

C) AVOIDANCE AND MINIMIZATION

The Applicant has minimized the impacts to jurisdictional areas while still able to meet the needs of the proposed development. The Applicant has avoided 0.18 acres of wetlands and the entirety of the 0.32 acres (508 linear feet) of jurisdictional Waters of the U.S.

D) MITIGATION

In order to compensate for the unavoidable impacts to the jurisdictional wetlands, the Applicant is proposing to purchase the appropriate number of mitigation credits through the Gin City Mitigation Bank or another approved mitigation bank (**Appendix D**).

PURPOSE AND NEED FOR THE WORK

The overall purpose of the proposed project is to construct medical office buildings with direct access to the frontage road of Interstate Highway 45 and frontage road of State Highway 242 and adjacent to the existing hospital located north of the proposed project area. The proposed medical office buildings will provide employment opportunities and necessary medical facilities to the surrounding areas. The proposed medical office buildings are needed to meet the future population growth of the immediate area and the associated demand for medical services to this region of Montgomery County, Texas.

Additionally, the proposed detention pond is required to comply with the City of Conroe and Montgomery County detention and drainage requirements.

ALTERNATIVES ANALYSIS**No Action Alternative**

Under this scenario, the Applicant would not construct the medical office buildings with associated parking, roadways, and detention pond. A no action alternative was analyzed and eliminated for the following reasons: 1) a no action alternative would not address the current demand for medical facilities to the immediate area; 2) not building the proposed development would not supply employment opportunities in the medical field to this region of Montgomery County; and 3) not building the medical office buildings would cause the Applicant a significant financial loss from the initial purchase and investment in the property for development purposes.

Relocation (Off-Site) Alternative

A relocation alternative was analyzed and eliminated for the following reasons: 1) the project is specific to the region of Montgomery County, Texas and relocating the project would not provide the needed medical facilities to the immediate area; 2) no other available tracts of this size exist within the target market area which have a similar amount of acreage outside of the 100-year floodplain or with fewer jurisdictional areas, as indicated by National Wetland Inventory (NWI) maps; and 3) this proposed development is site specific to work in conjunction with the existing Methodist Hospital System situated directly north of the subject property.

On-Site Alternatives

Due to the wetlands location on the site, total avoidance would prohibit the most practical design plans. The wetlands are located throughout the property and are not centralized to one location, making total avoidance, while still meeting project requirements, impossible. Reducing the size of the medical office buildings in order to completely avoid the jurisdictional areas would cause the project to be unfeasible. The detention pond must be constructed adjacent to the proposed medical office buildings to adequately function as detention for the proposed development and has been minimized the most practicable extent possible.

Preferred Alternative

The preferred alternative is the proposed project as described above. The Applicant prefers the proposed project design because: 1) the proposed detention pond design allows the Applicant to adequately detain all future storm water runoff as required by the City of Conroe and Montgomery County; 2) the current design

allows the Applicant to construct the necessary medical office buildings to meet market demand in the area; and 3) the proposed project will meet the immediate need for medical services in this region of Montgomery County, Texas.

EXISTING CONDITONS & ENVIRONMENTAL SETTING

The subject property is currently undeveloped with a mix of herbaceous and forested land. A man-made retention pond is present on the property. The subject property is bordered by undeveloped land to the south and west. Interstate Highway 45 borders the subject property to the west and existing commercial development, Methodist Hospital, is located directly north.

In upland areas, the subject property was dominated by pine (*Pinus taeda*), Vasey’s grass (*Paspalum urvillei*), yaupon (*Ilex vomitoria*), American beauty berry (*Callicarpa americana*), and annual sumpweed (*Iva annua*). In wetland areas, the subject property was dominated by Chinese tallow (*Triadica sebifera*), willow oak (*Quercus phellos*), alligatorweed (*Alternanthera philoxeroides*), long-leaf spikerush (*Chasmanthium sessiliflorum*), and Cherokee sedge (*Carex cherokeensis*).

HISTORIC AND CULTURAL RESOURCES

An archeology study was conducted on the subject property by HRA Gray & Pape, LLC in May 2014. THC concurred with the results of the HRA archeology study in June 2014 (**Appendix H**).

WATER QUALITY

It is the opinion of BOA that the project proposes to impact greater than 3.00 acres of wetlands; therefore this proposed development would be considered a Tier II project. The TCEQ Tier II 401 Certification Questionnaire is located in **Appendix G**. The Applicant agrees to use Best Management Practices (BMP’s) during all construction activities on-site.

ENDANGERED SPECIES:

A review of the United States Fish and Wildlife Service (USFWS) database indicates that the following species have a possibility of occurring in the vicinity of the proposed project site, located within Montgomery County, Texas:

Group	Common Name (Species)	Status
Birds	Bald Eagle (<i>Haliaeetus leucocephalus</i>)	Protected
Birds	Red-cockaded woodpecker (<i>Picoides borealis</i>)	Endangered

This assessment was derived from the data provided by the USFWS online database. Due to the location of the project site within Montgomery County, it is the professional opinion of BOA that only the Bald Eagle and red-cockaded woodpecker occur within this county; however, these two species would not likely survive due to the lack of necessary habitat on the property. Additionally, the existing traffic noise would likely deter these species from nesting or foraging on the property.

Bald Eagle (*Haliaeetus leucocephalus*) –The bald eagle is a large bird with a wingspan of 6 to 7.5 feet. Bald eagles have been known to nest in the Harris County area from December through March after which time they migrate to northern states and southern Canada. Nesting eagles prefer habitat in undisturbed coastal regions or on lake shores with large cliffs or tall trees (40-120 feet), which are generally taller than the common forest canopy as this provides an unobstructed flight path to the nest. The nest usually consists of bulky platforms of sticks and twigs. Fish are the primary food source for nesting bald eagles; therefore, nests are usually