



**COAST & HARBOR  
ENGINEERING**

September 13, 2007

Mr. Reagen Richter  
U.S. Army Corps of Engineers – Galveston District  
5151 Flynn Parkway  
Corpus Christi, TX 78411-4318

RE: Permit Application SWG-2007-813

Dear Mr. Richter:

This letter is in response to your correspondence dated August 22, 2007, where you require submission of a timeline with milestones that will indicate how Save Cedar Bayou, Inc. will address requirements presented in your permit application response letter dated July 16, 2007.

The permit applicant, Save Cedar Bayou, Inc., is prepared to conduct an Environmental Assessment (EA) for the Cedar Bayou/Vinson Slough project in accordance with NEPA regulations that will address the comments received from the resource agencies. Enclosed with this letter is a Scope of Work outlining the tasks to be completed in the EA along with a schedule, budget, and list of deliverables. In summary, the Scope of Work indicates that the EA should be completed within a 5 month period based on an anticipated start-up date in mid-October, 2007.

Please consider this submission of a Scope of Work as a satisfactory requirement for the plan of action you requested regarding the Cedar Bayou/Vinson Slough Project.

Thank you for your support during this process.

Sincerely,  
COAST & HARBOR ENGINEERING, INC.

Hugo E. Bermudez, P.E.  
Co-President

*cc: Dennis Rocha, Texas General Land Office  
Lynn Edwards, Save Cedar Bayou, Inc.*

Enclosure

**Scope of Work**  
**Preparation of a NEPA Environmental Assessment**  
**for the**  
**Cedar Bayou/Vinson Slough Project**

*prepared by Turner, Collie and Braden  
for the Texas General Land Office*

**I. PROJECT PURPOSE**

This scope of work is for the preparation of an Environmental Assessment (EA) and associated tasks by the service provider, Turner Collie & Braden, required for the construction/dredging of a channel, Cedar Bayou, between San Jose and Matagorda Islands. This work is being done to satisfy the requirements of the U.S. Army Corps of Engineers (USACE) Galveston District related to a dredge and fill permit application submitted by Save Cedar Bayou, Inc. (SCB). The service provider would be conducting the work as a subcontractor to the primary project engineer for SCB, Coast & Harbor Engineering. The EA will be prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, regulations of the Council on Environmental Quality (CEQ)(40 Code of Federal Regulation [CFR] 1508.9), and related laws. The major tasks are as follows:

**II. PROJECT TASKS**

**Kickoff Meeting and Site Visit.** This initial task will involve a meeting with the Project Engineer and the General Land Office. At this meeting the scope and schedule will be discussed and revised as needed, and possible alternatives will be reviewed. Lines of communication will be established and information will be exchanged as appropriate. This meeting will be on the project site or a separate on-site project visit will be arranged. The purpose of this initial onsite meeting will be to orient the project team to the issues and site conditions of the project location.

**Scoping and Agency Coordination.** Previous correspondence from the USACE and the resource agencies will be reviewed. If necessary, agencies will be contacted to refine their concerns. In addition, comments and concerns will be solicited from stakeholders including Save Cedar Bayou, Coastal Conservation Association, Coastal Bend Bays and Estuaries Program, and Aransas County. As identified through this scoping process, issues of relevance will be identified and potential source of information will be identified for use in preparation of the EA.

**Data Collection.** Data will be collected from existing sources. Existing data sources will include maps, inventories and records related to environmental issues, including vegetation, archeological issues, endangered species and historic properties. In addition, we will coordinate with the park technical staff to acquire site-specific information, if available. Information acquired from agencies and stakeholders will be evaluated and assimilated into the EA as appropriate.

**Endangered Species Analysis / Biological Assessment.** Evaluation of habitat and review of potential occurrence of federally-listed endangered species likely to occur in the area will be performed. If needed, a Biological Assessment per Section 7 of the Endangered Species Act will be prepared and consultation with the U.S. Fish and Wildlife Service will be performed.

**Habitat Delineation.** Ecological communities in the project area will be identified and delineated. Communities to be identified will include but not be limited to submerged aquatic vegetation, oyster reefs, emergent marsh, high marsh, sand flats and mudflats. The delineation will include a preliminary assessment based on aerial photos, an on-site survey to identify and/or verify habitat area, delineation of

boundaries, and preparation of an exhibit showing habitat communities in the project area. For the purposes of this task, the project area will extend no more than 1,000 feet beyond the construction limits of the proposed work.

**Purpose and Need.** In coordination with the Project Engineer, a discussion of the project need will be developed and a project purpose statement will be prepared. This task will include review of previous studies, identification of project benefits and validation of the project design criteria.

**Alternatives Analysis.** In coordination with the Project Engineer, a discussion of other options for meeting the project needs will be developed. This discussion will include a review of up to three other “Build” options that were considered and dismissed. For the EA, all options will be discussed as preliminary alternatives are considered. Based on results of the EA, only one proposed action and the “No Action” alternative will be evaluated in detail in the Environmental Consequences section of the EA.

**Prepare Draft EA.** The draft EA will be prepared using the following format. The EA will be prepared in accordance with NEPA and CEQ regulations. In addition, the EA will address related regulatory requirements and Executive Orders including the Clean Water Act, National Historic Preservation Act, Endangered Species Act, Clean Air Act, Executive Order 11990 (Wetlands), Executive Order 11988 (Floodplains), and Executive Order 12898 (Environmental Justice). The outline of the EA will be similar to the outline provided below.

- Cover Sheet
- Executive Summary
- Table of Contents
- Introduction
- Purpose and Need
- Alternatives
- Existing Conditions
- Environmental Consequences
- Cumulative Impacts
- Public Involvement, Consultation and Coordination
- References
- Appendices
- Tables and Figures

**Prepare and Publish the Public Notice.** The public notice will be prepared, advertised the notice in a local newspaper, and copies (paper and electronic) of the draft EA will be provided for public and agency review.

**Prepare Final EA and FONSI.** After review of public and agency comments and revisions to the EA, the final EA and the draft and final Finding of No Significant Impact (FONSI) for the project will be prepared, assuming the EA is supportive of a FONSI.

### **III. PROJECT SCHEDULE**

Notice to Proceed	Start
Submit preliminary Draft EA	60 days from Start
Receive Review Comments on Prel-Draft EA	14 days from Prel-draft EA submittal
Prepare and Submit Final Draft EA	14 days after receiving review comments
Public Notice	30 days
Prepare Final EA and FONSI	14 days from close of Public Notice
Prepare Notice of Availability	5 days
Total Project Timeline	4.5 months from Start

### **IV. DELIVERABLES**

Memorandum of Project Understanding	Within 2 weeks of completion of Kick-off meeting
Data Collection Summary and Habitat Delineations	Within 2 weeks of field data collection
Draft EA	60 days from Start
Final EA	14 days from close of Public Notice

### **V. ASSUMPTIONS**

Assumptions made in developing this scope of work and budget for this proposal are as follows:

- Engineering details and related technical data (e.g., salinity levels, flow volumes, etc), if needed, will be provided by the Primary Project Engineer.
- This scope of work does not include preparation for or attendance of any public meetings or a public hearing.
- Archeological resources are not expected to be an issue and as such no archeological field surveys are included in this scope.
- Coordination under the Endangered Species Act is expected to occur as informal consultation. This scope does not include formal consultation under the Endangered Species Act.