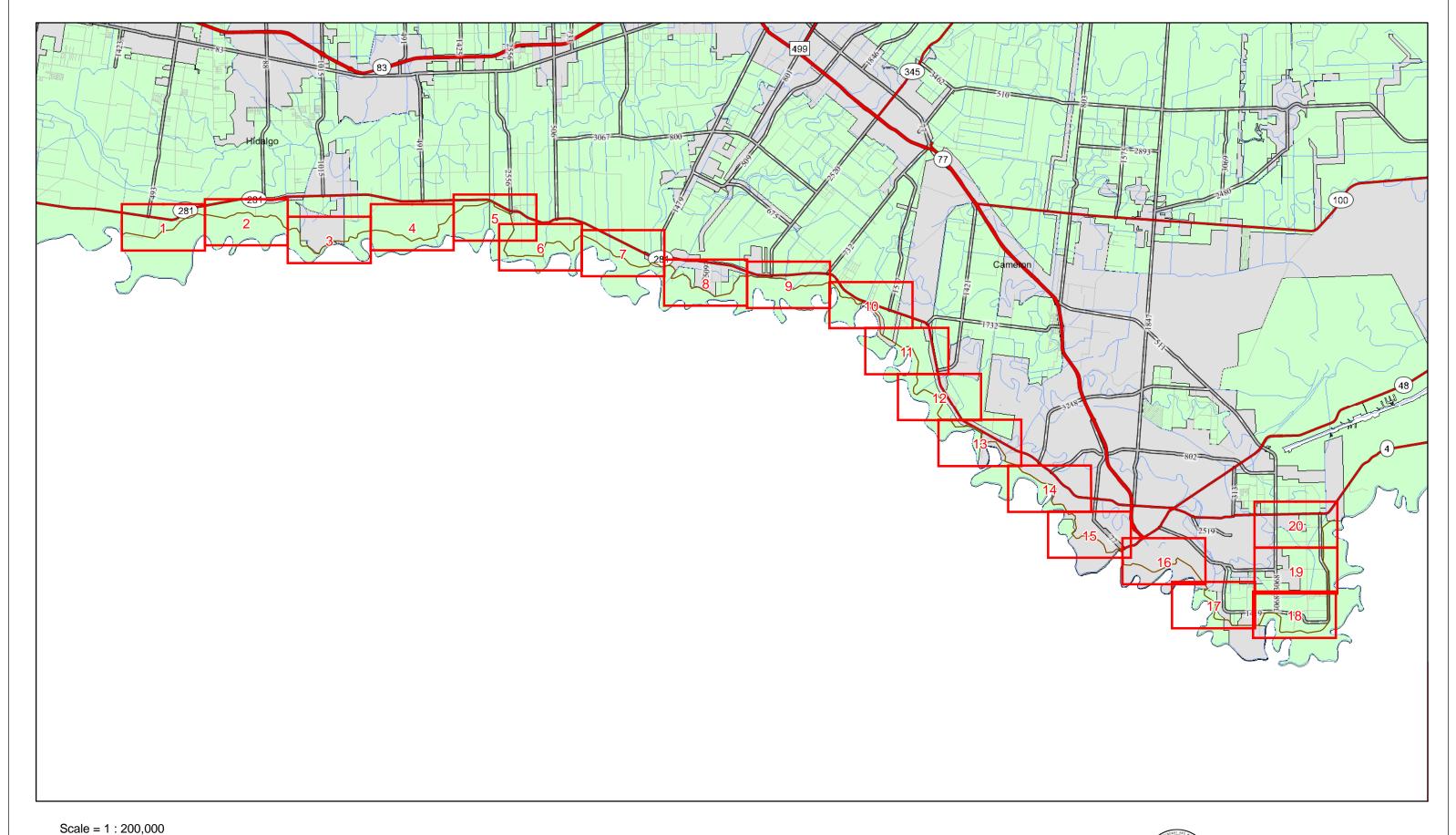
APPENDIX A

DETAILED MAPS OF LEVEE ALIGNMENT, RIGHT-OF-WAY AND POTENTIAL EXPANSION AREA



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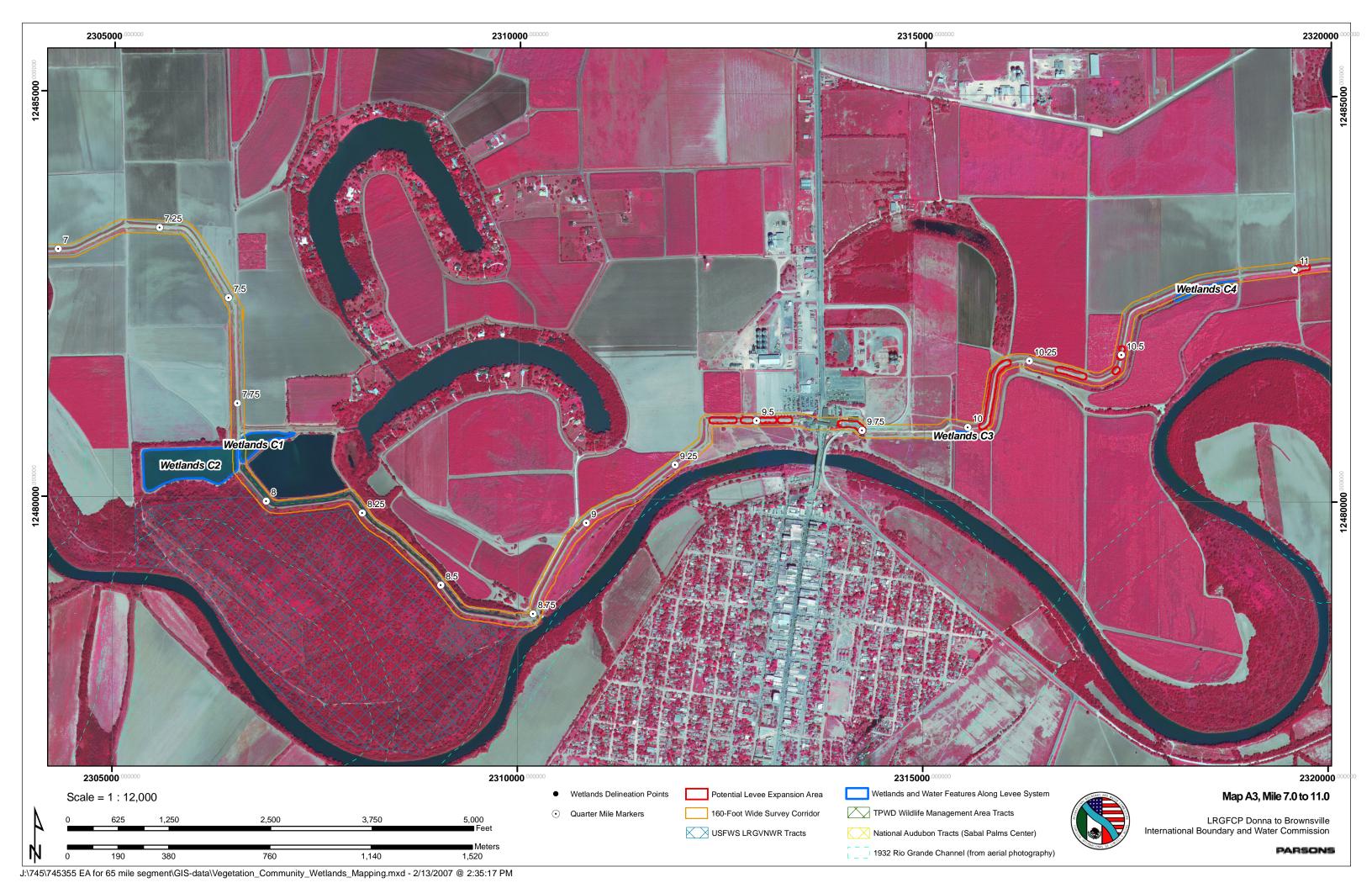
Appendix A Index Map

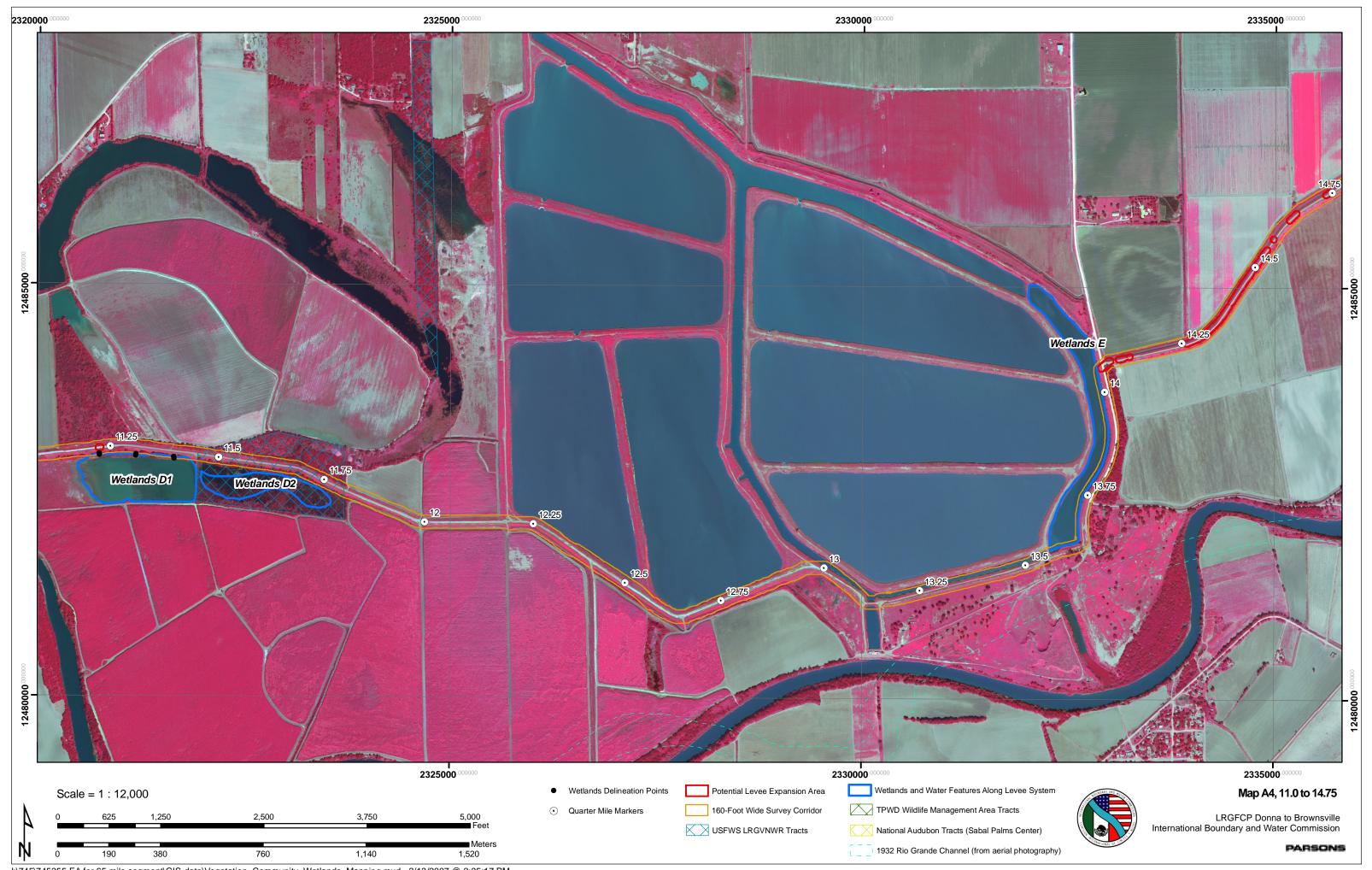
LRGFCP Donna to Brownsville International Boundary and Water Commission

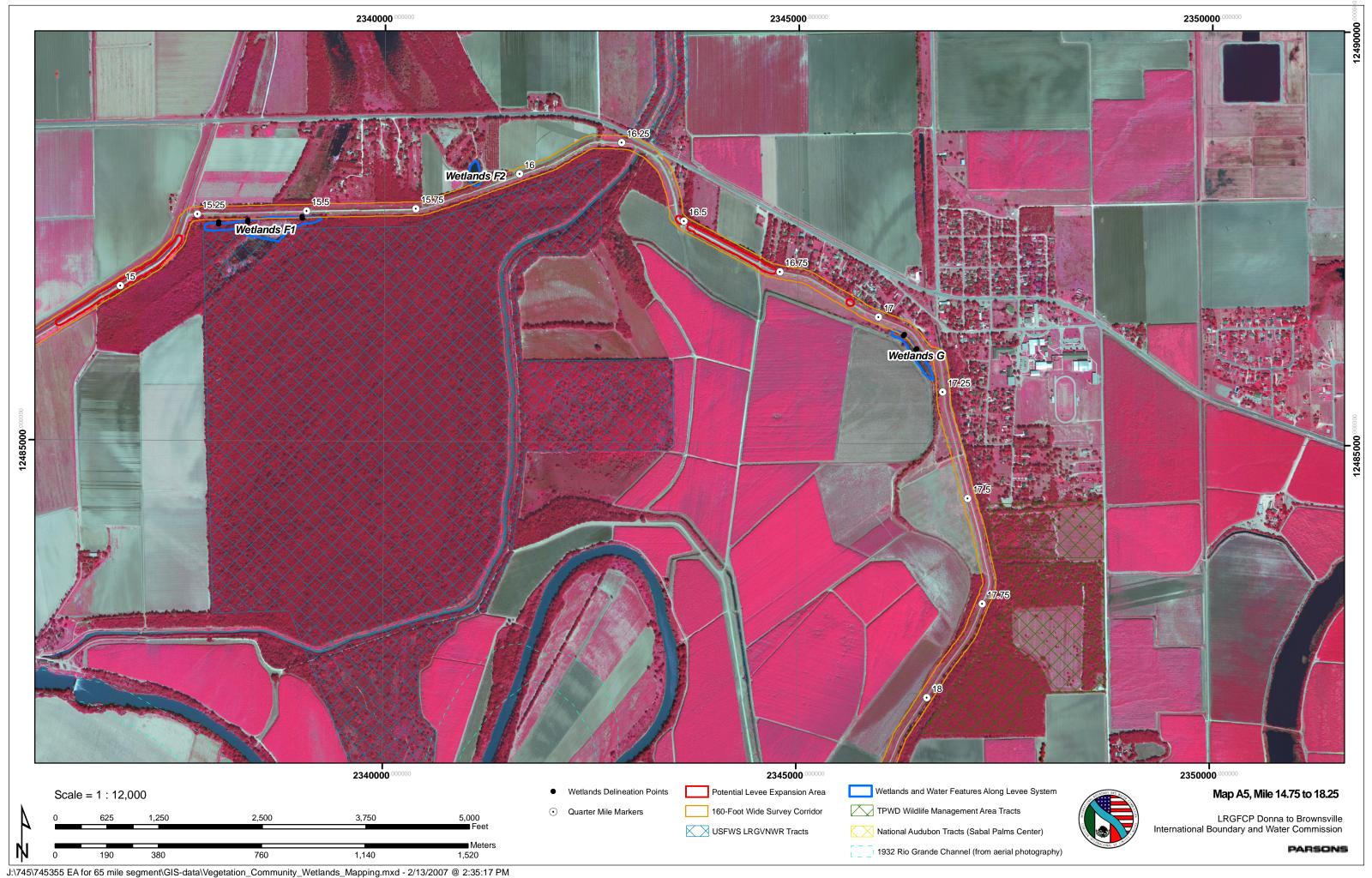
PARSONS

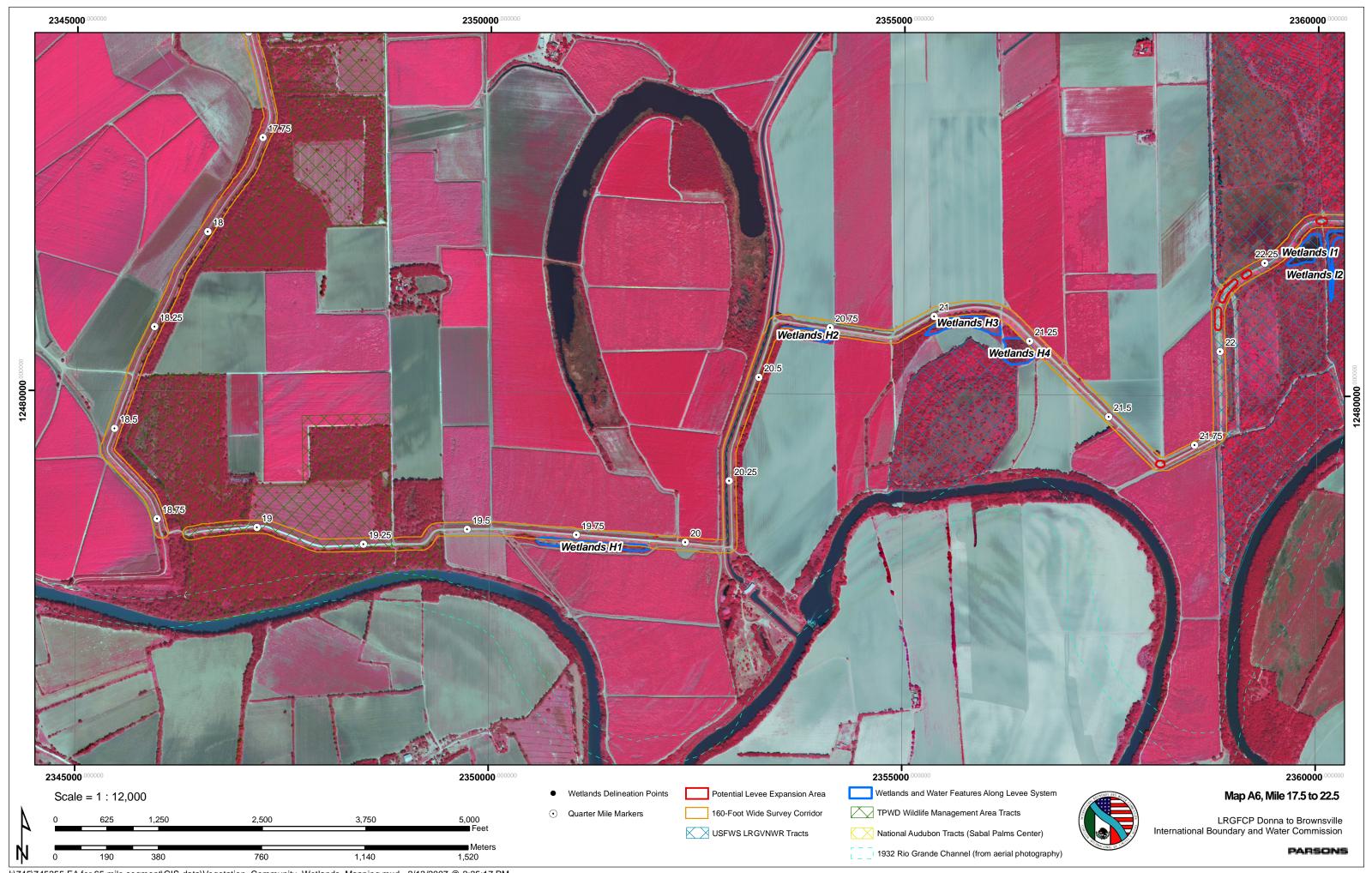


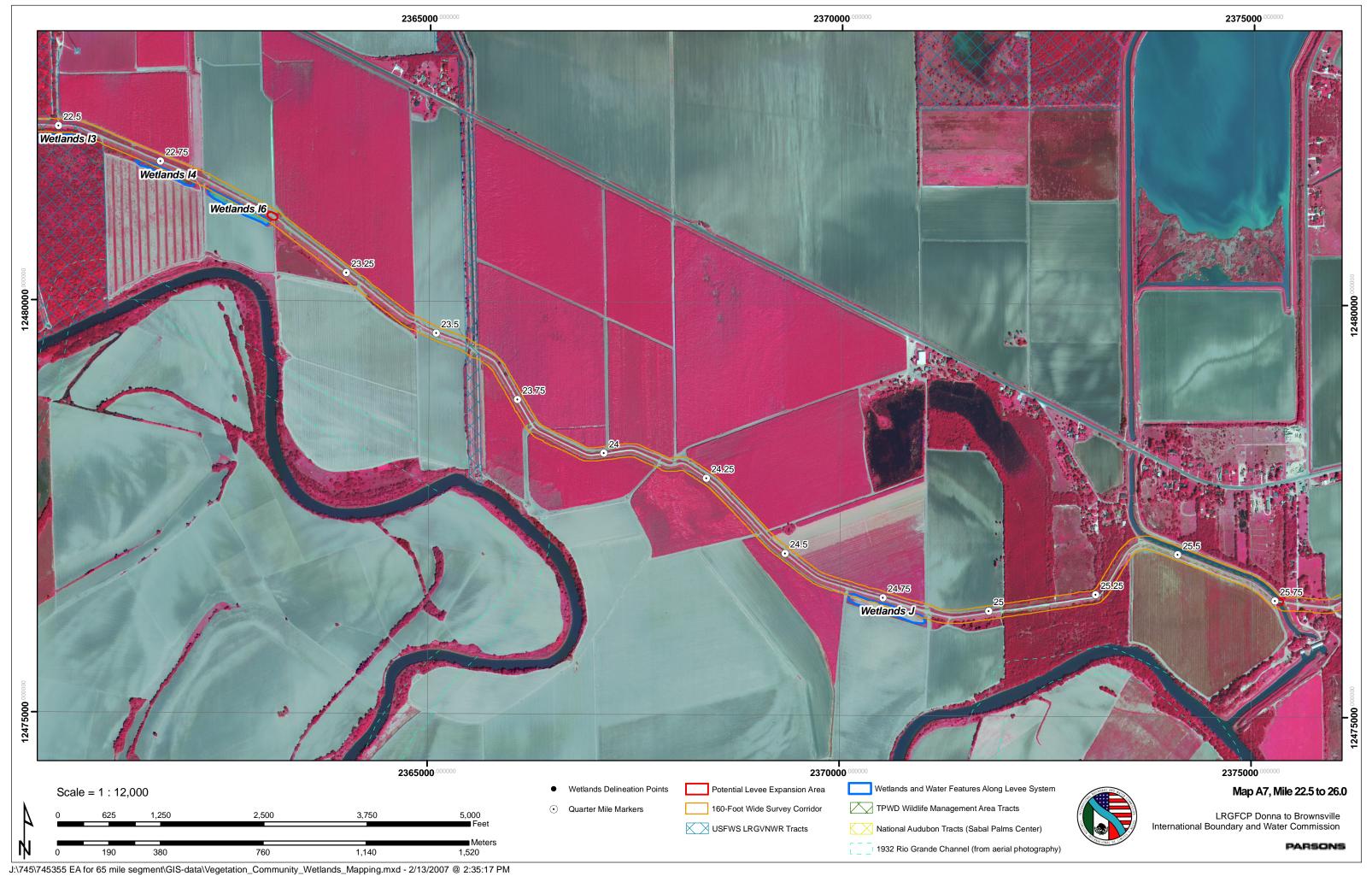


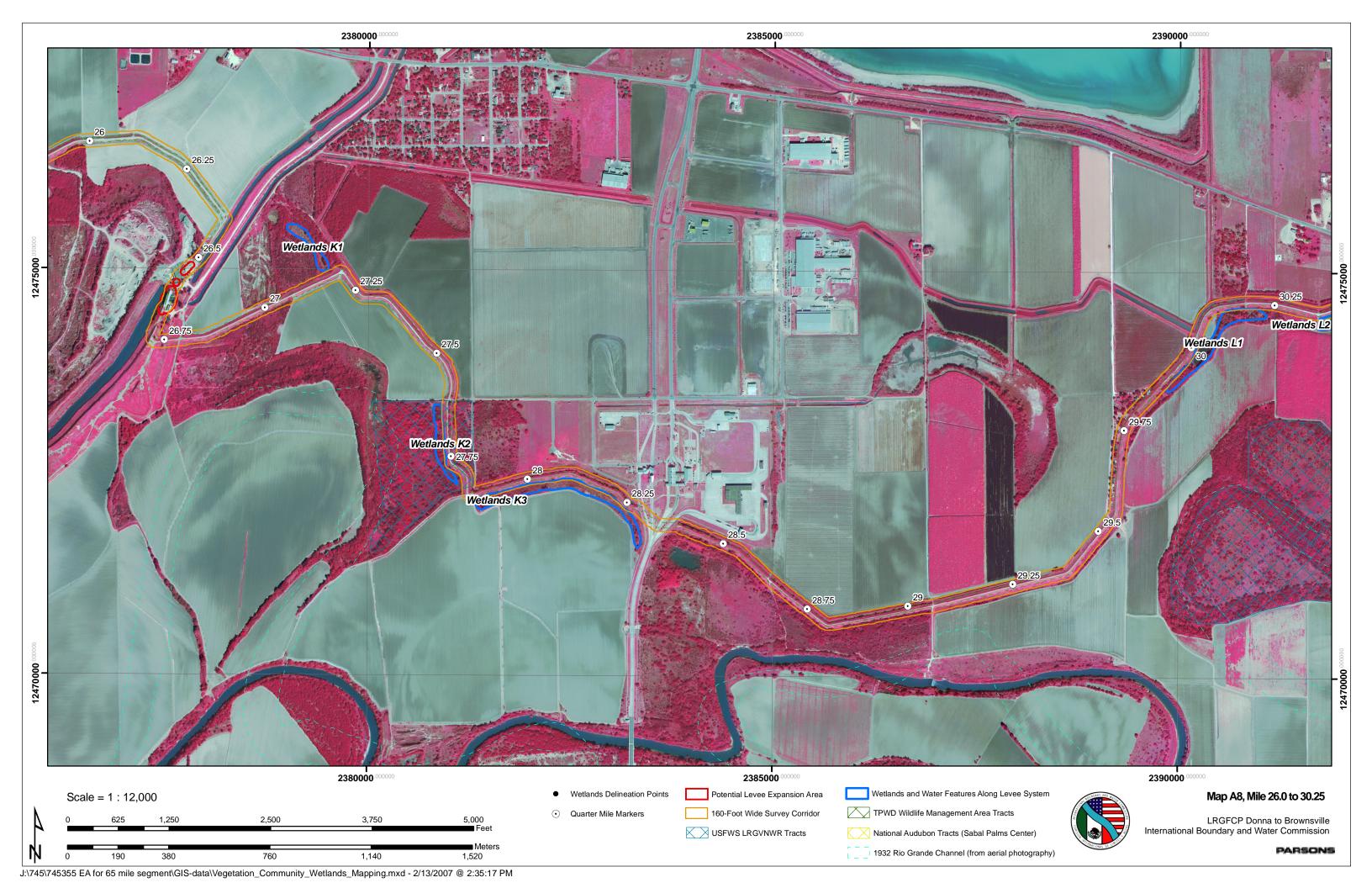


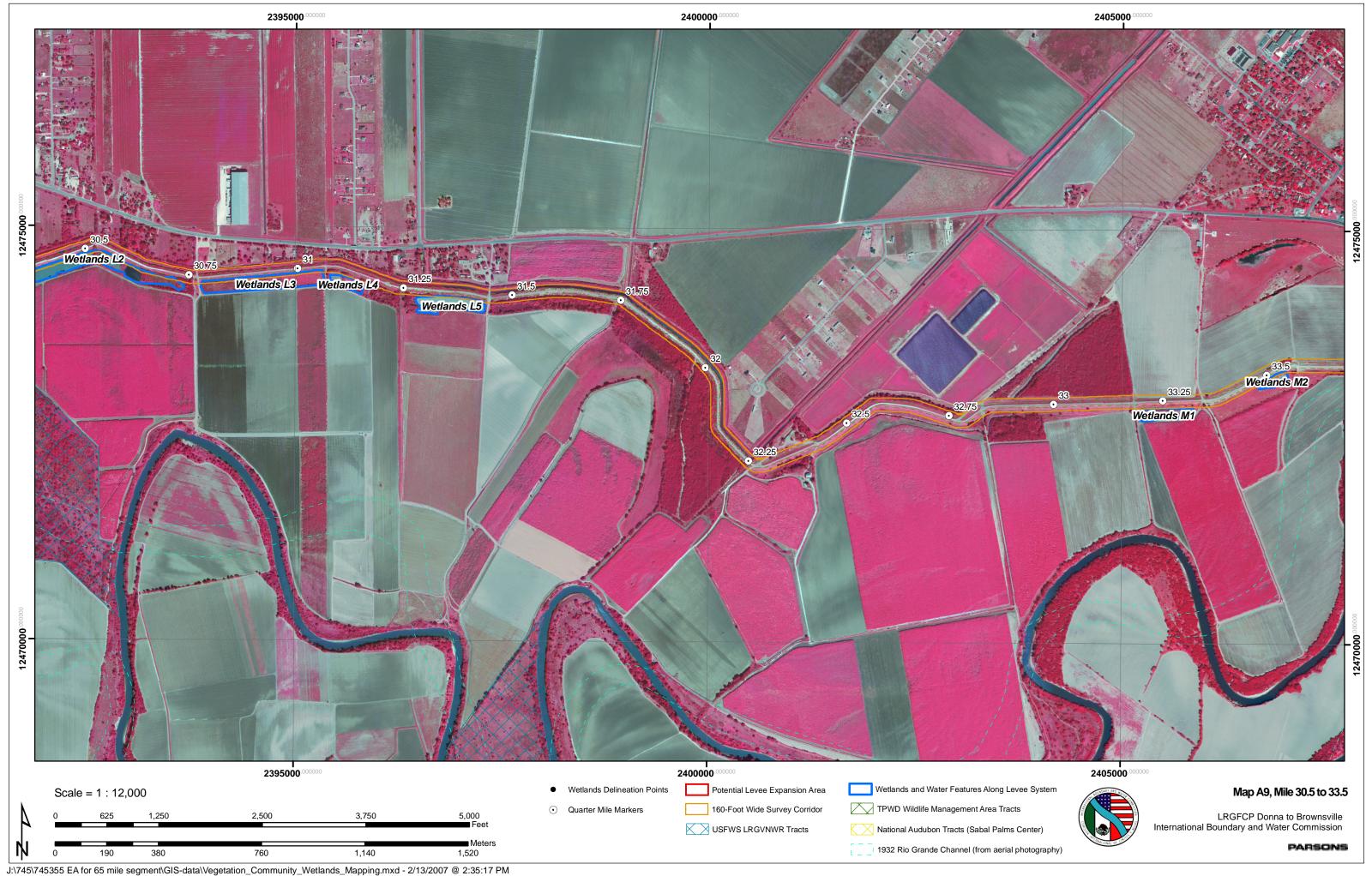


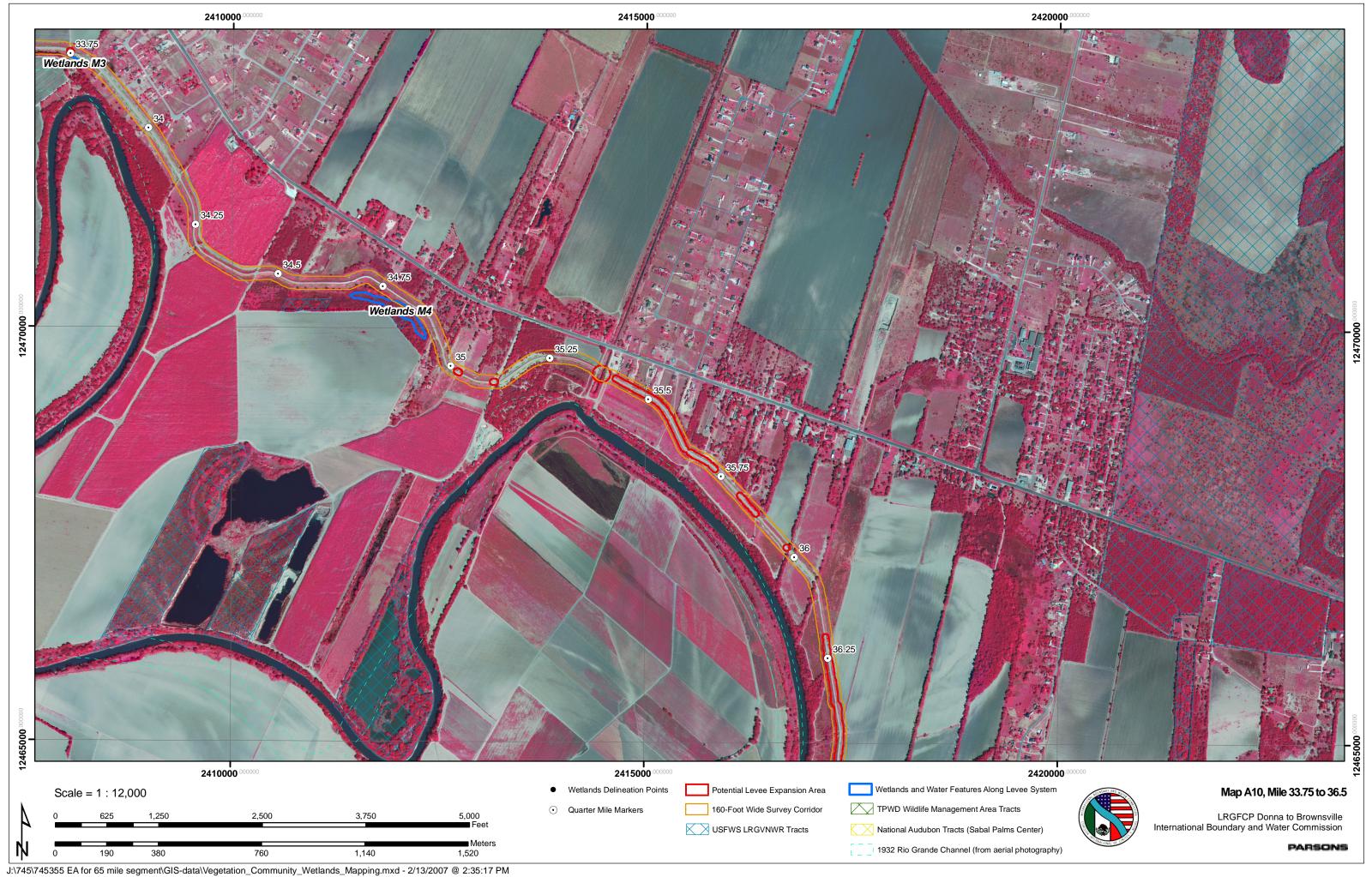




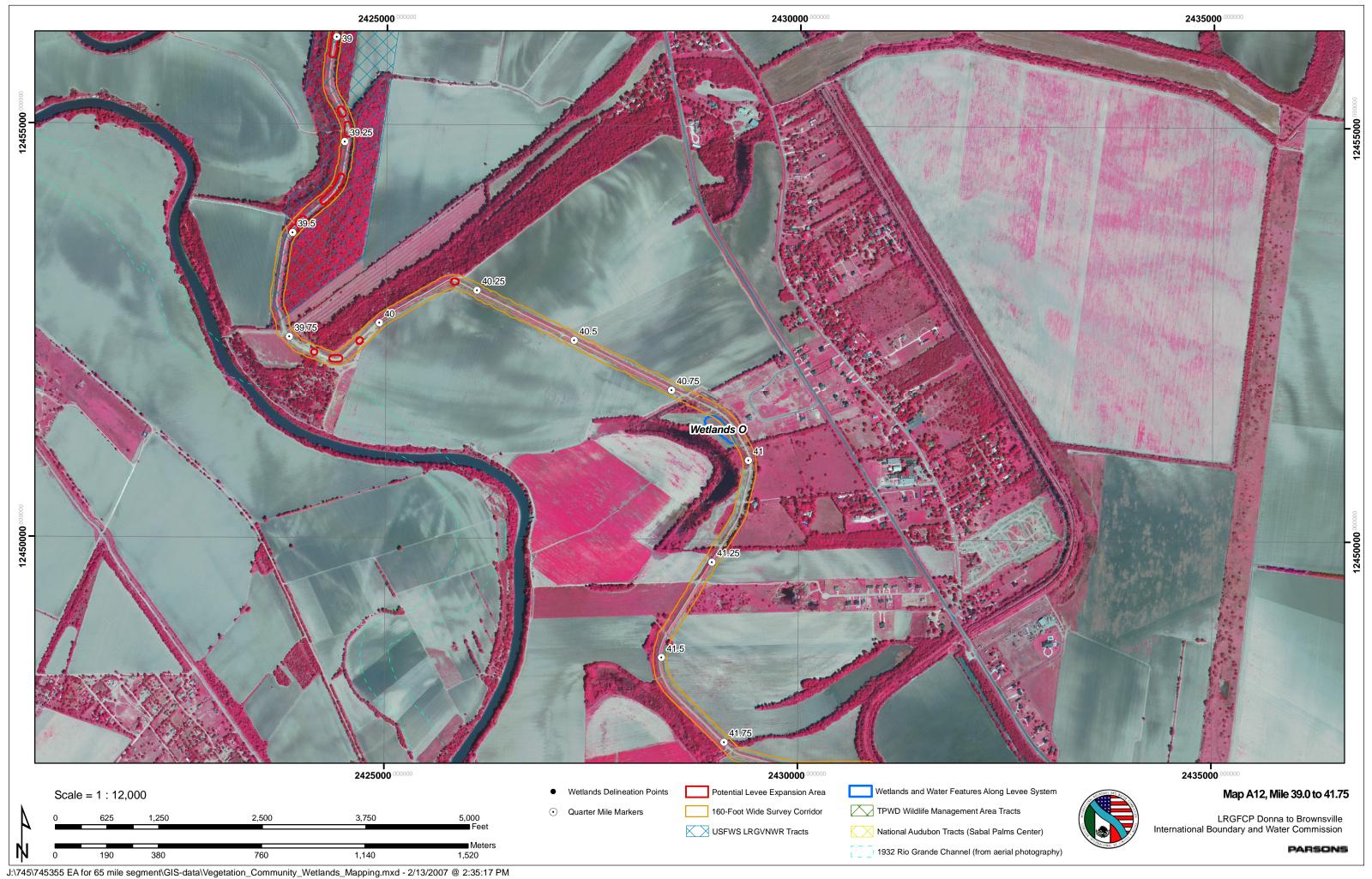


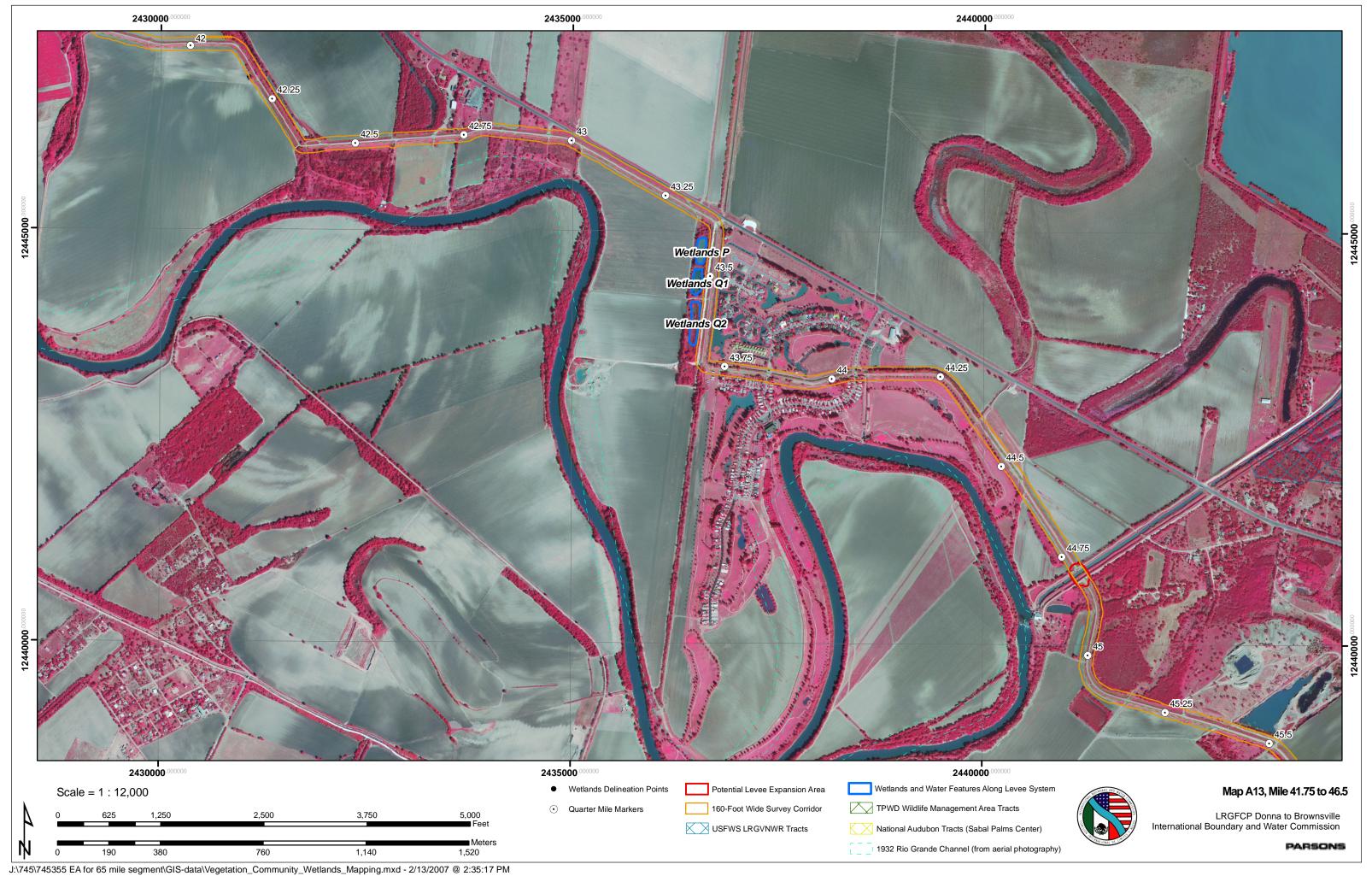


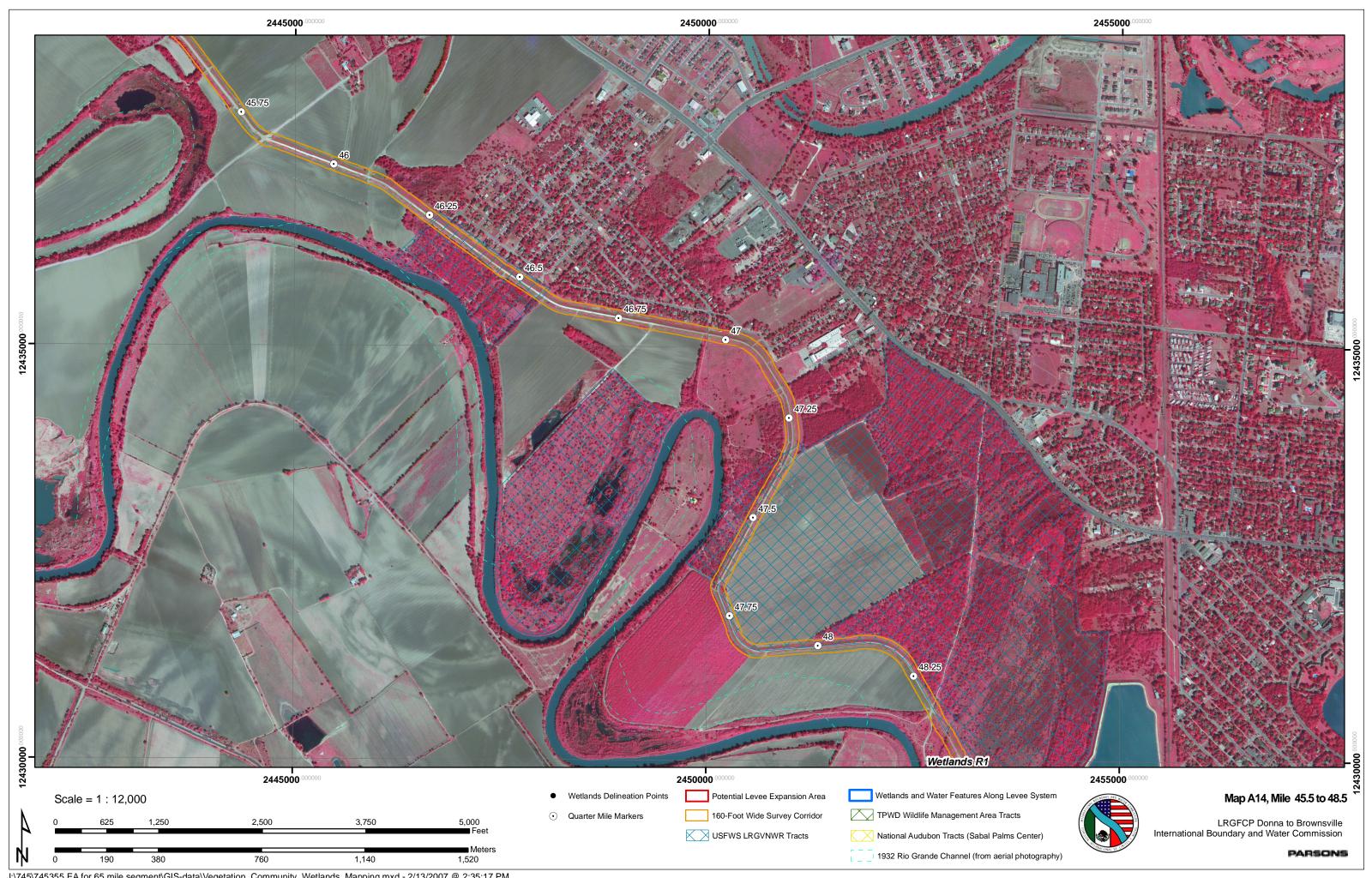


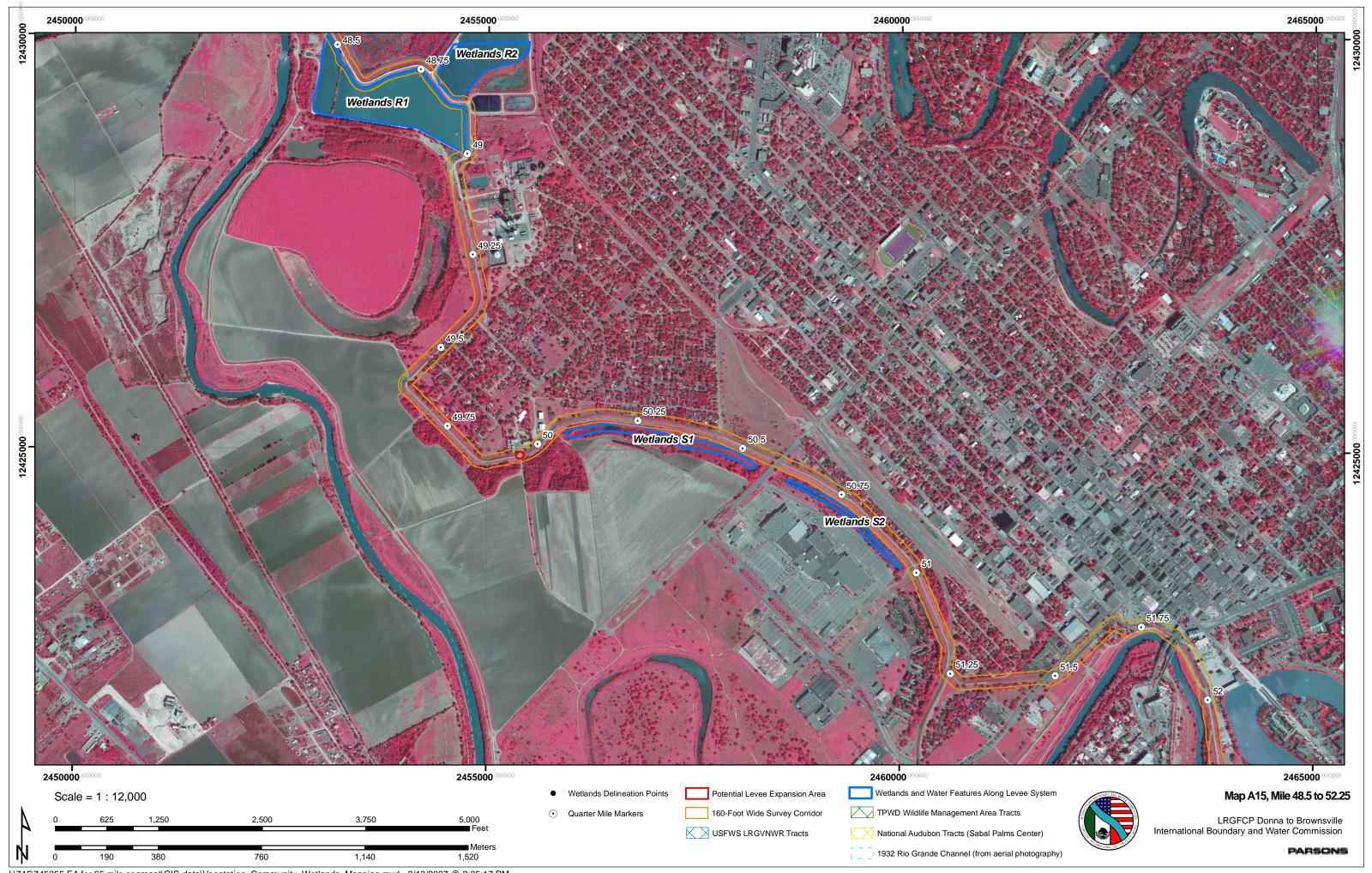


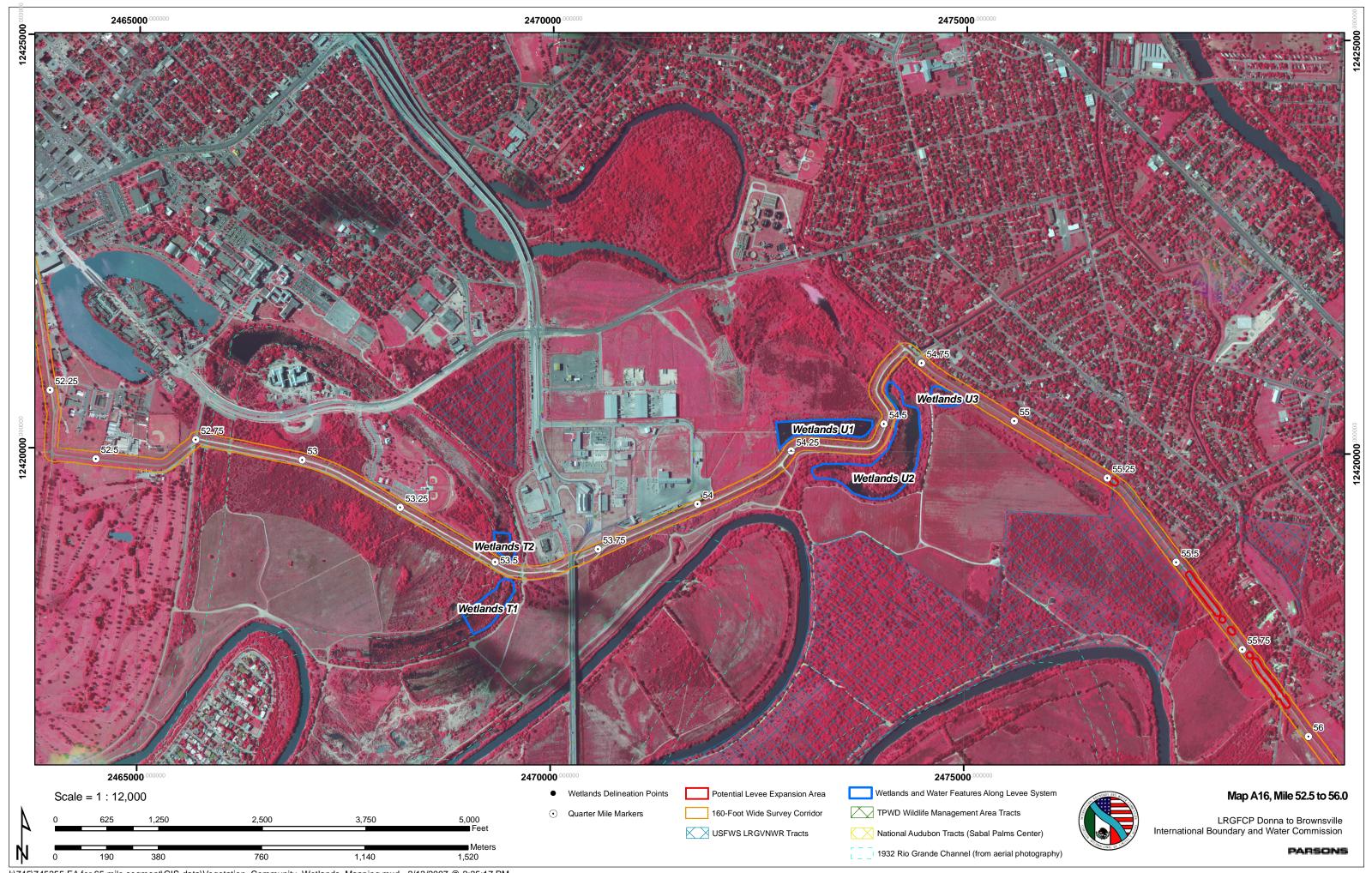


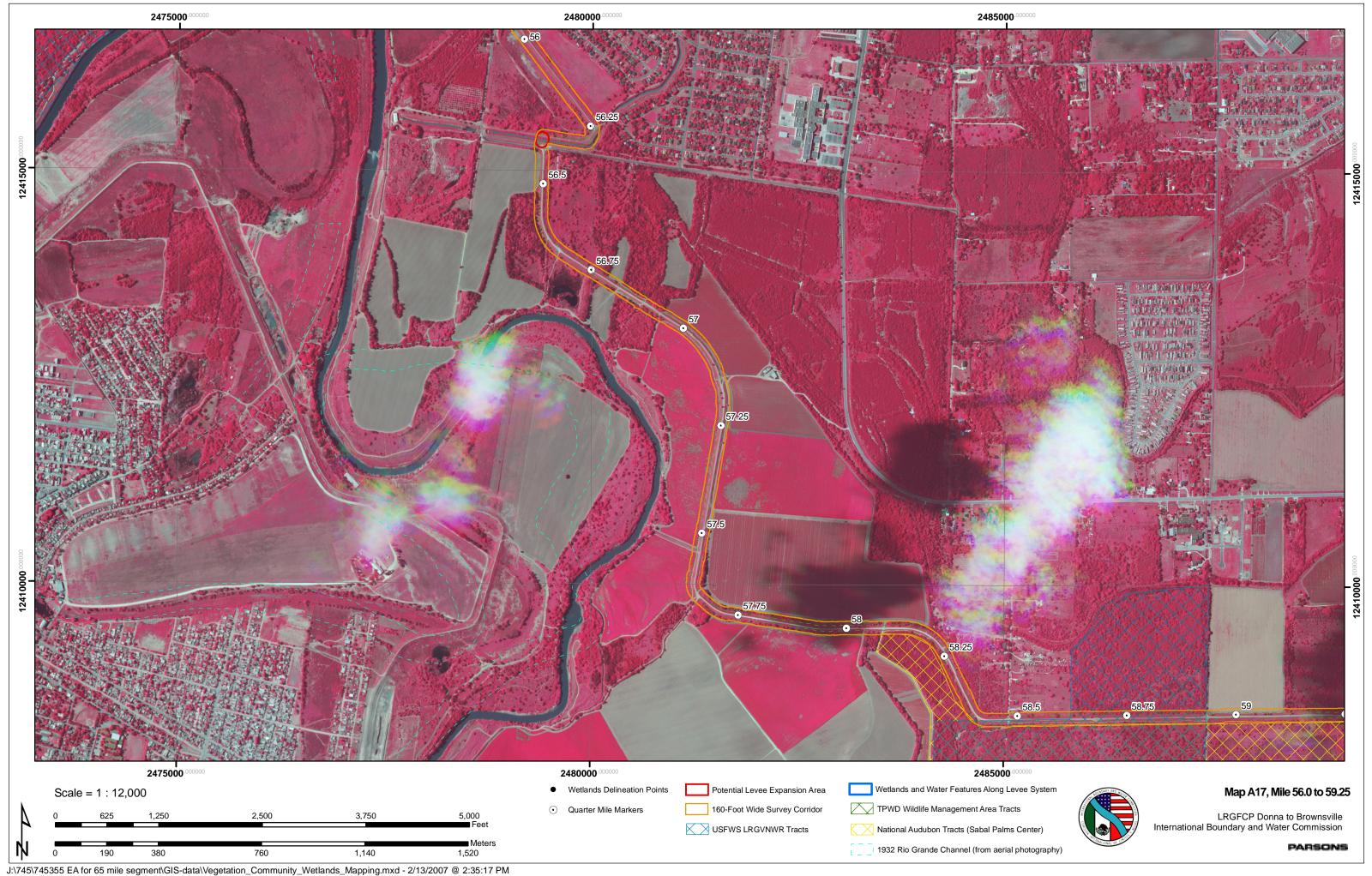


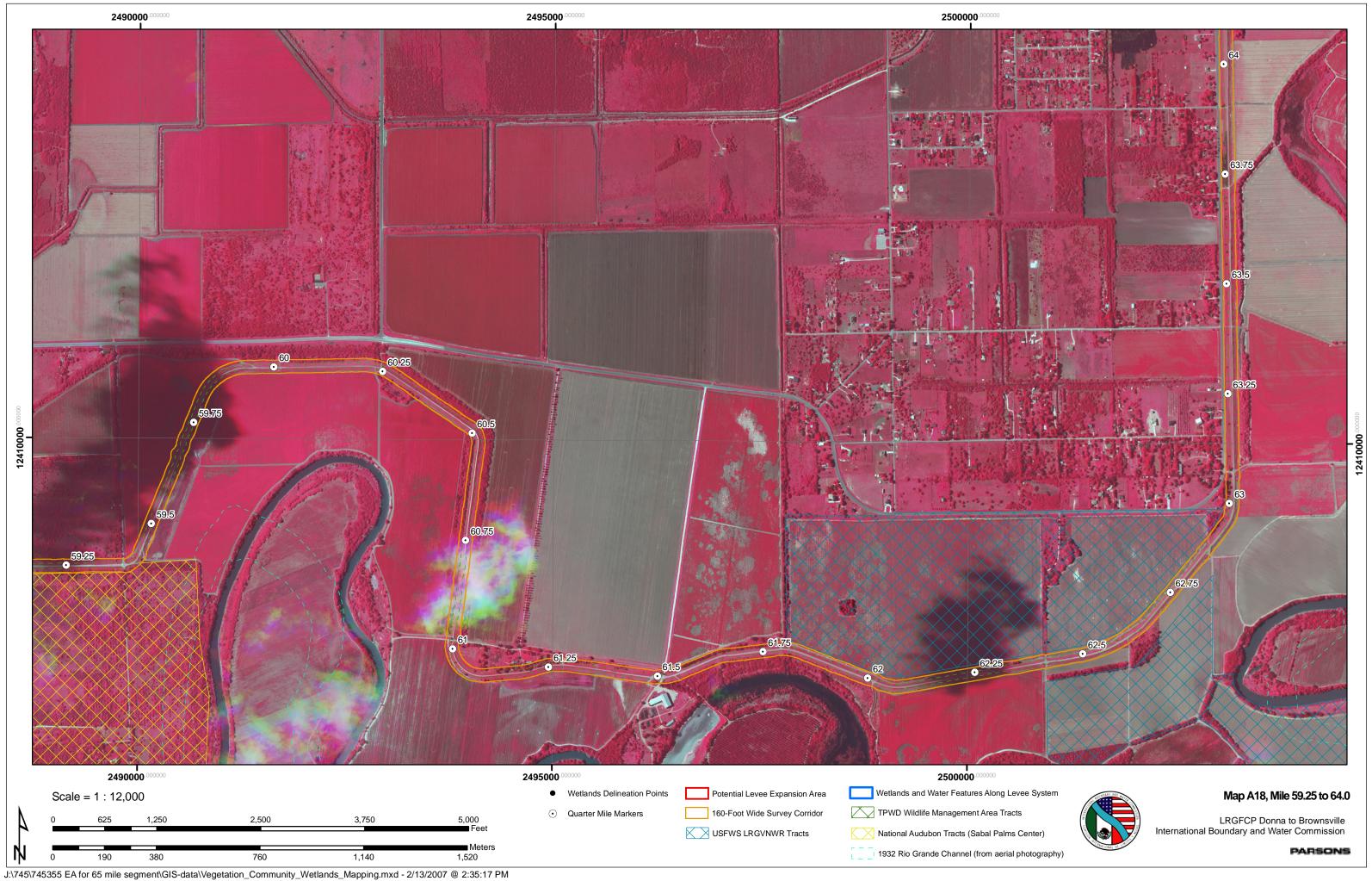


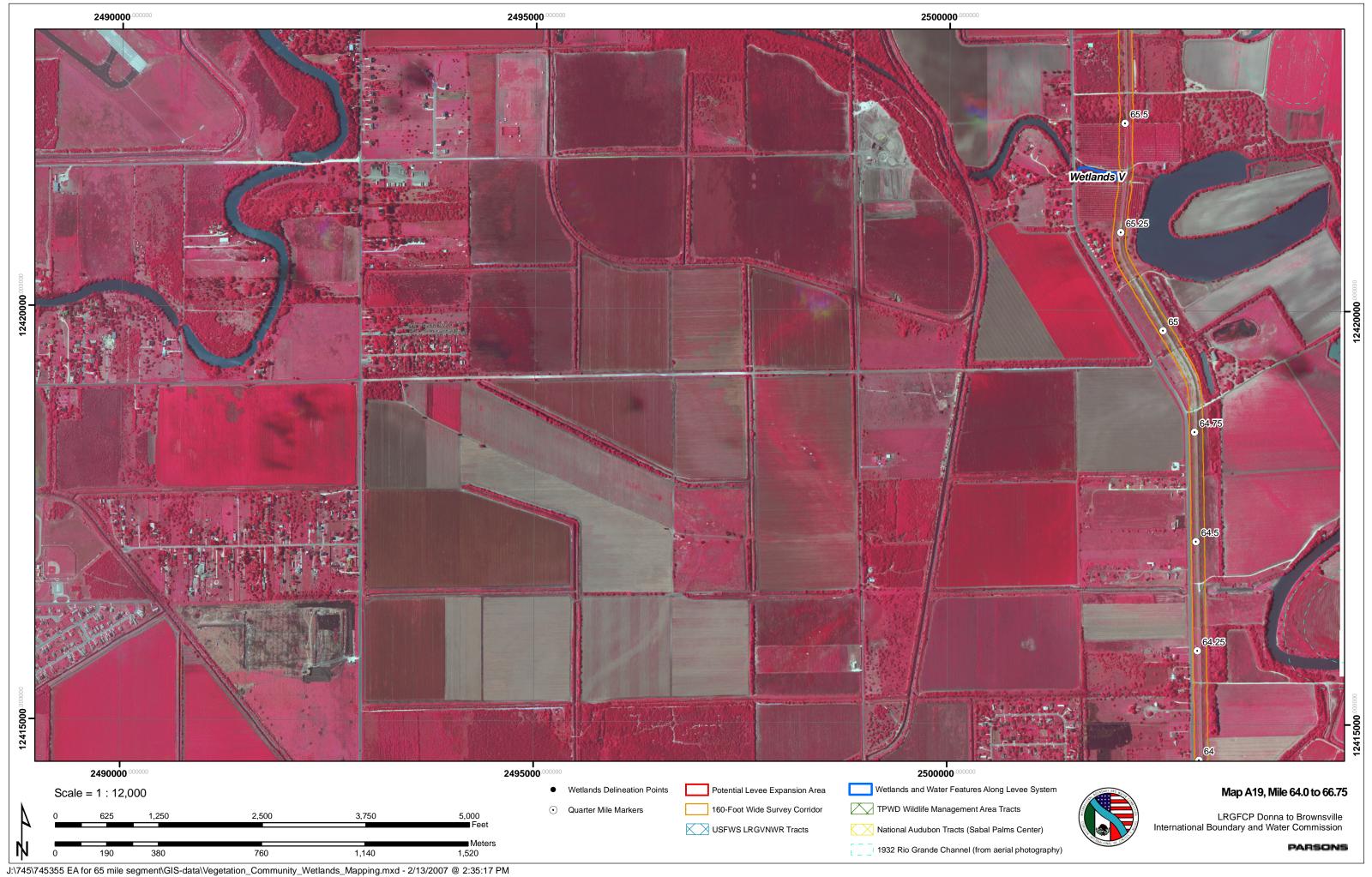


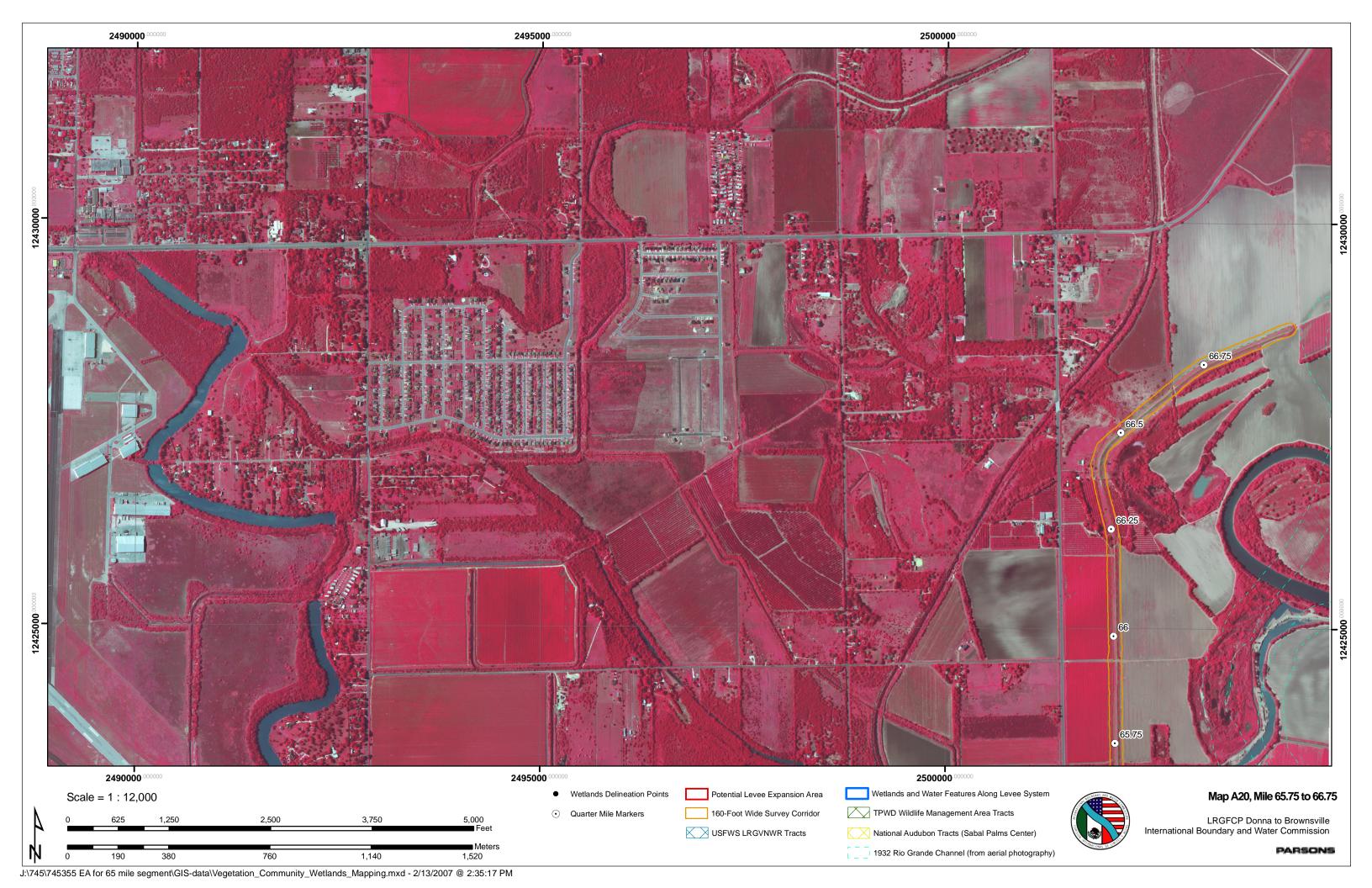












APPENDIX B

HABITAT OF THREATENED AND ENDANGERED SPECIES POTENTIALLY OCCURRING WITHIN COUNTIES INTERSECTING THE LEVEE SYSTEM

Threatened and Endangered Species Habitat Potentially Occurring within Counties intersecting the Levee Corridor									
Common Name	me Scientific Name Federal State Hidalgo Cameron County Des		Description						
AMPHIBIANS									
Black-spotted newt	Notophthalmus meridionalis		Т	x	х	can be found in wet or sometimes wet areas, such as arroyos, canals, ditches, or even shallow depressions; aestivates in the ground during dry periods; Gulf Coastal Plain south of the San Antonio River			
Mexican treefrog	Smilisca baudinii		Т	X	X	subtropical region of extreme southern Texas; breeds May-October coinciding with rainfall, eggs laid in temporary rain pools			
Sheep frog	Hypopachus variolosus		Т	X	X	predominantly grassland and savanna; moist sites in arid areas			
South Texas siren (large form)	Siren sp 1		Т	х	x	wet or sometimes wet areas, such as arroyos, canals, ditches, or even shallow depressions; aestivates in the ground during dry periods, but does require some moisture to remain; southern Texas south of Balcones Escarpment; breeds February-June			
White-lipped frog	Leptodactylus labialis		Т	х	х	grasslands, cultivated fields, roadside ditches, and a wide variety of other habitats; often hides under rocks or in burrows under clumps of grass; species requirements incompatible with widespread habitat alteration and pesticide use in south Texas			
BIRDS	_								
American Peregrine Falcon	Falco peregrinus anatum	DL	E			resident in west Texas			
Arctic Peregrine Falcon	Falco peregrinus tundrius	DL	Т	х	х	currently potential migrant through most of state, winters along gulf coast			
Brown Pelican	Pelecanus occidentalis	LE	E		х	largely coastal and near shore areas, where it roosts and nests on islands and spoil banks			
Cactus	Glaucidium		Т	Х	Х	riparian trees, brush, palm, and mesquite thickets; during day also roosts			

USIBWC B-1

Threater	Threatened and Endangered Species Habitat Potentially Occurring within Counties intersecting the Levee Corridor									
Common Name	Scientific Name	Federal Status	State Status	Hidalgo County	Cameron County	Description				
Ferruginous Pygmy-owl	brasilianum cactorum					in small caves and recesses on slopes of low hills; breeding April-June				
Common Black- Hawk	Buteogallus anthracinus		Т	x	Х	cottonwood-lined rivers and streams; willow tree groves on the lower Rio Grande floodplain; formerly bred in south Texas				
Eskimo Curlew	Numenius borealis	LE	Е		Х	historic; nonbreeding: grasslands, pastures, plowed fields, and less frequently, marshes and mudflats				
Gray Hawk	Asturina nitida		Т	х	х	locally and irregularly along U.SMexico border; mature riparian woodlands and nearby semiarid mesquite and scrub grasslands; breeding range formerly extended north to southernmost Rio Grande floodplain of Texas				
Interior Least Tern	Sterna antillarum athalassos	LE	E	x	х	subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony				
Northern Aplomado Falcon	Falco femoralis septentrionalis	LE	E		х	open country, especially savanna and open woodland, and sometimes in very barren areas; grassy plains and valleys with scattered mesquite, yucca, and cactus; nests in old stick nests of other bird species				
Northern Beardless- tyrannulet	Camptostoma imberbe		Т	х	х	mesquite woodlands; near Rio Grande frequents cottonwood, willow, elm, and great leadtree; breeding April-July				
Peregrine Falcon	Falco peregrinus	DL	ET	х	х	subspecies (<i>F p tundrius</i>) potential migrant through most of state, winters along coast; subspecies (<i>F p anatum</i>) resident, nests in west Texas				
Piping Plover	Charadrius melodus	LT	Т		х	wintering migrant along the Texas Gulf Coast; beaches and bayside mud or salt flats				
Reddish Egret	Egretta rufescens		Т	Х	Х	resident of the Texas Gulf Coast; brackish marshes and shallow salt ponds and tidal flats; nests on ground or in trees or bushes, on dry coastal				

B-2 USIBWC

Threatened and Endangered Species Habitat Potentially Occurring within Counties intersecting the Levee Corridor									
Common Name	Scientific Name	Federal Status	State Status	Hidalgo County	Cameron County	Description			
	-	•				islands in brushy thickets of yucca and prickly pear			
Rose-throated Becard	Pachyramphus aglaiae		Т	Х	x	riparian trees, woodlands, open forest, scrub, and mangroves; breeding April-July			
Sooty Tern	Sterna fuscata		Т		X	predominately 'on the wing'; does not dive, but snatches small fish and squid with bill as it flies or hovers over water; breeding April-July			
Texas Botteri's Sparrow	Aimophila botterii texana		Т	X	X	grassland and short-grass plains with scattered bushes or shrubs, sagebrush, mesquite, or yucca; nests on ground of low clump of grasses			
Tropical Parula	Parula pitiayumi		Т	X	Х	dense or open woods, undergrowth, brush, and trees along edges of rivers and resacas; breeding April-July			
White-Faced Ibis	Plegadis chihi		Т	X	Х	prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats			
White-Tailed Hawk	Buteo albicaudatus		Т	х	Х	near coast on prairies, cordgrass flats, and scrub-live oak; further inland on prairies, mesquite and oak savannas, and mixed savanna-chaparral; breeding March-May			
Wood Stork	Mycteria americana		Т	X	X	forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960			
Zone-Tailed Hawk	Buteo albonotatus		Т	x	х	arid open country, including open deciduous or pine-oak woodland, mesa or mountain county, often near watercourses, and wooded canyons and tree-lined rivers along middle-slopes of desert mountains; nests in various habitats and sites, ranging from small trees in lower desert, giant cottonwoods in riparian areas, to mature conifers in high mountain regions			
FISHES									

B-3 USIBWC

Threatened and Endangered Species Habitat Potentially Occurring within Counties intersecting the Levee Corridor									
Common Name	Scientific Name	Federal Status	State Status	Hidalgo County	Cameron County	Description			
Blackfin goby	Gobionellus atripinnis		Т		Х	Southern coastal area; brackish and freshwater coastal streams			
Opossum pipefish	Microphis brachyurus		Т		х	brooding adults found in fresh or low salinity waters and young move or are carried into more saline waters after birth; southern coastal areas			
Rio Grande silvery minnow	Hybognathus amarus	LE	E	X	Х	extirpated; historically Rio Grande and Pecos River systems and canals; pools and backwaters of medium to large streams with low or moderate gradient in mud, sand, or gravel bottom; ingests mud and bottom ooze for algae and other organic matter; probably spawns on silt substrates of quiet coves			
River goby	Awaous banana		Т	Х	х	Southern coastal waters; clear water with slow to moderate current, sandy or hard bottom, and little or no vegetation; also enters brackish and ocean waters			
MAMMALS									
Black bear	Ursus americanus	T/SA;NL	Т			bottomland hardwoods and large tracts of inaccessible forested areas; due to field characteristics similar to Louisiana Black Bear (LT, T), treat all east Texas black bears as federal and state listed Threatened			
Black-footed ferret	Mustela nigripes	LE	E			extirpated; inhabited prairie dog towns in the general area			
Coues' rice rat	Oryzomys couesi		Т	Х	Х	cattail-bulrush marsh with shallower zone of aquatic grasses near the shoreline; shade trees around the shoreline are important features; prefers salt and freshwater, as well as grassy areas near water; breeds April-August			
Gray wolf	Canis lupus	LE	E			extirpated; formerly known throughout the western two-thirds of the state in forests, brushlands, or grasslands			
Greater long- nosed bat	Leptonycteris nivalis	LE	E			in Texas, Big Bend region; colonial, cave-dwelling species that usually inhabits deep caverns; nectivorous, with Agave spp. preferred; breeding season April-June, with single offspring born in Mexico prior to migration			

B-4 USIBWC

Threatened and Endangered Species Habitat Potentially Occurring within Counties intersecting the Levee Corridor									
Common Name	Scientific Name	Federal Status	State Status	Hidalgo County	Cameron County	Description			
		***************************************				to Texas			
Jaguar	Panthera onca	LE	Е	Х	Х	extirpated; dense chaparral; no reliable Texas sightings since 1952			
Jaguarundi	Herpailurus yaguarondi	LE	Е	X	Х	thick brushlands, near water favored; 60 to 75 day gestation, young born sometimes twice per year in March and August, elsewhere the beginning of the rainy season and end of the dry season			
Ocelot	Leopardus pardalis	LE	Е	X	X	dense chaparral thickets; mesquite-thorn scrub and live oak mottes; avoids open areas; breeds and raises young June-November			
Southern yellow bat	Lasiurus ega		Т	x	Х	associated with trees, such as palm trees (Sabal mexicana) in Brownsville, which provide them with daytime roosts; insectivorous; breeding in late winter			
West Indian manatee	Trichechus manatus	LE	E		х	Gulf and bay system; opportunistic, aquatic herbivore			
White-nosed coati	Nasua narica		Т	х	х	woodlands, riparian corridors and canyons; most individuals in Texas probably transients from Mexico; diurnal and crepuscular; very sociable; forages on ground and in trees; omnivorous; may be susceptible to hunting, trapping, and pet trade			
MOLLUSKS									
Texas hornshell	Popenaias popeii	С		х	х	both ends of narrow shallow runs over bedrock, in areas where small- grained materials collect in crevices, along river banks, and at the base of boulders; not known from impoundments; Rio Grande Basin and several rivers in Mexico			
REPTILES									
Atlantic hawksbill sea turtle	Eretmochelys imbricata	LE	Е		х	Gulf and bay system			

B-5 USIBWC

Threatened and Endangered Species Habitat Potentially Occurring within Counties intersecting the Levee Corridor										
Common Name	Scientific Name	Federal Status	State Status	Hidalgo County	Cameron County	Description				
Black-striped snake	Coniophanes imperialis		Т	x	х	extreme south Texas; semi-arid coastal plain, warm, moist micro-habitats and sandy soils; proficient burrower; eggs laid April-June				
Green sea turtle	Chelonia mydas	LT	Т		х	Gulf and bay system				
Indigo snake	Drymarchon corais		Т	x	x	Texas south of the Guadalupe River and Balcones Escarpment; thornbush-chaparral woodlands of south Texas, in particular dense riparian corridors; can do well in suburban and irrigated croplands if not molested or indirectly poisoned; requires moist microhabitats, such as rodent burrows, for shelter				
Kemp's Ridley sea turtle	Lepidochelys kempii	LE	Е		х	Gulf and bay system				
Leatherback sea turtle	Dermochelys coriacea	LE	E		х	Gulf and bay system				
Loggerhead sea turtle	Caretta caretta	LT	Т		х	Gulf and bay system				
Northern cat- eyed snake	Leptodeira septentrionalis septentrionalis		Т	х	х	Gulf Coastal Plain south of the Nueces River; thorn brush woodland; dense thickets bordering ponds and streams; semi-arboreal; nocturnal				
Reticulate collared lizard	Crotaphytus reticulatus		Т	Х		requires open brush-grasslands; thorn-scrub vegetation, usually on well-drained rolling terrain of shallow gravel, caliche, or sandy soils; often on scattered flat rocks below escarpments or isolated rock outcrops among scattered clumps of prickly pear and mesquite				
Speckled racer	Drymobius margaritiferus		Т	x	х	extreme south Texas; dense thickets near water, Texas palm groves, riparian woodlands; often in areas with much vegetation litter on ground; breeds April-August				
Texas horned lizard	Phrynosoma cornutum		Т	Х	Х	open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under				

B-6 USIBWC

Common Name	Scientific Name	Federal Status	State Status	Hidalgo County	Cameron County	Description
						rock when inactive; breeds March-September
Texas scarlet snake	Cemophora coccinea lineri		Т		Х	mixed hardwood scrub on sandy soils; feeds on reptile eggs; semi- fossorial; active April-September
Texas tortoise	Gopherus berlandieri		Т	X	х	open brush with a grass understory is preferred; open grass and bare ground are avoided; when inactive occupies shallow depressions at base of bush or cactus, sometimes in underground burrows or under objects; longevity greater than 50 years; active March-November; breeds April-November
PLANTS						
South Texas ambrosia	Ambrosia cheiranthifolia	LE	Е		X	open prairies and various shrublands on deep clay soils; flowering July- November
Star cactus	Astrophytum asterias	LE	Е	×	X	gravelly saline clays or loams over the Catahoula and Frio formations, on gentle slopes and flats in grasslands or shrublands; flowering in May
Texas ayenia	Ayenia limitaris	LE	Е	×	X	woodlands on alluvial deposits on floodplains and terraces along the Rio Grande; flowering throughout the year with sufficient rainfall
Walker's manioc	Manihot walkerae	LE	E	Х		periphery of native brush in sandy loam; also on caliche cuestas; flowering April-September (following rains?)

Status Key:

LE, LT - Federally Listed Endangered/Threatened

E/SA, T/SA - Federally Listed Endangered/Threatened by Similarity of Appearance

C - Federal Candidate for Listing; formerly Category 1 Candidate

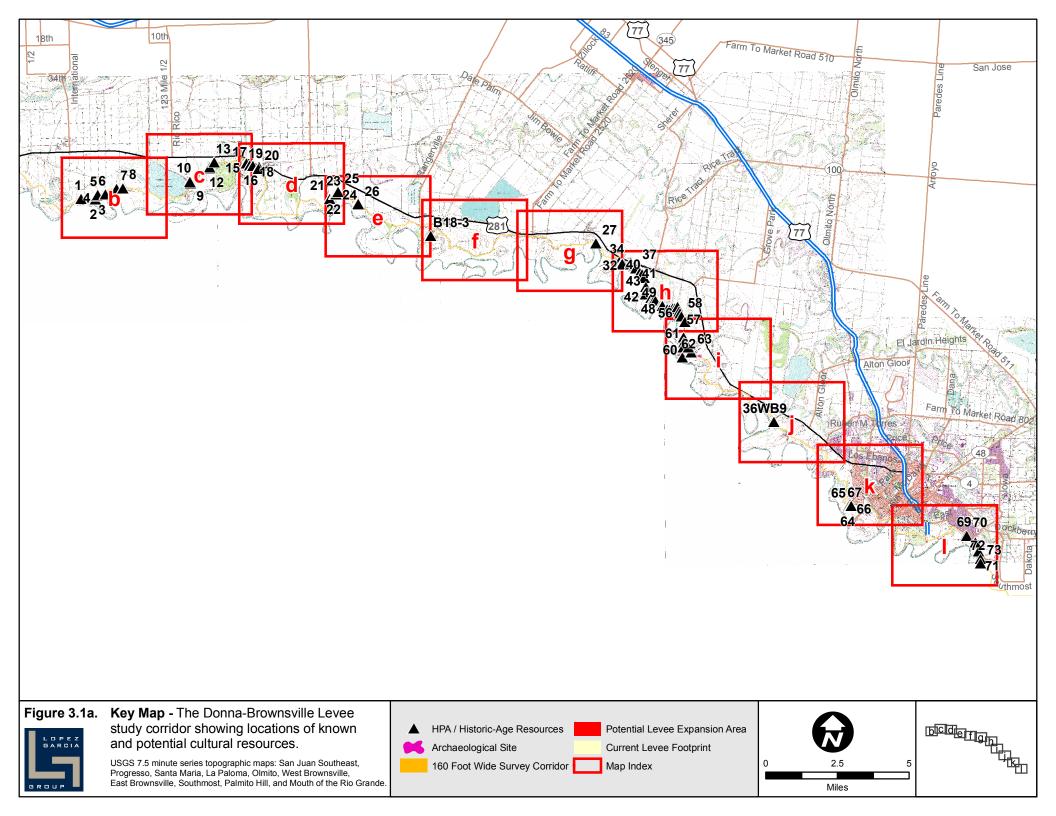
DL, PDL - Federally Delisted/Proposed for Delisting

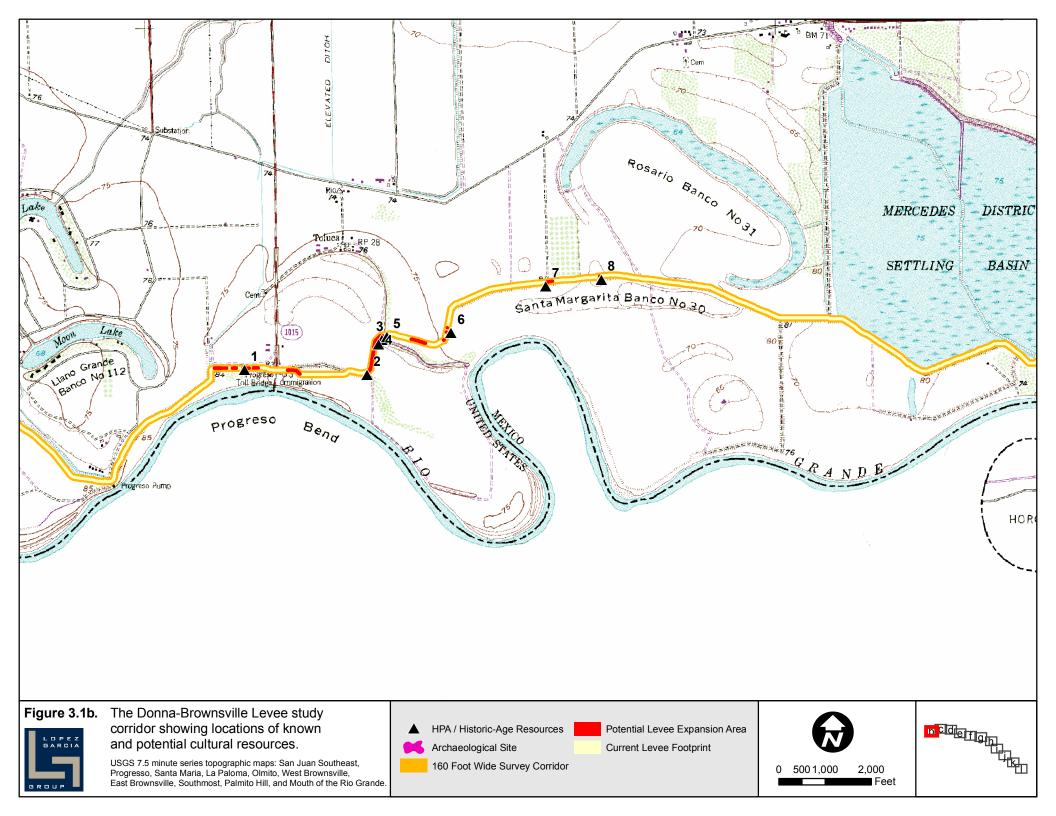
E, T - State Listed Endangered/Threatened

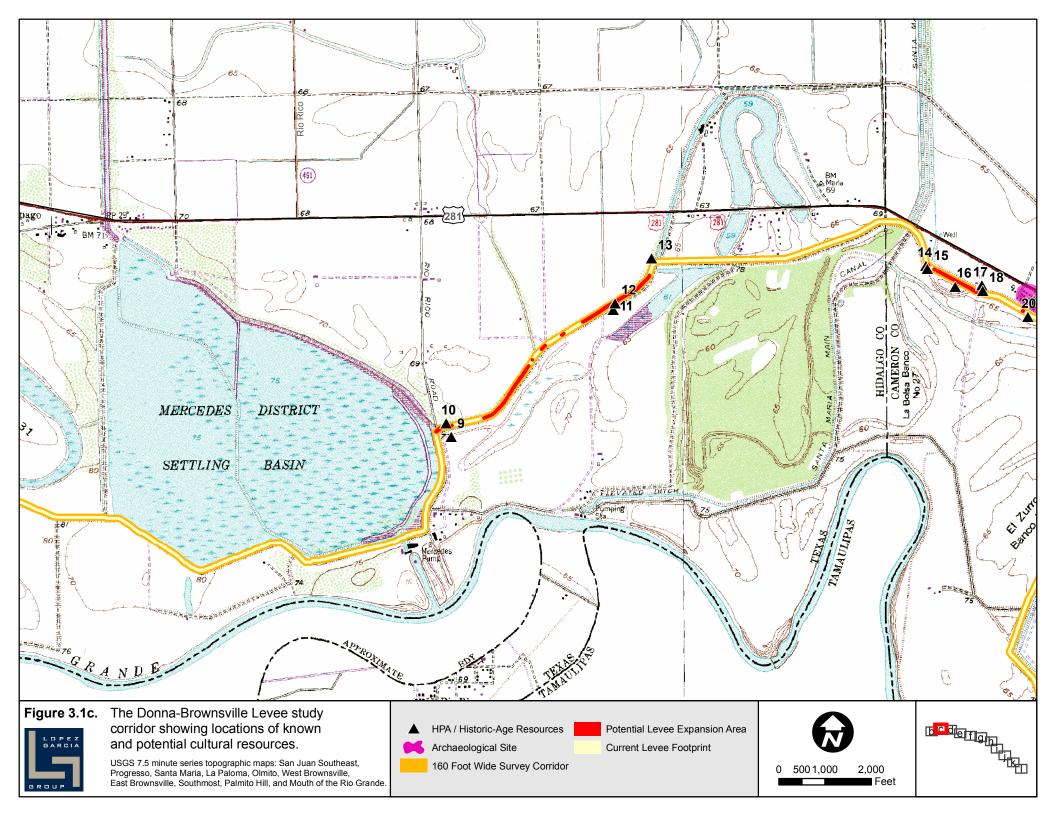
B-7 USIBWC

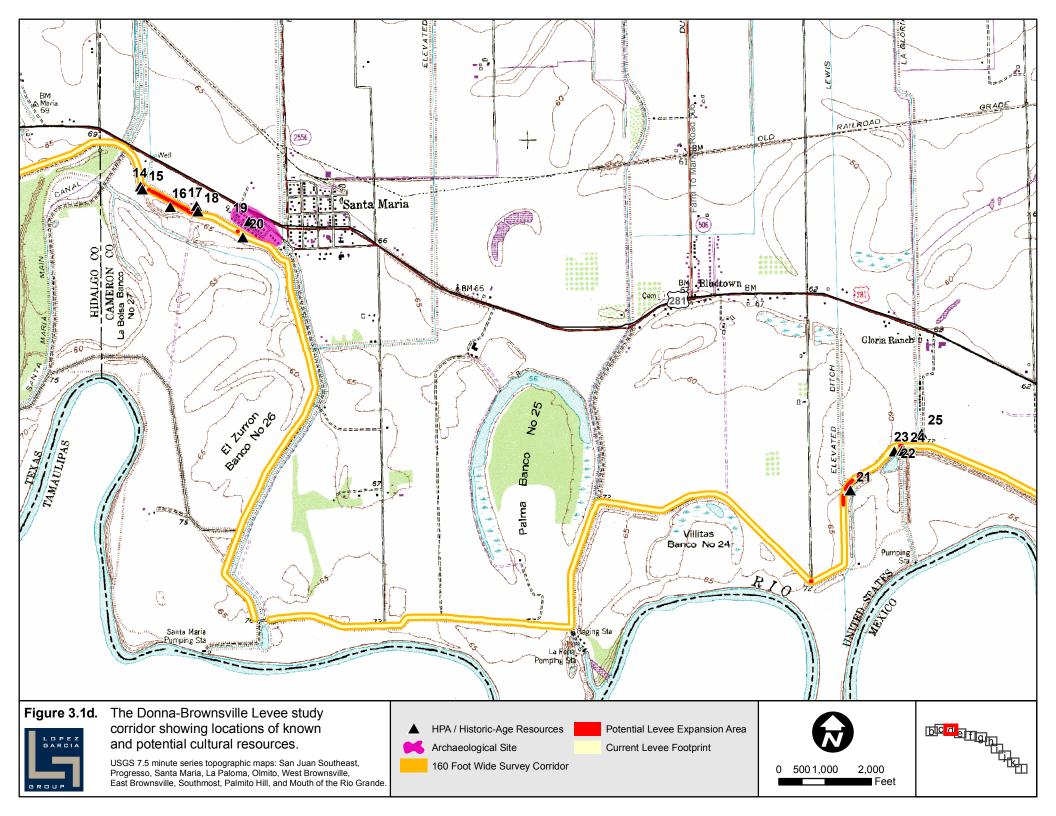
APPENDIX C

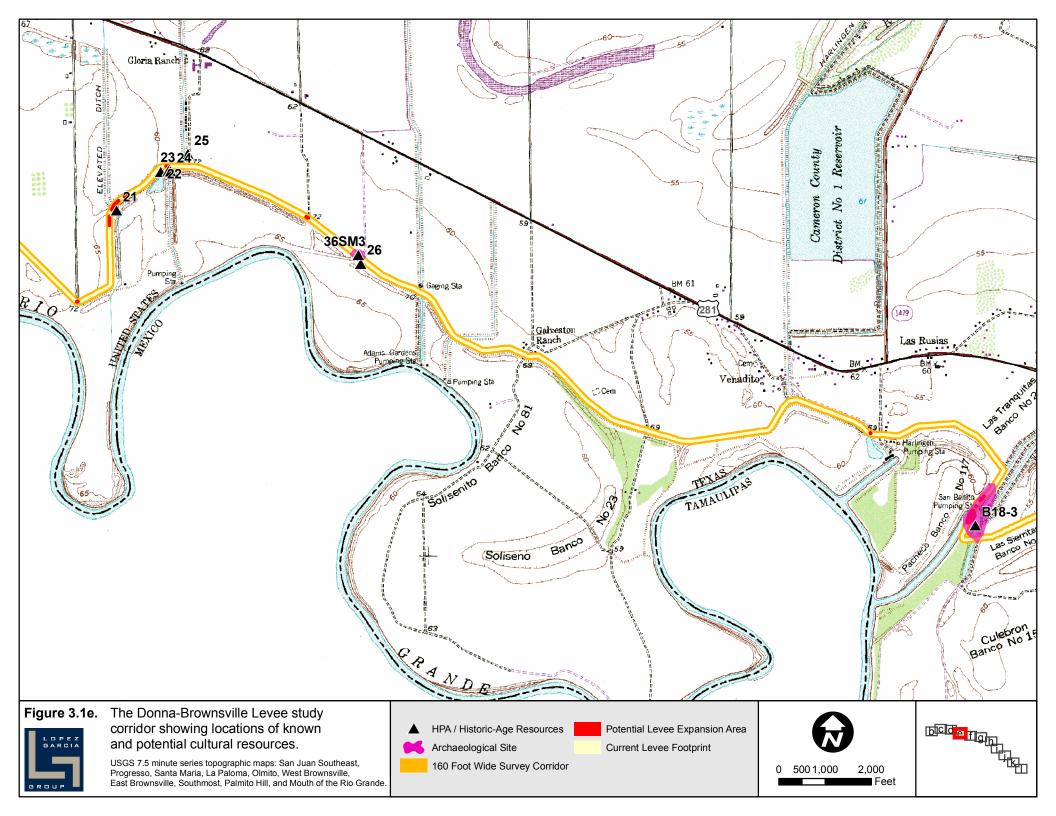
DETAILED MAPS OF CULTURAL RESOURCES ALONG THE DONNA-BROWNSVILLE LEVEE SURVEY CORRIDOR

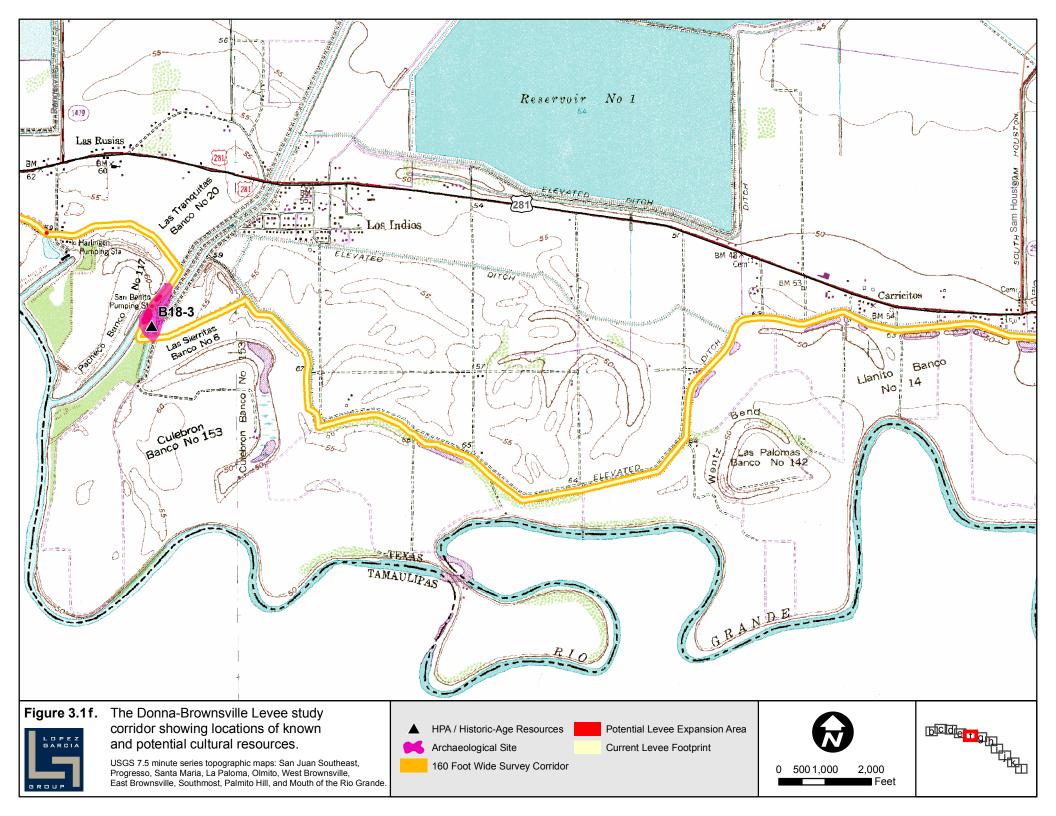


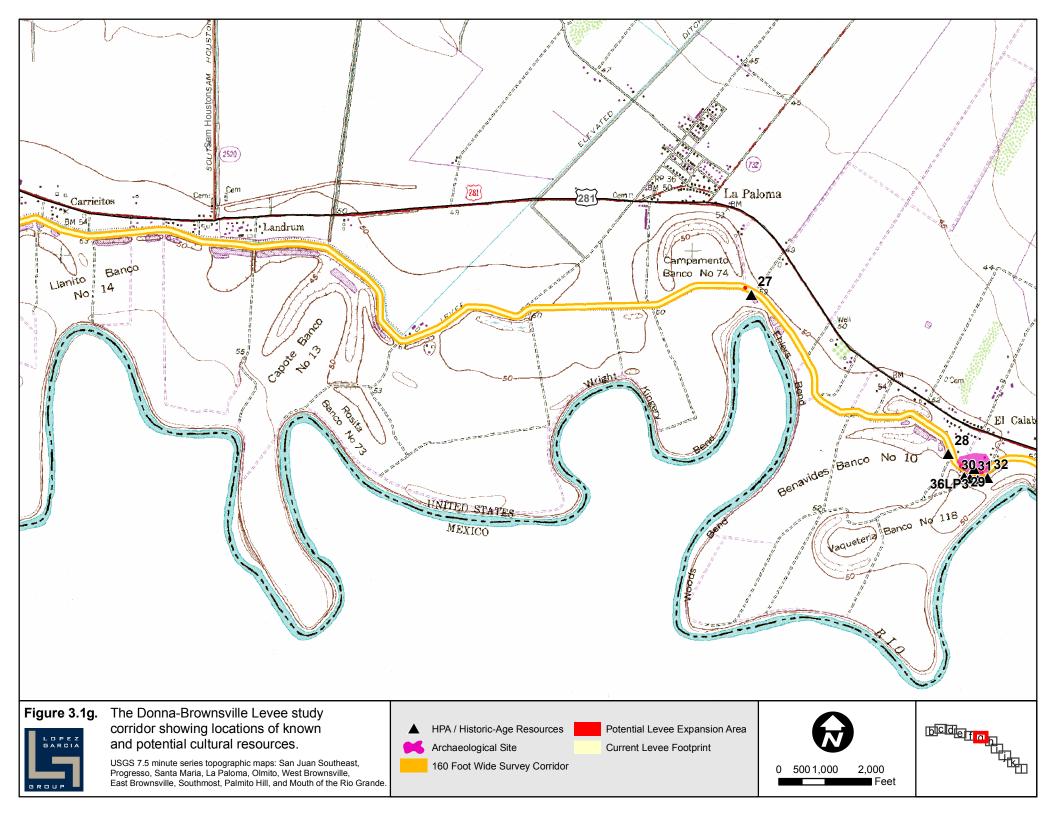


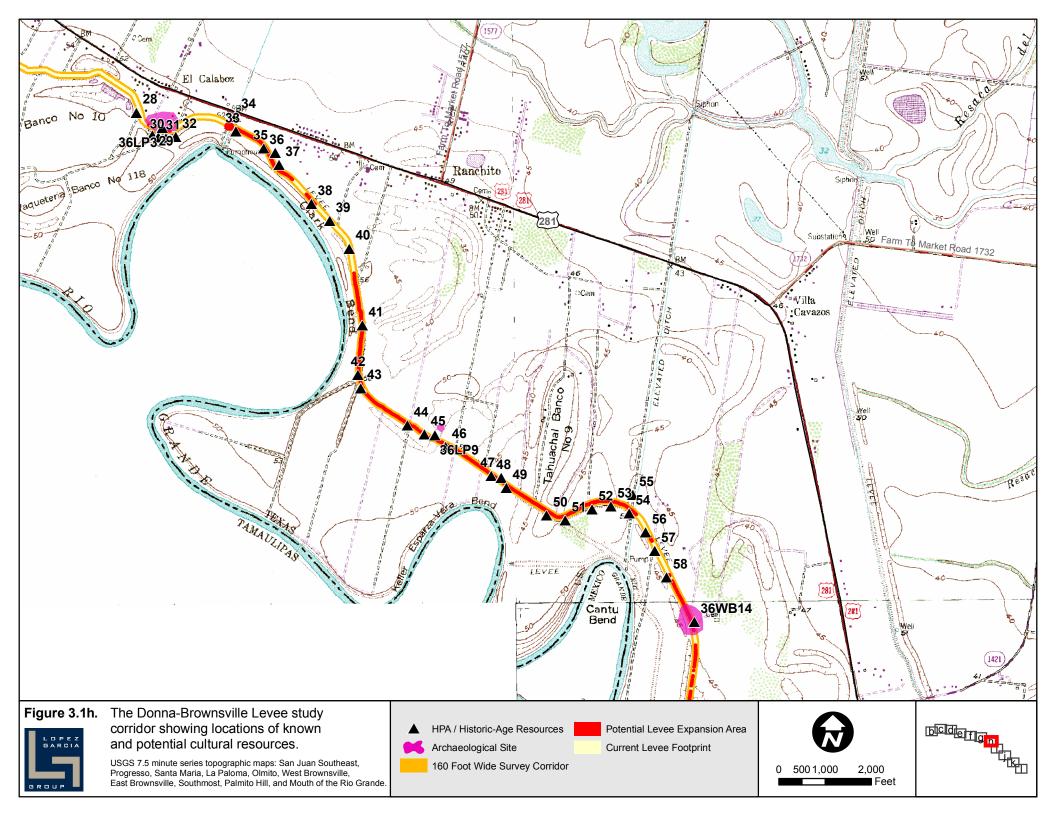


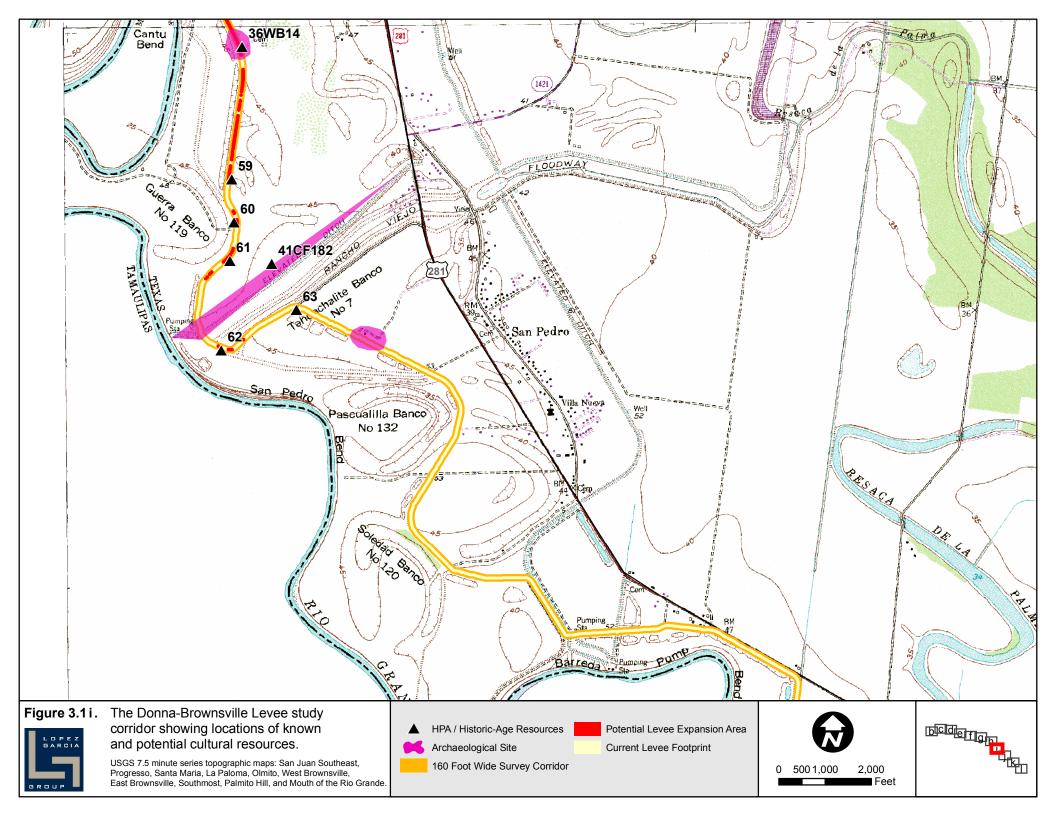


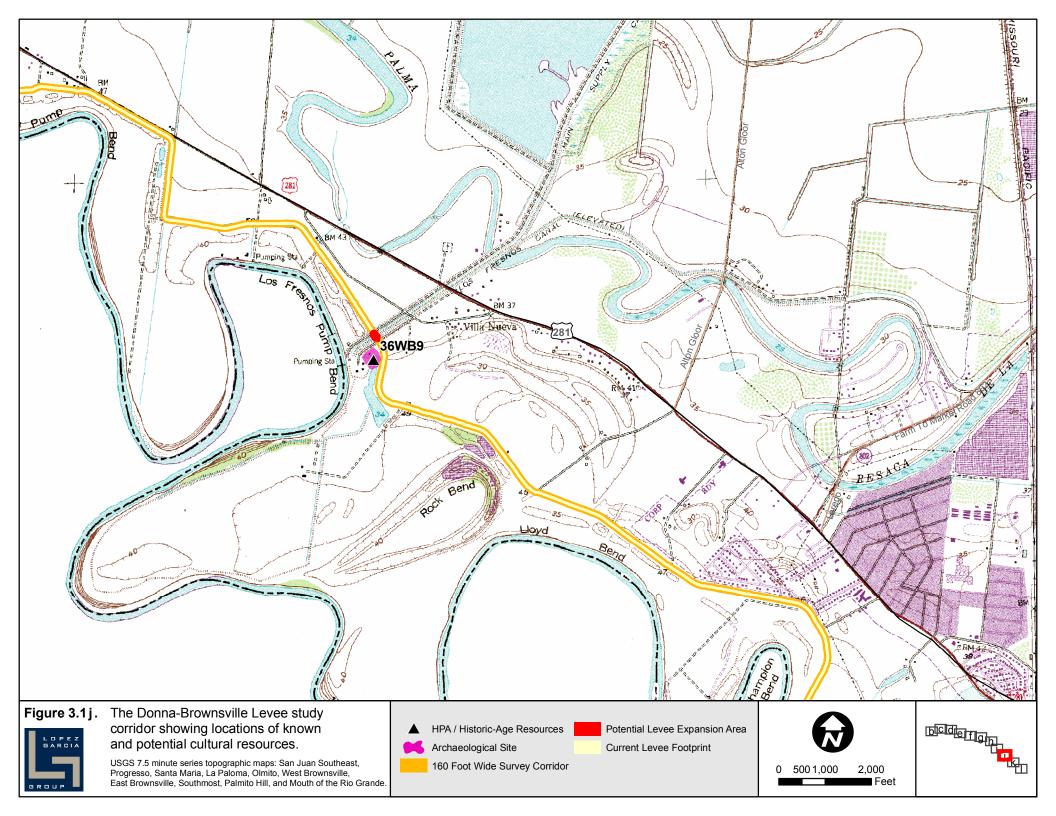


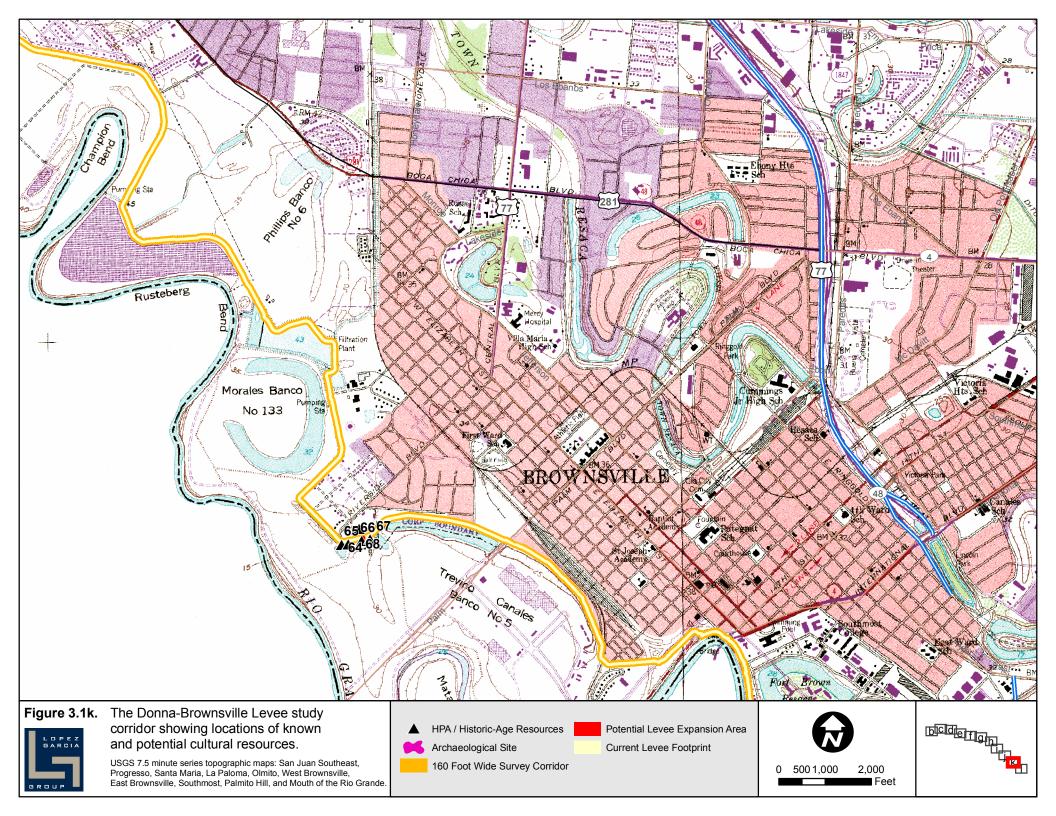


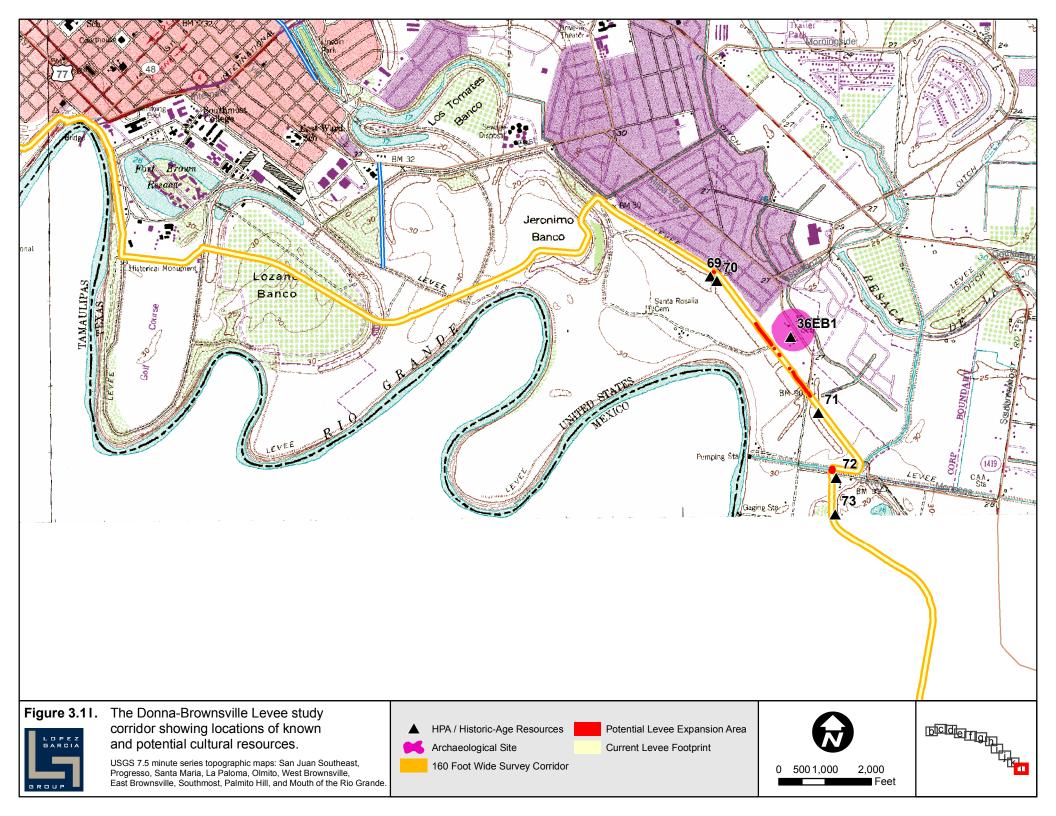












APPENDIX D DRAFT ENVIRONMENTAL ASSESSMENT REVIEW COMMENTS



United States Department of the Interior FISH AND WILDLIFE SERVICE

Ecological Services - LRGV SubOffice
Phone: (956) 784-7560 Fax: (956) 787-0547
Rt. 2 Box 202-A
Alamo, TX 78516
June 12 2007

Mr. Carlos Victoria-Rueda, Ph.D. Parsons 8000 Centre Park Drive, Suite 200 Austin, Texas 78754

Consultation No. 21410-2007-TA-0077

Dear Mr. Rueda:

This responds to a letter and EA received on May 29, 2007 regarding the effects of the proposed action to raise the Donna-Brownsville Levee System on species federally-listed or proposed for listing as threatened or endangered occurring within Hidalgo and Cameron County, Texas. In addition, your project was evaluated with respect to wetlands and other important fish and wildlife resources. A Draft Environmental Assessment (EA) has been completed and sent for our review.

It's the Service's understanding that The United States Section, International Boundary and Water Commission (USIBWC) is proposing to raise the Donna-Brownsville Levee System that extends 65 miles along the Rio Grande, downstream from Donna Pump Station near the Retamal Dam to an area east of Brownsville, approximately 28 miles upstream of the Gulf of Mexico. The need for this improvement was determined from hydraulic modeling results indicating that typical height increases of up to 2 feet would be required to meet current design criteria for flood protection along the Donna-Brownsville Levee Systems (USIBWC 2003a).

The levee ROW runs primarily through agriculture areas, and irrigation canals border significant reaches of the levee system. The following irrigation districts are located in Hidalgo and Cameron Counties: Progresso and Santa Maria; and La Feria, Adam Garden, Harlingen, San Benito, Cameron County Irrigation District No. 16, Los Fresnos, and Brownsville, respectively. Several large tracts of land have been set aside for natural resource management activities. These include several tracts of the Lower Rio Grande Valley National Wildlife Refuge (LRGV NWR) managed by the USFWS, several tracts of the Las Palomas Wildlife Management Area (WMA), managed by the Texas Parks and Wildlife Department (TPWD), and the Sabal Palms Center, managed by the National Audubon Society. Refuge lands are found along 8.9 miles of levee system, primarily on the riverside of the levee. Only three LRGV NWR tracts are adjacent to the potential levee expansion area (at mile markers 22.0, 37.5, and 38.5). No expansion adjacent to these refuge tracts would encroach beyond the existing areas with herbaceous vegetation.

The existing levee is a raised trapezoid compacted-earth structure with a crown width of 16 feet, a typical height ranging from 6 to 10 feet, and an approximate 3:1 side slope ratio (units of horizontal run in feet per foot of vertical rise). The existing levee footprint ranges from 50 to 80 feet, depending on location.

The proposed action would increase flood containment capacity of the Donna-Brownsville Levee System by raising the height of the existing compacted earth levee up to 2 feet to meet the 3-foot freeboard requirement. The increase in levee height would also expand the levee footprint by lateral extension of the structure. A 4-foot increase in levee height would result in a 24-foot offset increase of the footprint. The current footprint width value of 64 feet would expand to 88 feet as a result of the increased levee height. In this EA, the expansion corridor refers to the maximum increase in footprint width, plus a 15-foot service area required for levee construction and subsequent maintenance activities. The preferred option for enlarging the levee footprint is landside expansion to maximize flood containment capacity along the Lower Rio Grande Flood Control Project (LRGFCP). Landside alignment would also minimize potential impacts to biological resources such as wetlands and wildlife, including T&E species populations and habitat. Riverside expansion (from the landside shoulder of the crown toward the river) would be required when constraints on landside expansion are present. constraints include the presence of irrigation canals along significant reaches of the levee system. Right-of-way availability was identified as a restriction for levee expansion only in a few segments where acquisition maybe required allowing a 15-foot wide service corridor adjacent to the toe of the expanded levee.

Along with the increase in levee height, structural improvements may be required for levee segments. Structural improvements would consist of either a slurry cutoff barrier or a riverside impermeable liner. The slurry barrier would be installed at the riverside toe of the expanded levee, or along the levee centerline. The impermeable liner would be buried to a specified depth (18-30") along the levee slope, and from some distance from the riverside toe to above the riverside shoulder of the levee.

Improvements to the Donna-Brownsville Levee system would remove approximately 50.5 acres of herbaceous vegetation and 0.5 acres of Mesquite-Acacia woodland. Although approximately 50.5 acres of herbaceous vegetation would be removed, the vegetation is considered relatively low-quality wildlife habitat; mostly non-native grasses.

A total of 80.8 acres of potentially jurisdictional wetlands are found within a 160-foot wide survey-corridor bounding the levee. None of the wetlands within the survey-corridor would be impacted by levee expansion activities. Best Management Practices will be implemented to protect vegetation and wetlands as described in Section 5.1.1 and 5.21 in the Draft EA. Mitigation Measures will be implemented as described on 5.2.2 in the Draft EA.

It appears that there are three tracts of land that the LRGV NWR have ownership of the ROW easements along the levee and a ROW permit might be required. The three tracts of land include La Gloria, Tahuachal Banco and Garza Cavazos. Please coordinate with the Refuge Manager (Bryan Winton) at (956) 784-7521 to see if a ROW permit is required and if there might be habitat loss on these three tracts of land.

Regarding other important fish and wildlife resources, please keep in mind that many bird species protected under the Migratory Bird Treaty Act may nest in any area containing trees or other suitable habitat. As the Federal agency responsible for the protection of migratory birds, the Service recommends vegetation disturbances potentially associated with these activities avoid the general nesting period of March through August or that areas proposed for disturbance be surveyed first for nesting birds, in order to avoid the inadvertent destruction of nests,

eggs, etc.

Under 5.2.1 Best Management Practices it states: Construction activities along natural resources management areas would be scheduled to occur outside the April 1 through July 15 migratory bird nesting season should be changed to March through August.

We appreciate the opportunity to provide pre-planning information and look forward to providing any further assistance. If we can be of further assistance, please contact Ernesto Reyes at the above letterhead and telephone number.

Sincerely,

Ernesto Reyer h.

Senior Fish & Wildlife Biologist

For

Allan M. Strand

Field Supervisor

cc:

Field Supervisor, U.S. Fish and Wildlife Service, Corpus Christi, TX Bryan Winton, LRGV NWR Manager, Alamo, Texas

United States Department of Agriculture



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

International Boundary and Water Commission 4171 N. Mesa Street, Suite C-100 El Paso. Texas 79902

July 3, 2007

Attention: Mr. Daniel Borunda, Environmental Protection Specialist

Subject: LNU-Farmland Protection-

Draft EIS for improvements to Donna-Brownsville Levee Systems Hidalgo and Cameron Counties, Texas

We have reviewed the information provided concerning the proposed improvements to the Donna-Brownsville Levee System in Hidalgo and Cameron Counties, Texas, as outlined in your letter of June 26, 2007. This is part of a Draft EIS and Finding of No Significant Impact for this project as required by the International Boundary and Water Commission. We have reviewed the project as required by the Farmland Protection Policy Act (FPPA).

Your plans indicate that you will typically be increasing the footprint of the levee due to increasing the height and top width about two feet. Although some of the soils are classified as Important Farmland Soils, most of this land is currently not being farmed and is owned by the levee district. Much is in herbaceous vegetation along the foot slope of the levee and not currently being farmed. The levee improvements will have little impact on prime farmlands. The FPPA law states "Actions that include assistance provided to purchase, maintain, renovate, or replace a structure that already exists in not subject to the act." The main impact will be loss of soil from the borrow area which will be from commercial sources. We have completed an AD-1006 form indicating that we concur that a Finding of No Significant Impact (FONSI) should be granted.

I have attached a completed AD-1006 (Farmland Conversion Impact Rating) form for this project Thanks for the quality resource materials you submitted to evaluate this project. If you have any questions please call James Greenwade at (254)-742-9960, Fax (254)-742-9859.

Thanks,

James M. Greenwade

Soil Scientist

Soil Survey Section

USDA-NRCS, Temple, Texas

U.S. Department of Agriculture

F	ARMLAND CONVERS	ION IMP	PACTRA	TING					
PART I (To be completed by Federal Agency)			Date Of Land Evaluation Request 6-26-2007						
Name of Project Donna-Brownsville Leve	е	Federal Agency Involved US Boundary and Water Comm							
Proposed Land Use Flood Control	County and State Hidalgo-Cameron County, Texas								
PART II (To be completed by NRCS)		Date Request Received By NRCS 6-29-2007			Person Completing Form: James Greenwade				
Does the site contain Prime, Unique, Statewide or Local Important Farmland			S NO	Acres I	rrigated	Average	Farm Size		
(If no, the FPPA does not apply - do not co									
Major Crop(s)	Farmable Land in Govt. Ju Acres: %	Farmable Land in Govt. Jurisdiction Acres: %			Amount of Farmland As Defined in FPPA Acres: %				
Name of Land Evaluation System Used LESA	Name of State or Local Sit	Name of State or Local Site Assessment System NONE Date Land Evaluation Returned by NRCS					RCS		
PART III (To be completed by Federal Age	(To be completed by Federal Agency)				Alternative Site Rating				
A. Total Acres To Be Converted Directly				Site A	Site B	Site C	Site D		
B. Total Acres To Be Converted Indirectly									
C. Total Acres In Site									
PART IV (To be completed by NRCS) Lar	nd Evaluation Information								
A. Total Acres Prime And Unique Farmland	3								
B. Total Acres Statewide Important or Loca									
C. Percentage Of Farmland in County Or L									
D. Percentage Of Farmland in Govt. Jurisd	iction With Same Or Higher Relativ	e Value							
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)									
PART VI (To be completed by Federal Age (Criteria are explained in 7 CFR 658.5 b. For	ency) Site Assessment Criteria		Maximum Points	Site A	Site B	Site C	Site D		
Area In Non-urban Use			(15)						
2. Perimeter In Non-urban Use			(10)						
3. Percent Of Site Being Farmed			(20)						
4. Protection Provided By State and Local	Government		(20)						
5. Distance From Urban Built-up Area			(15)						
6. Distance To Urban Support Services			(15)						
7. Size Of Present Farm Unit Compared To Average			(10)						
8. Creation Of Non-farmable Farmland			(10)						
9. Availability Of Farm Support Services			(5)						
10. On-Farm Investments			(20)						
11. Effects Of Conversion On Farm Support Services			(10)						
12. Compatibility With Existing Agricultural Use			(10)						
TOTAL SITE ASSESSMENT POINTS			160						
PART VII (To be completed by Federal A	Agency)								
Relative Value Of Farmland (From Part V)			100						
Total Site Assessment (From Part VI above or local site assessment)			160						
TOTAL POINTS (Total of above 2 lines)			260						
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES NO							
Reason For Selection:									
Name of Federal agency representative completing this form: Date:									

Kathleen Hartnett White, Chairman Larry R. Soward, Commissioner H. S. Buddy Garcia, Commissioner Glenn Shankle, Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 30, 2007

Mr. Daniel Borunda United States Section International Boundary and Water Commission 4171 North Mesa, Suite C-100 El Paso, Texas 79902

Re: Draft Environmental Assessment-Improvements to the Donna-Brownsville Levee System

Dear Mr. Borunda:

The Texas Commission on Environmental Quality (TCEQ) is in receipt of the June 2007 Draft Environmental Assessment (EA) - Improvements to the Donna-Brownsville Levee System. The United States Section International Boundary and Water Commission is considering raising sections of the 65-mile leves system to meet current flood control requirements. The levee system extends along the Rio Grande from the Donna Pump Station in Hidalgo County downstream to an area east of Brownsville in Cameron County, approximately 28 miles upstream of the Gulf of Mexico. The Draft EA assesses potential environmental impacts of the proposed action and the no-action alternative, and a Finding of No Significant Impact was issued for the proposed action.

As stated in the Draft EA, the proposed action alternative would increase the height of the levee up to two feet to increase flood containment capacity and achieve a three feet freeboard design criterion. Raising the levee height would increase the levee footprint by lateral extension of the structure, up to a maximum of 12 feet. Structural improvements, such as slurry walls or liners, may be required for some segments of the levee where seepage is a potential problem.

After preliminary review of the Draft EA, the TCEQ has no objection to this project since no surface water features were identified within the proposed expansion area. However, if new concerns are identified from comments, the TCEQ will submit a comment letter to identify those concerns. The TCEQ encourages the use of Best Management Practices during and after construction for as long as is necessary to protect water quality.

The TCEQ looks forward to receiving and evaluating other agency or public comments during or after the comment period. Please provide any agency and/or public comments regarding water quality issues to Mr. Gregg Easley of the Water Quality Division MC-150, P.O. Box 13087, Austin, Texas 78711-3087. Mr. Easley may also be contacted by e-mail at geasley@tceq.state.tx.us, or by telephone at (512) 239-4539.

Sincerely,

Doreal W. Stephey, P.E., Director

Water Quality Division

LWS/GE/jp

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWERENCE OAKS, EXECUTIVE DIRECTOR

July 30, 2007

Daniel Borunda United States Section, IBWC 4171 N.Mesa, Suite C-100 El Paso, Texas 79902

Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Draft EA and FONSI: Improvements to the Donna-Brownsville Levee System, Hidalgo and Cameron Counties, Texas [IBWC]

Dear Mr. Borunda:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Debra L. Beene, has completed its review. As written in the above referenced document, the project may affect site 41CF182 as well as unrecorded cultural resources in the eight High Probability Areas (HPAs) that may contain significant historic or prehistoric sites. The survey and site assessments have yet to be completed; therefore, we cannot concur that the project will not have an effect on historic properties.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your assistance in this federal 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 Debra L. Beene at 512/463-5865.

Sincerely.

for

F. Lawerence Oaks, State Historic Preservation Officer

FLO/dlb



INTERNATIONAL BOUNDARY AND WATER COMMISSION UNITED STATES AND MEXICO

September 7, 2007

Ms. Debra L. Beene Texas Historical Commission P.O. Box 12276 Austin, Texas 78711-2276

Dear Ms. Beene:

In response to the July 30, 2007 letter by the Texas Historical Commission (THC) on the Draft Environmental Assessment (EA) for the Donna-Brownsville levee system, I'd like to clarify USIBWC's approach for evaluation of potential impacts on cultural resources along improvement areas of the Lower Rio Grande Flood Control Project, including the Donna-Brownsville levee system. I also want to emphasize that the USIBWC will continue to work with the THC to ensure full compliance of the levee improvement projects with Section 106 requirements for protection of cultural resources.

Currently, levee improvements along the Donna-Brownsville levee system have been developed at a conceptual level and, as noted in the THC review letter, site-specific surveys and assessments of cultural resources have not yet been completed. The cultural resources evaluation provided in the EA was performed to narrow down potentially affected High Probability Areas and historic structures near the levee footprint expansion area, from those identified in a regional floodway study commissioned by the USIBWC in 2002 for the entire Lower Rio Grande Flood Control Project. The evaluation provided in the Draft EA included a field reconnaissance conducted to field verify cultural resources that would be located within the project area under evaluation, and to identify additional historical structures not necessarily identified in the 2002 regional floodway study, conducted at a larger scale.

As indicated in the Best Management Practices and Mitigation Measures described in Section 5 of the EA, outstanding archaeological surveys and assessment of national registry eligibility for historical structures will be completed once preliminary designs become available. Additional documentation that will be provided to the THC as part of the ongoing Section 106 consultation will consist of:

- A more detailed description of the proposed action based on preliminary design information;
- Determination of eligibility of identified historical structures older than fifty years potentially affected; and
- Additional support documentation on avoidance/mitigation actions to be adopted for protection of cultural resources, when applicable.

Submitted documentation on cultural resources will comply with THC requirements as agreed upon with a Memorandum of Agreement expected to be in place at that time engineering designs are developed. The Memorandum of Agreement will specify requirements for supporting documentation on the impacts evaluation, and extent of required field surveys.

As has been done for previous projects, the USIBWC will continue to work with the THC to ensure full compliance of the lower Rio Grande levee improvement projects with Section 106 requirements for protection of cultural resources. If you have any questions, please call me at (915) 832–4740.

Sincerely

Carlos Peña Jr., P.E. Division Engineer

Environmental Management Division