



Public Notice

U.S. Army Corps
of Engineers
Tulsa District

Reply To:

U.S. Army Corps of Engineers
ATTN: Regulatory Office
1645 South 101st East Avenue
Tulsa, OK 74128-4609

SWT-0-14659
EIS Scoping Meeting
Public Notice No.

November 6, 2009
Public Notice Date

January 9, 2010
Expiration Date

PURPOSE

The purpose of this public notice is to inform you of a proposal for work in which you might be interested and to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

SECTION 10

The U.S. Army Corps of Engineers is directed by Congress through Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition, or capacity of navigable waters of the United States. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404

The U.S. Army Corps of Engineers is directed by Congress through Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharges of dredged and fill material into all waters of the United States. These waters include lakes, rivers, streams, mudflats, sandflats, sloughs, wet meadows, natural ponds, and wetlands adjacent to other waters. The intent of the law is to protect these waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical, and biological integrity.

NOTICE TO PUBLISHERS

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**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609**

November 6, 2009

Application No. SWT-0-14659

PUBLIC NOTICE

U.S. Army Corps of Engineers (Corps), Tulsa District

Announcement of Public Scoping Meeting

**Proposed Lower Bois d'Arc Creek Reservoir
Environmental Impact Statement (EIS) Process**

Interested parties are hereby notified that the District Engineer has scheduled a Public Scoping Meeting related to the Clean Water Act (CWA) Section 404 permit application by North Texas Municipal Water District (NTMWD) for the proposed construction of Lower Bois d'Arc Creek.

The application is to construct a dam on Bois d'Arc Creek to impound a water supply reservoir, Lower Bois d'Arc Creek Reservoir. The purpose of the work is to expand water supply resources of the North Texas Municipal Water District.

The Corps intends to prepare an EIS to assess the direct, indirect, and cumulative environmental, social, and economic effects of issuance of a Department of the Army permit under Section 404 of the CWA for discharges of dredged and fill material into waters of the United States associated with the construction of the proposed water supply reservoir. In the EIS, the Corps will assess potential impacts associated with a range of alternatives. The preparation of an EIS begins with a scoping process to determine the issues to be addressed in the EIS.

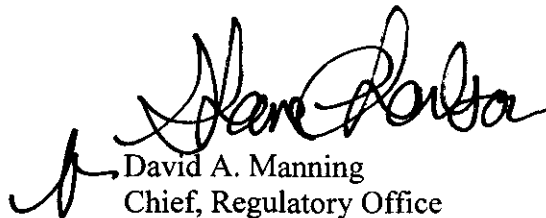
**Date and Location of Meeting: December 8, 2009
3:00pm to 8:00pm
Fannin County Multi-Purpose Complex
700 FM 87
Bonham, Texas
(Complex is about 1.5 miles west of Bonham, north of Hwy 56)**

A public notice for the Section 404 CWA permit application was issued on the proposal on October 14, 2008 soliciting comments from Federal, State, and local agencies and officials, interested individuals and the general public. The 30-day comment period was extended by 30 days until December 12, 2008, to afford ample opportunity for public and agency comment on this project. A public Scoping Meeting is being held regarding the proposed action to seek public comments on the proposed project and its potential effects to the human environment. The Corps will be conducting the public scoping meeting, assisted by its Third Party EIS Contractor (Mangi Environmental Group), to describe the project, preliminary alternatives, the National Environmental Policy Act compliance process, and to solicit input on the issues and alternatives to be evaluated and other related matters. Written comments for scoping will be accepted **until January 9, 2010.**

Project Description: The proposed reservoir dam would be located in Bois d'Arc Creek, in the Red River watershed, approximately 15 miles northeast of the town of Bonham, between Farm-to-Market (FM) Road 1396 and FM Road 409, in Fannin County, Texas. The proposed project site consists of 17,068 acres. The purpose of the proposed project is to impound the waters of Bois d'Arc Creek and its tributaries to create a new 16,641-acre water supply reservoir for NTMWD. Lower Bois d'Arc Creek Reservoir Dam would be about 10,400 feet in length and would have a maximum height of about 90 feet. The design top elevation of the embankment would be 553.5 feet mean sea level (' msl) with a conservation pool elevation of 534.0' msl controlled by a service spillway at elevation 534.0' msl with a crest length of 150 feet. Raw water from the reservoir would be transported by 29 miles of 90-inch pipeline to a proposed water treatment plant near the City of Leonard in southwest Fannin County. To allow the NTMWD the ability to treat water from Lower Bois d'Arc Creek Reservoir at its existing facilities in Wylie, Texas, 14 miles of 66-inch pipeline would also extend from the water treatment plant to an outfall on Pilot Grove Creek, a tributary of the East Fork of the Trinity River, to deliver raw water to Lake Lavon, in the Trinity River basin.

Texas Commission on Environmental Quality (TCEQ): Permitting under the CWA Sections 401 and 404 is conducted jointly between the Corps and the TCEQ, with the TCEQ making a State water quality certification decision concurrent with the Corps permit application decision. For the purposes of conducting a TCEQ public meeting, the TCEQ will participate in this EIS Scoping Meeting and will be available for questions and comments regarding the TCEQ's role in reviewing the 404/401 permit application submitted by the NTMWD for the proposed Lower Bois d'Arc Creek Reservoir.

For Additional Information: For further information or questions about the proposed action and EIS, please contact Mr. Andrew Commer, Supervisory Regulatory Project Manager, by letter at Regulatory Office, CESWT-RO, U.S. Army Corps of Engineers, 1645 South 101st East Avenue, Tulsa, Oklahoma, 74128-4609; by telephone at 918-669-7400; by electronic mail Andrew.Commer@usace.army.mil. For special needs (visual or hearing impaired, Spanish translator, etc.) requests during scoping meetings, please contact Andrew Commer by November 24, 2009.


David A. Manning
Chief, Regulatory Office