and Figure 4.4-2a-b in the SEIS for flood elevation profiles for the GRP and No-Action alternatives, Section 2.4 for Comparison of Alternatives and Identification of the Tentatively Recommended Plan, and Section 4.15 for the Cumulative Impacts Analysis.
33	The PAs shown in the Real Estate Plan (appendix to the GRR) were for appraisal information only, and were used as a proxy for estimating costs of the project. In the Executive Summary and sections 5.4.1.3 and 5.5.2 of the Draft SEIS, the following assumptions were made regarding the location and impacts relating to the siting of the placement areas: "The excavated material would be deposited at a designated upland confined placement area. The locations of the placement areas would be determined during the preconstruction engineering and design phase. Attempts will be made to site the placement areas on agricultural lands, pasture, and other urban land to avoid wetlands and/or other ecological resource areas." Sections and appendices in the GRR and SEIS have been modified, where applicable, to reflect this language so that it is clear that the intent is to avoid additional impacts to these resources. For more information on BMPs, placement areas, and soil quality issues, see Section 4.3.2 of the SEIS. Edits with 404(B) also implemented.
34	Thank you for your comment.
35	The original 45-day comment period established in the NOA for the DSEIS began on December 16, 2011, and ended on January 30, 2012. A 15-day extension to the comment period was granted so that the public would have additional time to review and comment on the Draft SEIS.
36	The operation and maintenance of the 2nd Outlet and Gates is the sole responsibility of the HCFCF, not the USACE.

Comment No.	Response
37	<p>Temporary and permanent erosion control features will be used to minimize siltation during and after construction of the project. This includes soil stabilization and vegetation regrowth components. Best Management Practices to minimize silt runoff will be used and required throughout construction and after. The current siltation in the lake is not related to this project as the USACE has not begun any construction yet. Permanent erosion prevention such as articulated concrete blocks, riprap and geotextiles will be used for long term erosion control. The majority of soils within the tentatively selected NED plan project footprint are high plasticity clay which is naturally resistant to erosion. Any silt and sand areas will be protected by geotextiles, riprap and permanent turf reinforced mats or articulated concrete blocks for erosion protection to prevent siltation. See Section 4.3 of the FSEIS, Sediment Quality, for detailed information.</p>