

AGENDA ITEM # 8April 15, 1997*Consider granting preliminary plat approval to Estates of Brushy Creek.

Joe England advised this was a revised preliminary plat. One culdesac street had been removed.

Moved: Commissioner Mehevec

Seconded: Judge Doerfler

Motion: To grant preliminary plat approval to Estates of Brushy Creek contingent upon changing right-of-way from 50 feet to 60 feet, and Block B to be noted on plat.

Vote: Motion carried 5 - 0

AGENDA ITEM # 9April 15, 1997*Consider approving memorandum of agreement between Williamson County and the U.S. Army Corp of Engineers pertaining to right of way acquisition for extension of D.B. Wood Road.

Moved: Commissioner Hays

Seconded: Judge Doerfler

Motion: To approve memorandum of agreement between Williamson County and the U.S. Army Corp of Engineers pertaining to right-of-way acquisition for extension of D. B. Wood Road.

Vote: Motion carried 4 - 0 with Commissioner Heiligenstein absent from the dais

< Clerk copy here >



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

REPLY TO
ATTENTION OF

April 2, 1997

Environmental Division

SUBJECT: Memorandum of Agreement for D.B. Wood Road Extension at Lake
Georgetown, Texas

Honorable John C. Doerfler
County Judge
Williamson County
710 Main Street, Second Floor
Georgetown, Texas 78626

Dear Judge Doerfler:

This letter is in response to your inquiry dated August 15, 1996 regarding granting of a perpetual easement for the relocation/extension of D.B. Wood Road. Attached is a Memorandum of Agreement (MOA) providing the means by which the U.S. Army Corps of Engineers (USACE) can process this request. The MOA establishes terms and agreements between the USACE and Williamson County for the completion of environmental, engineering, and real estate actions that are required prior to the issuance of such an easement.

If necessary, our staff members would be happy to meet with you prior to your signing of this MOA. Please contact Ms. Linda Ashe (817) 978-6382 or Mr. Joe Paxton (817) 978-2095 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "M. G. Enschede".

Michael G. Enschede
Chief, Environmental Division

Enclosure

Copy Furnished:

Mr. Joe England, County Engineer
Williamson County
1900 Georgetown Inner Loop, Suite B
Georgetown, TX 78626



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

VOL 0088 PAGE 091

MEMORANDUM OF AGREEMENT
BETWEEN
WILLIAMSON COUNTY, TEXAS
AND
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

SUBJECT: U.S. Army Corps of Engineers participation with Williamson County, Texas in the acquisition of right-of-way and environmental compliance associated with the extension of D.B. Wood Road at the Lake Georgetown Project.

1. Purpose. The purpose of this Memorandum of Agreement (MOA) is to provide a vehicle by which the U.S. Army Corps of Engineers, Fort Worth District (USACE) can process a request from Williamson County, Texas (County) to obtain a road right-of-way across USACE owned property at Lake Georgetown, Texas. Because this proposed action involves Federal property, it requires compliance with the National Environmental Policy Act of 1969, as amended (NEPA). The NEPA process involves the preparation of an Environmental Assessment (EA) resulting in either a Finding of No Significant Impact (FONSI) or a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS). The USACE acknowledges that the proposed action and alternatives represent a public and regional interest; however, this proposed action exceeds the current USACE Congressionally-authorized mission purpose (ie. flood control, water supply, recreation, or the operation and maintenance in furtherance of these purposes) and current levels of funding. The USACE, therefore, has no authority to expend Federal funds toward meeting the NEPA compliance requirements. This MOA provides the means by which the USACE and County may act in a cooperative manner for the purpose of meeting the identified greater public/regional need.

2. Objective. The objective of the MOA is to establish procedures, responsibilities, and financial obligations between the USACE and the County for support of the environmental and real estate actions involved in the County's acquisition of a right-of-way for the extension of D.B. Wood Road at the Lake Georgetown Project.

3. Reference. The authority for this MOA is stated in the Support for Others (SFO) Program, ER 1140-1-211.

4. Understandings, Agreements, Support and Resource Needs.

a. The USACE will be responsible for preparation of documentation required for compliance with provisions of the NEPA. The County has previously provided the USACE with a threatened and endangered species survey (July 1996) and a cultural resource survey (August 1996), both prepared by SWCA, Inc., Environmental Consultants of Austin, Texas, which provide information gathered from the County's proposed route of the D.B. Wood Road extension. It is understood that the County may select a private sector environmental firm to generate an Environmental Information Document (EID) to facilitate compliance with NEPA. Compliance with the NEPA process shall begin with preparation by the USACE of an

Environmental Assessment (EA) and decision document consisting of either a Finding of No Significant Impact (FONSI) or Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS).

b. The NEPA Technical Manager (TM) will be responsible for coordinating all environmental issues with the appropriate officials in the USACE Real Estate Division, Lake Georgetown Project Office, the Texas Parks and Wildlife Department, the U. S. Fish and Wildlife Service, and the State Historic Preservation Officer, as required by law, to determine the suitability of any real estate used for the purposes of this proposed project, including mitigation areas. The NEPA TM will be responsible for coordinating and tracking all funding within the USACE.

c. The USACE resource needs will be provided by the County. The USACE efforts associated with accomplishment of this proposed project are outlined in a Scope of Work (SOW), included as Attachment A to this MOA. The estimated cost to the County for support of the USACE efforts is made in a Government Estimate (GE), included as Attachment B to this MOA. This estimate was prepared using "worst case" projections of the efforts to be provided; actual costs may be lower. **All funds not required for the completion of this effort by the USACE will be returned to the County.** As reflected in both the SOW and GE, the County has the option of providing the USACE with an EID or having the USACE prepare the EA in its entirety using the existing information. Tasks and associated costs for each of these options are included as part of the attachments. **Support funds will be disbursed as checks made out to: Finance and Accounting Officer USAED, Fort Worth.** The checks will be mailed to:

U.S. Army Corps of Engineers
USACE Finance Center
ATTN: CEFC-AO
7800 3rd Avenue
Millington, TN 38054-5005
Telephone: (901) 874-7854

d. Agency Coordination. Unless otherwise indicated in writing, the Corps point of contact for this project is:

Mr. Carey Weber
U.S. Army Corps of Engineers
ATTN: CESWF-OD-GA
Route 5, Box 500
Georgetown, TX 78626-9551
Telephone: (512) 863-3016

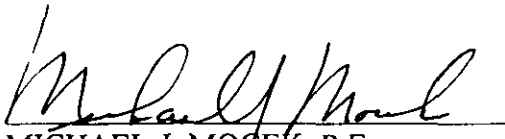
e. In the event that the EA results in an NOI, the USACE and County will discuss the implications of such a finding, and reevaluate the technical services to be provided by the USACE and all associated costs.

f. Construction activities associated with the proposed project will not begin until all Federal requirements have been met and the County has been notified in writing by the USACE of project approval.

g. For natural and cultural resources known to be disturbed by the construction, a mitigation plan shall be submitted by the County for consideration by the USACE. The mitigation plan must be agreed upon by both parties prior to the start of construction.


h. It is understood that if the proposed project goes into the construction phase the County will be responsible for compliance with all Federal, State, and/or local laws pertaining to protection of cultural or natural resources. This will include excavation and/or mitigation actions for any known cultural or natural resources, or those which might be unearthed during construction.

5. Effective Date. This MOA becomes effective when signed and dated by both parties and shall remain in effect until either modified, or the project has been completed.


MICHAEL J. MOCEK, P.E.
Deputy District Engineer

Date April 3, 1997

On behalf of Williamson County, Texas, I request the technical services of the U.S. Army Corps of Engineer, Fort Worth District to process the counties request of a proposed right-of-way for the extension of D.B. Wood Road at Lake Georgetown, Texas. I am aware that the proposed action requires compliance with the National Environmental Policy Act of 1969, as amended, and that these technical service cannot be procured through ordinary business channels.


JOHN C. DOERFLER
County Judge
Williamson County, Texas

Date 4-15-97

ATTACHMENT A

SCOPE OF WORK
D.B. WOOD ROAD EXTENSION
AT

LAKE GEORGETOWN, WILLIAMSON COUNTY, TEXAS

1.0 INTRODUCTION: In July 1984 a five year easement was granted to Williamson County, Texas (County) allowing traffic to be routed along a two lane roadway across U.S. Army Corps of Engineers (USACE) owned property, including the North San Gabriel Dam at Lake Georgetown. The roadway was originally designed to accommodate only limited traffic for access to recreational areas. The USACE has continued to grant extensions of the easement while the County sought an alternative which would move traffic off of the existing roadway. The County is requesting a right-of-way which is located east-southeast and parallel to the North San Gabriel Dam. The County proposes to fund the construction of a 2.2 mile, 5 lane, arterial road which will provide relief from growing traffic problems, and will service SunCity and other growing areas in the county. The proposed road would have a 120 foot wide right-of-way corridor with 80 feet of pavement, would span the North San Gabriel River southeast of the dam, and would be an extension of the existing D.B. Wood Road.

2.0 PURPOSE: The National Environmental Policy Act of 1969, as amended (NEPA), requires agencies of the Federal Government to analyze and make available to the public information on any environmental impacts of its proposed actions. The Council on Environmental Quality (CEQ) issued regulations governing this process (40 CFR 1500-1508). These regulations are based on NEPA and Executive Order 11514 and 11991 which provide Presidential direction to Federal agencies to implement NEPA's requirements. Environmental Regulation (ER) 200-2-2 provides guidance for implementation of the procedural provisions of the NEPA for the Civil Works Program of the USACE.

3.0 SCOPE OF WORK: The objective of this effort can be met by the USACE team by means of one of two proposed options for the environmental phase of this action. The level of effort on behalf of the USACE will vary depending on which option the County chooses. Sections 3.1 and 3.2 outline these two options. The USACE efforts will include, but are not limited to, the following:

3.1 Environmental Information Document Option.

3.1.1 Under this option, The County shall provide analysis of potential environmental impacts from the proposed action and alternatives in an Environmental Information Document (EID); such analysis shall be performed using the baseline data disclosed in the Final Environmental and Archaeological Investigation Documents which were completed by the County in July and August 1996, respectively. Alternatives are listed in paragraph 4.3 of this scope of work (SOW). The EID shall follow the format of an EA and shall contain all components as specified

in ER 200-2-2. The USACE will prepare the Environmental Assessment (EA) from the Environmental Information Document (EID) provided by the County.

3.1.2 NEPA Coordination: Coordination of environmental activities within the USACE, and with outside resource agencies will be the responsibility of the NEPA Technical Manager. Outside resource agencies which require coordination are: U.S. Fish and Wildlife Service (USFWS), Texas Parks and Wildlife Department (TPWD), and State Historic Preservation Office (SHPO).

3.1.3 Site Visit: USACE team members, consisting of personnel from Environmental Division, Real Estate Division, and Engineering/Construction Division will make a thorough inspection of the proposed route for the extension of D.B. Wood Road, together with representatives from the County and all resource agencies.

3.1.4 Real Estate Division shall perform the following tasks:

3.1.4.1 Records search and review and completion of Report of Availability and Determination of Availability.

3.1.4.2 Review and verification of plat and legal description.

3.1.4.3 Draft easements and complete action.

3.1.5 Engineering/Construction Division shall perform the following tasks:

3.1.5.1 Civil/Structural: Make site inspection and review roadway plans to insure compatibility with operation of the project.

3.1.5.2 Geotechnical: Review of roadway plans for dam safety issues.

3.1.5.3 Hydraulics and Hydrology: Review and coordinate hydraulic issues.

3.2 Environmental Assessment Option.

3.2.1 Under this option, the USACE will prepare an EA using the baseline data provided in the Final Environmental and Archaeological Investigation Documents provided by the County. The EA will contain an environmental analysis of the proposed action and alternatives as specified in ER 200-2-2. Alternatives to be considered are listed in paragraph 4.3 of this SOW.

3.2.2 NEPA Coordination: Coordination of environmental activities within the USACE, and with outside resource agencies shall be the responsibility of the NEPA Technical Manager. Outside resource agencies which will require coordination are: U.S. Fish and Wildlife Service

(USFWS), Texas Parks and Wildlife Department (TPWD), and State Historic Preservation Office (SHPO).

3.2.3 Site Visit: USACE team members, consisting of personnel from Environmental Division, Real Estate Division, and Engineering/Construction Division shall make a thorough inspection of the proposed route for the extension of D.B. Wood Road, together with representatives from the County and all resource agencies.

3.2.4 Real Estate Division tasks for this option shall be the same as listed for the previous option in section 3.1.4 of this SOW.

3.2.5 Engineering/Construction Division tasks for this option shall be the same as listed for the previous option in section 3.1.5 of this SOW along with the following additional tasks:

3.2.5.1 Provide baseline information and environmental consequences for the EA concerning Air Quality, Noise, Groundwater, and Surface Water.

3.2.6 Environmental Division, Evaluation Branch shall provide analysis in the EA concerning Environmental Justice.

4.0 SPECIAL CONSIDERATIONS:

4.1 The Government will grant any licenses required for environmental documentation.

4.2 In the event that any additional land outside of the requested 300 foot wide permanent right of way is needed for construction purposes (such as for operation of heavy equipment), the County shall obtain the proper construction license from the Real Estate Division of the USACE.

4.3 The Government will make available to appropriate agencies existing cultural and natural resource documents for the proposed project area should they be requested for preparation of an EID.

4.4 The EID and EA will consider at least, but not necessarily be limited to, the following Alternatives: 1) Extension of D.B. Wood Road along the route proposed by the County in the Environmental and Archaeological Investigations Documents; 2) Extension of D.B. Wood along a route coinciding with the eastern boundary of the Lake Georgetown Project property; 3) Improve/enlarge the current roadway to accommodate the traffic load projected for the year 2010, and modify the route at the southern end so as to minimize traffic impacts to recreational facilities/camping areas; 4) No Action Alternative: Continue use of the existing roadway until the end of the current easement. Once the easement has terminated, the County will be responsible for removal of the existing temporary roadway which connects to D.B. Wood Road. At that time the land contours and vegetation will be restored to their original condition.

4.5 The County shall provide the plat and legal description to the USACE Real Estate Division.

4.6 The County shall be responsible for compliance with The Clean Water Act (CWA) of 1977. Compliance issues shall be addressed in the EA. Section 404 of the CWA regulates development in or near streams and wetlands which would result in discharge of dredge or fill. A permit must be obtained from the USACE prior to such activities. The USACE TM shall assist the County with this permitting action. Under authority of the CWA, the Environmental Protection Agency (EPA) is responsible for issuing permits to control storm water discharges that affect five or more acres of land. The major requirement of the permit is the development of a Storm Water Pollution Prevention Plan (SWPPP) and filing of a Notice of Intent with the EPA. Development of the SWPPP and filing activities shall be the responsibility of the County.

5.0 POINTS OF CONTACT: The following persons shall be considered key personnel for the proposed project.

5.1: NEPA Technical Manager, Environmental Division (Ecological Section): Ms. Linda Ashe, CESWF-EV-EE, P.O. Box 17300, Fort Worth, Texas 76102-0300, (817) 978-6382.

5.2 Operations Division: Mr. Doug Cox, U.S. Army Corps of Engineers, CESWF-OD-R, P.O. Box 17300, Fort Worth, Texas 76102-0300, (817) 978-2707.

5.3 Lake Georgetown: Mr. Carey Weber, U.S. Army Corps of Engineers, CESWF-OD-GA, Route 5, Box 500, Georgetown, TX 78626-9551, (512) 863-3016.

5.4 Little River Project: Mr. Robert Adams, U.S. Army Corps of Engineers, CESWF-OD-BN, 99 FM 2271, Belton, TX 76513-9717.

5.5 Environmental Division (Cultural Section): Ms. Patience Patterson, CESWF-EV-EC, P.O. Box 17300, Fort Worth, Texas 76102-0300, (817) 978-6390.

5.6 Real Estate Division: Ms. Gerri Barsotti, CESWF-RE-MM, P.O. Box 17300, Fort Worth, Texas 76102-0300, (817) 978-4397.

5.7 Engineering/Construction Division: Mr. Jeffery Comer, CESWF-EC-TC, P.O. Box 17300, Fort Worth, Texas 76102-0300, (817) 978-2311x1678.

ATTACHMENT B

**GOVERNMENT ESTIMATE
PREPARATION OF ENVIRONMENTAL ASSESSMENT
D.B. WOOD ROAD EXTENSION
LAKE GEORGETOWN, WILLIAMSON COUNTY, TEXAS**

EID Option:

Environmental Division	\$17,200.00
Real Estate Division	6,300.00
Engineering/Construction Division	5,800.00
Programs and Project Management Division	1,000.00
Travel and Per Diem	2,000.00

Total Cost of EID Option	\$32,300.00*
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EA Option

Environmental Division	\$32,900.00
Real Estate Division	6,300.00
Engineering/Construction Division	12,800.00
Programs and Project Management Division	1,000.00
Travel and Per Diem	2,000.00

Total Cost of EA Option	\$55,000.00*
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*Cost are estimated using "worst case" projections of effort. Actual costs may be lower. All unused funds will be returned to Williamson County.

Consider designating old County Road 418 North as County Road 499.

Moved: Commissioner Boatright

Seconded: Commissioner Hays

Motion: To designate old County Road 418 North as County Road 499.

Vote: Motion carried 4 - 0 with Commissioner Heiligenstein absent from the dais

AGENDA ITEM # 11

April 15, 1997

*

Consider approving purchase of property sold by City of Taylor.
(Jointly owned with the county.)

Moved: Commissioner Mehevec

Seconded: Commissioner Boatright

Motion: To approve purchase of property sold by City of Taylor. (Jointly owned with the county.)

Vote: Motion carried 4 - 0 with Commissioner Heiligenstein absent from the dais

<Clerk copy here>



April 07, 1997

Williamson County Courthouse
Williamson County Judge
John Doerfler
710 Main, Second Floor
Georgetown, Texas 78626

Dear Judge Doerfler:

The City of Taylor has received an offer to purchase property which it is holding in trust as a result of previous tax sales. The offer of \$1,000.00 is less than the adjudged value of \$1,500.00 but it represents an offer of more than could be expected.

Enclosed is a deed for the property for you to execute if the County is willing to agree to the sale. Once you have executed the deed and had your signature notarized Please return it to me for delivery to the purchaser.

Thank you for your cooperation and assistance in this matter. Please let me know if you have any questions or comments concerning this matter.

Sincerely,



David Weber
Administrative Coordinator