

**APPENDIX A**  
**USACE PROPERTY, INCLUDING COPPERAS BRANCH PARK**  
**AGENCY COORDINATION**





**STEW Photo Library**  
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Ms. Elaine Dill  
Texas Parks and Wildlife Department  
Recreation Grants  
4200 Smith School Road  
Austin, Texas 78744  
512.912.7120

HNTB Corporation, on behalf of the Texas Department of Transportation (TxDOT) – Dallas District, is concurrently conducting three independent Environmental Assessments (EA) for proposed improvements to the IH 35E corridor from IH 635 to U.S. 380. The proposed improvements include the expansion of the existing roadway from IH 635 to the SH 121 Bypass (southern section), the SH 121 Bypass to Denton Drive South (middle section), and Denton Drive South to U.S. 380 (northern section), in Dallas and Denton Counties, Texas. The total project distance is approximately 30 miles (See Attached Location Map). We request a review of your files in addition to the archived files to determine potential 6(f) park properties. Please assist us in determining if the following parks have received Land and Water Conservation Funding.

The proposed IH 35E project would impact two parks in the middle section EA (See attached Park Vicinity Map). The parks impacted are Highland Lakes Park in the City of Lewisville and Copperas Branch Park in the City of Highland Village. Highland Lakes Park is a 1.86-acre (81,189 square ft) park located on the west side of IH 35E, just south of Lewisville Lake in the Highland Lakes Phase II subdivision. Highland Lakes Park is owned and operated by the City of Lewisville. Copperas Branch is a 99-acre park located on the west side of IH 35E, just south of Lewisville Lake. Copperas Branch Park is owned by the U.S. Army Corps of Engineers (USACE). The City of Highland Village operates Copperas Branch Park and entered into a 20-year lease with the Department of the Army, beginning October 1, 2001 and ending September 30, 2021.

Thank you in advance for reviewing and responding to our requests in a timely manner. Due to the accelerated schedule of this project, please fax a letter verifying that these parks have not received Land and Water Conservation Funding and follow with a signed original. If you have any questions or require additional information, please do not hesitate to call Jennifer Halstead of HNTB Corporation at 972-628-3167.

Jennifer L. Halstead  
Senior Environmental Planner

*The HNTB Companies*

[illegible]

USACE Property, including Copperas Branch Park.





July 18, 2003

COMMISSIONERS  
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CHAIRMAN-EMERITUS  
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ROBERT L. COOK  
EXECUTIVE DIRECTOR

Ms. Jennifer Halstead  
Senior Environmental Planner  
HNTB  
5910 West Plano Parkway, Suite 200  
Plano, Texas 75093

Dear Ms. Halstead:

Based on the information provided for the proposed improvements to IH 35 in Dallas County, there does not appear to be any adverse impact to any Land and Water Conservation Fund or Local Parks Fund projects. Neither park referenced has received Grant funding. There would be no Section 6 (f) conversions involved.

However, changes in the alignment may require additional evaluations. If so, I may be contacted at 512/912-7112.

Sincerely,

C. R. Downey, P.E.  
Staff Engineer  
Recreation Grants Program



Take a kid  
hunting or fishing

\* \* \*

Visit a state park  
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# CITY OF HIGHLAND VILLAGE

1000 Highland Village Road ~ Highland Village, TX 75077 ~ Phone: (972) 317-2558 ~ Fax: (972) 317-0237

May 3, 2000

Mr. Charles R. Tucker  
Director of Transportation  
Planning and Development  
4777 E. Highway 80  
Mesquite, TX 75150-6643

RE: IH-35E Overpass at Highland Village Road

Dear Mr. Tucker:

The City of Highland Village has a great interest in acquiring a northern access to IH-35E at Highland Village Road. This will improve emergency and public access to the northern and eastern parts of Highland Village. At this time, Highland Village Road has no direct access from north bound traffic on IH-35E.

There are also safety concerns with the service road between the Lewisville Lake bridge and Garden Ridge Boulevard. Currently, this strip of service road is bi-directional to allow north bound traffic access to Highland Village Road and Copperas Branch Park.

With the IH-35E Major Investment Study underway, we feel this would be a great opportunity to coordinate the overpass alternative at the same time. The City of Highland Village has expressed their support of the efforts to improve IH-35E to the Project Coordination Work Group and intends to be an advocate of alternatives that are both beneficial to the city and the surrounding area. At this time we respectfully request that an access to IH-35E at Highland Village Road be included in the Major Investment Study.

A resolution of support from the Highland Village City Council is attached.

Staff is currently studying the future design consideration in assisting TxDot on this project. If we can assist TxDot in any way, please feel free to contact us.

Sincerely,

Michael Leavitt  
Director of Public Works

Enclosures

ML:hb

cc: Representative Myra Crowover  
Senator Jane Nelson  
County Judge Kirk Wilson  
Commissioner Scott Armey



City of Highland Village  
Agenda Briefing

Subject: IH-35E Overpass at Highland Village  
Road

Dept: Public Works

Meeting: May 9, 2000

Agenda #: 22

Comments:

Texas Department of Transportation is in the process of conducting an IH-35E Major Investment Study (MIS). The goal of this study is to relieve congestion in the study corridor, which runs from the SH 121 Bypass to U.S. 380, while accommodating financial and environmental constraints. Several Project Coordination Work Group Meetings have been held to discuss numerous alternatives. During the public meetings, the City of Highland Village expressed their support of the efforts to improve IH-35E and suggested several items which would be of great benefit to the city. One of those mentioned was to provide access to Highland Village Road from IH-35E. This access would serve as the focal point of entrance to the city.

At this time, a Preliminary Schematic Overview has been drafted by the Travel Demand Management (TDM) and Transportation System Management (TSM). At the March 23<sup>rd</sup> Project Coordination Work Group Meeting, members had a chance to review the draft and made additional comments, particularly about ramp locations.

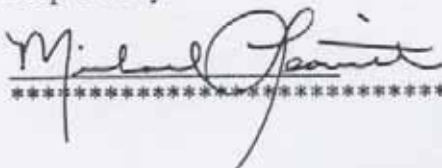
Staff has met with TxDot and John Polster to discuss the possibility of coordinating the IH-35E overpass at Highland Village Road in conjunction with the I-35E Major Investment Study. They feel having support from the Council and community behind the IH-35E overpass at Highland Village Road could help our northern access to IH-35E to be coordinated with the overall project.

RECOMMENDATION:

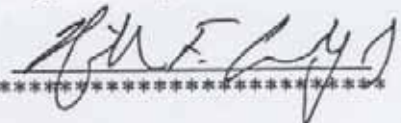
Staff recommends Council approve a resolution supporting the IH-35E overpass at Highland Village Road as an effort to coordinate this project with the IH-35E Major Investment Study.

\*\*\*\*\*

Prepared By:



Approved By:





CITY OF HIGHLAND VILLAGE

RESOLUTION NO. 00-1307

A RESOLUTION OF THE CITY OF HIGHLAND VILLAGE, TEXAS SUPPORTING THE NEED FOR A NORTHERN ACCESS TO IH-35E OVERPASS AT HIGHLAND VILLAGE ROAD, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Council of the City of Highland Village identified the need for a northern access to IH-35E overpass to promote orderly traffic flow through the City of Highland Village; and

WHEREAS, The need was confirmed by a citizen survey which was distributed to all households and resulted in over 600 responses.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS:

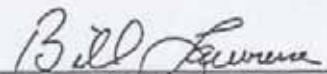
SECTION 1. That the City of Highland Village supports the inclusion of a northern access to IH-35E overpass at Highland Village Road into the IH-35E Major Investment Study.

SECTION 2. That the Major Investment Study Group receive the attached letter as a formal request and support for this improvement.

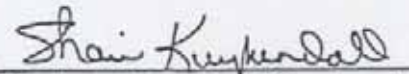
SECTION 3. That this Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the 9th day of May, 2000.

APPROVED:

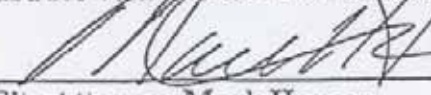
  
Mayor Bill Lawrence  
City of Highland Village, Texas

ATTEST:

  
City Secretary Shari Kuykendall  
City of Highland Village, Texas

(SEAL)

APPROVED AS TO FORM AND LEGALITY:

  
City Attorney Mark Houser  
City of Highland Village, Texas

ORIGINAL DOCUMENT  
CITY OF HIGHLAND VILLAGE





# CITY OF HIGHLAND VILLAGE

OFFICE OF THE CITY MANAGER

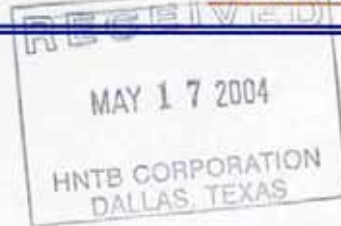
1000 Highland Village Road, Highland Village, Texas 75077

Phone: (972) 899-5131 FAX: (972) 317-0237



May 14, 2004

Jennifer Halstead, Senior Environmental Planner  
HNTB  
5910 W. Plano Parkway, Suite 200  
Plano, TX 75093



Dear Jennifer:

Enclosed is a copy of Resolution No. 04-1662 supporting the planning efforts related to the Texas Department of Transportation's widening of Interstate Highway 35-E and allowing for mitigating measures, including funding for improvements proposed for Copperas Branch Park, and providing recreational opportunities for all persons in the Highland Village area. This resolution was passed by the City Council at the regular Council meeting held on May 11, 2004.

I wanted to thank you and your colleagues at HNTB for your efforts over the past 16 months to make this project a reality. Your partnership with the City, as well as with TxDOT and the Corps of Engineers, is much appreciated. Rhoda Savage will continue to be the contact for the City as we move forward to achieve the goal of an award winning regional park. Please feel free to contact her as needed.

Sincerely,

Michael Leavitt  
City Manager

ml/lw

cc: Rhoda Savage, Parks and Recreation Director

*"Quality Community of Choice"*



**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 04-1662**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS SUPPORTING THE PLANNING EFFORTS RELATED TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S (TXDOT'S) WIDENING OF INTERSTATE HWY 35-E AND ALLOWING FOR MITIGATING MEASURES INCLUDING FUNDING FOR IMPROVEMENTS PROPOSED FOR COPPERAS BRANCH PARK AND PROVIDING RECREATIONAL OPPORTUNITIES FOR ALL PERSONS IN THE HIGHLAND VILLAGE AREA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** The City Council of the City of Highland Village, Texas values the recreational opportunities associated with Copperas Branch Park located in the City of Highland Village; and

**WHEREAS,** The City Council values the benefits associated with the widening of Interstate Hwy 35-E by the Texas Department of Transportation ("TxDot"); and

**WHEREAS,** The City Council believes any adverse effects the widening of Interstate Hwy 35-E may have on the recreational value of Copperas Branch Park can be offset if proper mitigating measures are implemented; and

**WHEREAS,** The City Council believes that mitigating measures must at a minimum address the issues of acquisition of additional park acreage, as needed, to help offset the acreage required for the widening of Interstate Hwy 35-E; right-of-way issues along the easternmost boundary of Copperas Branch Park; vehicular park access from Highland Village Road; funding for design, development and construction of park amenities as shown on the attached concept plan and labeled "Exhibit A"; and provide for continuation of the City's Inland Trail System to and through Copperas Branch Park; and

**WHEREAS,** The City Council supports the use of Copperas Branch Park as a primary focus for improvements to be funded by TXDOT to help offset the negative impact of the widening of the highway on adjacent parkland; and

**WHEREAS,** The City Council approves the proposed concept plan but obligates no use of municipal funds or financial resources for the project at this time.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, THAT:**

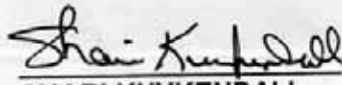
**SECTION 1.** The City of Highland Village endorses the planning efforts of TxDot concerning the widening of Interstate Hwy 35-E, as presented herein.

**ORIGINAL DOCUMENT  
CITY OF HIGHLAND VILLAGE**

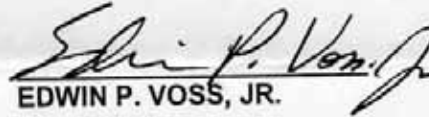
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND  
VILLAGE, TEXAS, ON THIS THE 11th DAY OF May,  
2004.

  
\_\_\_\_\_  
BILL LAWRENCE  
Mayor

ATTEST:

  
\_\_\_\_\_  
SHARI KUYKENDALL  
City Secretary

APPROVED AS TO FORM AND  
LEGALITY:

  
\_\_\_\_\_  
EDWIN P. VOSS, JR.  
City Attorney

ORIGINAL DOCUMENT  
CITY OF HIGHLAND VILLAG



July 7, 2006

CSJ: 0196-02-068, etc.

Highway: IH 35E

From President George Bush Turnpike (PGBT)

To FM 2181

Dallas and Denton Counties

Tim MacAllister

USACE, Ft. Worth District

Elm Fork Project Office

1801 N. Mill Street

Lewisville, TX 75057

Dear Mr. MacAllister:

As you are aware, the Texas Department of Transportation (TxDOT) is proposing improvements to the Interstate Highway (IH) 35E corridor from the President George Bush Turnpike (PGBT) to Farm-to-Market (FM) 2181. As part of this planning effort, TxDOT has been developing a design schematic and Environmental Assessment (EA) and has coordinated this process with USACE staff and the City of Highland Village. The current schematic would require approximately 30.4 acres of right-of-way from USACE property. A portion of the USACE property that would be acquired is leased by the City of Highland Village for the operation and maintenance of Copperas Branch Park.

The proposed project crosses USACE land at Copperas Branch Park and the Hickory Creek arm of Lewisville Lake. Included in the total of estimated USACE property required is 10.4 acres of Fish and Wildlife Management Area, 10.4 acres of Open Water, 8.0 acres Intensive Recreation Use (Copperas Branch Park) and 1.6 acres of Drainage Easement. A Conceptual Mitigation Plan (CMP) is being developed in conjunction with USACE and the City of Highland Village and elements that have been identified are listed below.

**Copperas Branch Park**

The following mitigation elements/amenities are proposed for impacts to Copperas Branch Park:

- Pedestrian access to Copperas Branch East.
- Trail system around Copperas Branch East;
- Primary trail head (signage, furnishings, paving);
- Primary vehicular park access from Highland Village Road;
- Secondary vehicular access from northbound frontage road;
- Replacement for the loss of existing recreational amenities at Copperas Branch Park and
- Parking area under IH 35E Structure (maintenance agreement to be determined in coordination with USACE)

Mr. MacAllister  
July 7, 2006  
Page 2

TxDOT does not have any objection to the USACE's request for parking under IH 35E bridge structure at Copperas Branch Park. However some vehicles will leak fluids within this parking area. TxDOT would not be responsible for any environmental cleanup and maintenance for parking under the bridge structure. TxDOT will coordinate this process with the appropriate parties further along in the project development process.

Please refer to the attached CMP for general locations of vehicular access points, pedestrian crossings and the proposed trail system at Copperas Branch East.

Construction staging areas would cause temporary impacts at Copperas Branch Park. These areas cannot be identified at this stage of project development. TxDOT will continue to coordinate and work closely with USACE and Highland Village staff to minimize interruptions to recreational activities at the park.

#### **USACE Lands**

The following mitigation commitments, amenities and elements are proposed for impacts to USACE land:

- *Floodplains:* The design would ensure no increase in the base flood elevation to a level that would violate applicable floodplain regulations or ordinances and would permit the conveyance of the 100-year flood pool (537'). Any fill placed in the 100-year flood pool as a result of the construction of the proposed project would be mitigated by excavation in another area of the flood pool with disposition above flood pool elevation in an area approved by USACE. There would be no net loss of flood storage at Lewisville Lake.
- *Water Quality Best Management Practices (WQ BMPs):* Section 401 WQ BMPs would be designed and submitted for USACE approval. These control measures would ensure that runoff from the proposed project is not allowed to drain directly into the lake. Runoff would be collected in storm drain systems and treated before it is released. Additionally, outfall velocities would not exceed 5 feet per second or velocity control measures would be utilized.
- *Wildlife Habit Mitigation* for environmental impacts on USACE lands in accordance with Lewisville Lake Programmatic EA ratios.
- *Trinity Trail connection* across proposed Lewisville Lake Bridge. TxDOT will design and construct the Trinity Trail connection as part of the final design of the IH 35E. Trail head connection (s) would be provided as mitigation through the section 4(f) process.
- *Buoy Plan* (maintenance agreement to be determined in coordination with USACE).
- *Section 404 coordination* would continue for impacts to jurisdictional waters on USACE property with regulatory staff. Mitigation would be offered as agreed upon at later date (USACE Project No. 200400105).

Mr. MacAllister  
July 7, 2006  
Page 3

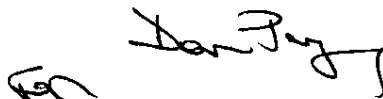
It is TxDOT's understanding that specific mitigation areas and commitments would be identified and documented in the final section 4(f) mitigation plan after the CMP is approved, which would be issued prior to the issuance of USACE approval to use its property. The EA prepared in cooperation with USACE will accurately and adequately assess the environmental impacts and associated mitigation so that an easement across USACE property for the proposed project would be granted.

On behalf of TxDOT, the Federal Highway Administration (FHWA) previously requested that the USACE become a cooperating agency for this project and we would also like to know the status of the request originally made in March 2004. The IH 35E project has an aggressive schedule and we will be seeking USACE comments on the EA in July/August 2006.

TxDOT would like the USACE to concur that the above listed CMP and approach for impacts to Federal lands is satisfactory. A written response concurring with the CMP within 15 days of this letter would be appreciated. Thank you for your partnership and continued support and cooperation in moving this project forward.

Should you have any questions, please contact Nasser Askari, P.E. at 214 320-6628.


Sincerely,

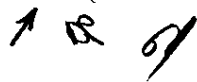


H. Stan Hall, P.E.  
District Advance Project  
Development Engineer

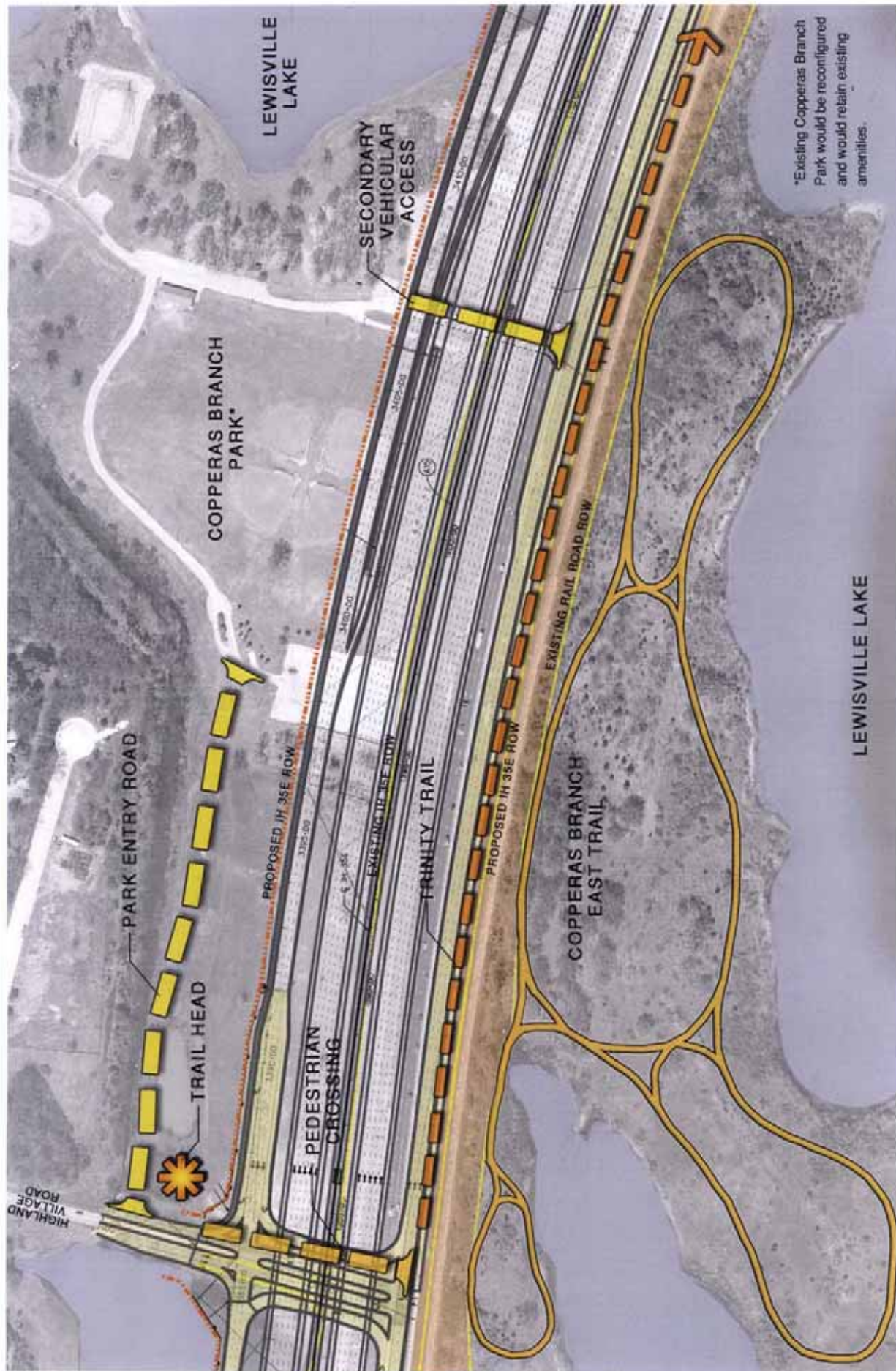
Attachments

NA:na

Copy to: Elsom, Pittman, Henderson, Askari, Robert Hall, C-5E (0196-02-068, 1.2, Copperas Branch Park, 7-7-06) 







**HNTB**

COPPERAS BRANCH PARK  
*Conceptual Mitigation Plan*  
 City of Highland Village, Denton County, Texas







# CITY OF HIGHLAND VILLAGE

## OFFICE OF THE CITY MANAGER

1000 Highland Village Road, Highland Village, Texas 75077

Phone: (972) 899-5131 FAX: (972) 317-0237



August 8, 2006

Nasser Askari, P.E.  
Texas Department of Transportation  
P.O. Box 133067  
Dallas, Texas 75313-3067

Dear Mr. Askari:

This letter is intended to serve as the City of Highland Village's formal request for mitigation of Copperas Branch Park as needed due to the widening of IH-35E. Attached are copies of prior letters submitted to TxDOT staff or representatives regarding desired mitigation measures and 4F document submittals (*see attached letter to Ms. Jennifer Halstead dated September 9, 2003 and letter to Mr. H. Stan Hall dated July 22, 2003*). This letter is intended to provide additional details related to the park use and mitigation requirements requested by the City of Highland Village. In an attempt to assure that the park is made whole after widening of the highway, the City retained the services of a Landscape Architectural Firm, Mesa Design Group, to help create a conceptual site master plan working with current information from TxDOT.

Representatives from Mesa Design Group collected information regarding the existing site conditions and programming. They also reviewed current information provided by TxDOT reflecting roadway alignments and access points. Mesa Design Group representatives collected public input through a series of meetings. Meetings were held with various groups including City staff, the Army Corps of Engineers, HNTB, TxDOT, DCTA, and various special interest groups (Lion's Club, youth soccer and baseball associations, etc.).

Subsequent to the meetings, Mesa Design Group prepared a concept master plan that addressed the widening of the highway and reflected possible design solutions necessary to protect the interest of the City and Army Corps of Engineers. (*A copy of the Copperas Branch Park Meeting Minutes and Workshop from October 4, 2005 are attached for your information.*) The City staff, Parks and Recreation Advisory Board and City Council, has endorsed this concept master plan.

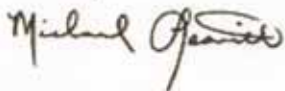
The City Council took formal action approving a resolution identifying key areas of interest in the park that should be addressed as part of TxDOT's mitigation efforts. A copy of that resolution (*refer to City of Highland Village, Texas Resolution No. 06-1864*) is attached for your consideration. Please note the resolution includes a copy of the conceptual park master plan prepared by Mesa Design Group entitled "*Copperas Branch Park – Spine/Loop Concept*".

We therefore request the 4F document currently being prepared by HNTB at a minimum address the needs, interests and desires reflected in the attached Resolution No. 06-1864.

*"Lakeside Community of Choice"*

Thanks for your consideration and please do not hesitate to call if additional information is needed.

Sincerely,



Michael Leavitt  
City Manager

c.c. Jennifer L. Halstead, Manager Environmental Planning  
HNTB Corporation  
5910 W. Plano Parkway, Suite 200  
Plano, TX 75093

Claude E. Elsom, Area Engineer  
Texas Department of Transportation  
2624 West Prairie  
Denton, Texas 76201

Tim MacAllister  
U.S. Army Corps of Engineers  
1801 N. Mill Street  
Lewisville, Tx 75057

Andrew Duggan, ASLA  
Mesa Design  
1807 Ross Avenue, Suite 333  
Dallas, Tx 75201

Attachments:

- Copy of letter dated September 9, 2003
- Copy of letter dated July 22, 2003
- Copperas Branch Meeting Minutes and Workshop from October 4, 2005
- City of Highland Village Resolution No. 06-1864
- Copperas Branch Park – Spine/Loop Concept

*"Lakeside Community of Choice"*



# CITY OF HIGHLAND VILLAGE

## PARKS AND RECREATION

1000 Highland Village Road, Highland Village, Texas 75077

Phone: (972) 317-7430 FAX: (972) 317-0237



September 9, 2003

Ms. Jennifer Halstead  
Senior Environmental Planner  
HNTB  
5910 W. Plano Parkway, Suite 200  
Plano, Texas 75093

Dear Ms. Halstead:

The City of Highland Village is hosting a Town Hall Meeting on October 6, 2003. At that meeting, the City Council will address the City budget and future Capital Improvement Projects. One of the Capital Improvement Projects planned for discussion at that meeting is the site master planning and phased development of Copperas Branch Park.

I am attaching a copy of the City's response to the draft Section 4(f) document submitted to us for review and comment. Please note, as stated in the attached letter, the City of Highland Village endorses the proposed project improvements to the IH 35E corridor from IH 635 to U.S. 380.

The letter also states, as part of the mitigation process, we are delighted to have the opportunity to work with TxDOT to develop Copperas Branch Park a multiuse regional park. The community will benefit from the mitigation ideas that enhance the park experience and amenities. **We request that the mitigation measures include a coordinated planning effort with the City of Highland Village.** This effort shall result in the preparation of a Copperas Branch Park Master Plan for final approval by all governmental entities affected including the Army Corps of Engineers and the City of Highland Village.

We are therefore requesting assistance from HNTB in preparing presentation materials related to Copperas Branch Park for the October 6<sup>th</sup> Town Hall meeting. We are in agreement with the concepts shown in the Draft 4(f) document, and would request addition of the amenities the City wishes to include in a site master plan (ie the amphitheatre and swimming lagoon presented to your office). In addition, any assistance you can offer regarding project scheduling, phasing, and cost estimations would be greatly appreciated.

We are very sensitive to the impact that widening Hwy 35 will have on the park access and usability. It is only through a joint planning effort that the negative impact to our park patrons can be minimized, and continued use of the park throughout the Hwy 35

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widening can be maintained. The success of this effort is dependent on our open lines of communication and collaborative efforts.

Thank you for the opportunity to work with HNTB and TxDOT on this transportation enhancement project and mitigation plan related to Copperas Branch Park.

Sincerely,

Rhoda L. Savage  
Director of Parks and Recreation  
City of Highland Village

*"Lakeside Community of Choice"*

# CITY OF HIGHLAND VILLAGE

## PARKS AND RECREATION

1000 Highland Village Road, Highland Village, Texas 75077

Phone: (972) 317-7430 FAX: (972) 317-0237



July 22, 2003

Mr. H. Stan Hall  
District Advance Project Development Engineer  
Dallas District  
Texas Department of Transportation  
4777 East Highway 80  
Mesquite, Texas 75150-6643

Dear Mr. Hall:

The City of Highland Village endorses the proposed project improvements to the IH 35E corridor from IH 635 to U.S. 380. Although this project will impact Copperas Branch Park, we are in favor of the mitigation options presented by TxDOT. We request an opportunity for final approval of the amenity specifications at a later date.

As part of the mitigation process, we are delighted to have the opportunity to work with TxDOT to develop Copperas Branch Park a multiuse regional park. The community will benefit from the mitigation ideas that enhance the park experience and amenities. We request that the mitigation measures include a coordinated planning effort with the City of Highland Village. This effort shall result in the preparation of a Copperas Branch Park Master Plan for final approval by all governmental entities affected including the Army Corps of Engineers and the City of Highland Village.

In coordination with the Environmental Assessment process, the City of Highland Village agrees with the list of conceptual mitigation items, in concept only, presented in the Draft Section 4(f) document that may be implemented when funding becomes available for this project.

Thank you for the opportunity to work with TxDOT on this transportation enhancement project.

Sincerely,

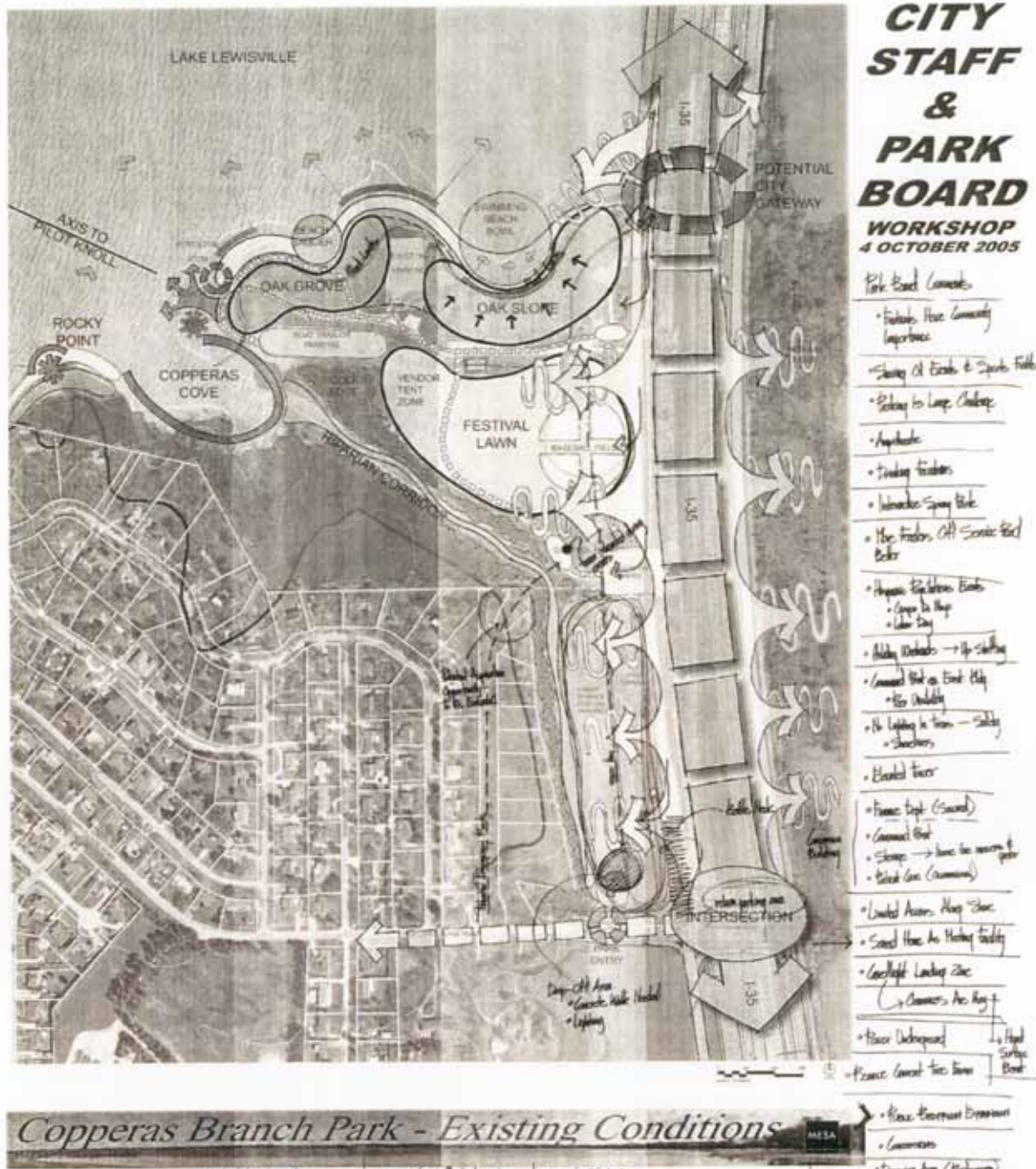
Michael Leavitt, City Manager  
City of Highland Village

*"Lakeside Community of Choice"*



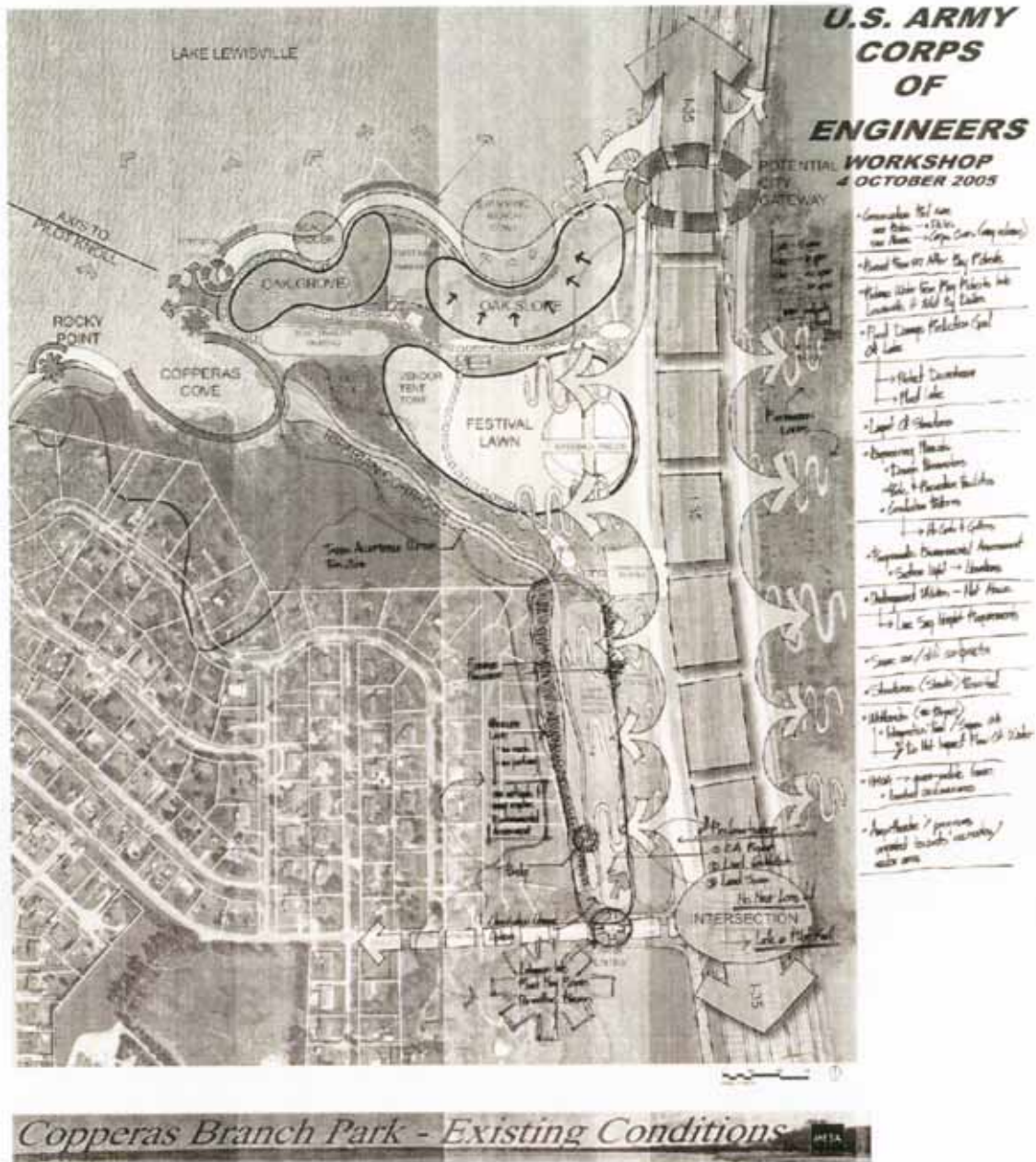


# Copperas Branch Park Meeting Minutes and Workshop from October 4, 2005



*"Lakeside Community of Choice"*

Copperas Branch Park Meeting Minutes and Workshop from October 4, 2005 Cont'd



*"Lakeside Community of Choice"*



Copperas Branch Park Meeting Minutes and Workshop from October 4, 2005 Cont'd



*"Lakeside Community of Choice"*

Copperas Branch Park Meeting Minutes and Workshop from October 4, 2005 Cont'd



*"Lakeside Community of Choice"*



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USACE Property, including Copperas Branch Park  
Appendix A, Page 31



CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 06-1864

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AUTHORIZING THE CITY MANAGER TO SUBMIT A LETTER OF REQUEST TO THE TEXAS DEPARTMENT OF TRANSPORTATION AND SECRETARY OF THE ARMY REQUESTING REDESIGN OF COPPERAS BRANCH PARK AS NEEDED TO OFFSET THE NEGATIVE IMPACT TO THE SITE DUE TO THE INTERSTATE HIGHWAY 35-EAST WIDENING AND AS REQUIRED TO SUSTAIN PROGRAMS CURRENTLY OFFERED AND / OR SUPPORTED BY THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City maintains Copperas Branch Park an approximate 99-acre park leased from the US Army Corps of Engineers and located at 100 Copperas Branch Drive; and

WHEREAS, the City is interested in continuing the lease agreement for its entirety and as long as the site remains usable for City programming as currently offered; and

WHEREAS, the City determined by passage of resolution 05-1765 that it would be beneficial to prepare a Copperas Branch Park site master plan reflecting desired park improvements needed to sustain current programs; and

WHEREAS, the site master plan will address long term park development and recreational programming potential as well as help prepare for the impact on the site due to TxDOT's expansion of IH-35E; and

WHEREAS, the services of Mesa Design Group were contracted by the City to prepare the desired site master plan; and

WHEREAS, the site master plan addresses the desired layout for the site as is required to continue use of the park for city programming; and

WHEREAS, the site master plan includes design elements that should, at a minimum, be addressed and funded by TxDOT as part of their mitigation efforts; and

WHEREAS, mitigation should at least allow for restoration of vehicular access and circulation throughout the site; provisions for permanent and temporary parking as needed for daily use as well as special events; redesign and replacement of all recreational amenities damaged or rendered unusable as a result of the roadway widening; and

WHEREAS, the elements reflected in the attached rendering entitled Copperas Branch Park – Spine / Loop Concept shall be funded as part of the mitigation as follows: primary entrance roadway from the Copperas Cove cul-de-sac (this entrance will require that TxDOT make necessary provisions that will allow the City to take ownership of this road and all lots located on it; secondary entrance roadway off of Highland Village Road; tertiary entrance from the northbound service road; a fourth point of egress onto the southbound service road; construction of interior amenities reflected on the attached site

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master plan in the general locations shown excluding the amphitheater, fishing pier, and swimming bowl; vehicular and pedestrian pathway from Copperas Branch West to Copperas Branch East; under the highway parking; and coordination of final park design and roadway construction with the City and its designated representatives; and

**WHEREAS**, the City requests support from the US Army Corps of Engineers in securing appropriate mitigation measures; and

**WHEREAS**, TxDOT has identified improvements and costs for parkland mitigation as needed to demonstrate there is no significant impact on Copperas Branch Park due to the expansion of IH-35E; and

**WHEREAS**, the items identified by TxDOT shall be revised to address items listed herein for parkland mitigation as needed to demonstrate there is no significant impact on Copperas Branch Park due to the expansion of IH-35E; and

**WHEREAS**, the City submits the attached site master plan provided by Mesa Design Group for TxDOT and US Army Corp of Engineers consideration to help minimize the negative impact on the site related to future roadway developments; prepare costs for improvements to be paid for by TxDOT as part of their mitigation efforts; and help design the park in a manner that accommodates current uses and enhances its long term development and recreational programming potential; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS:**


**SECTION 1.** The facts and recitations contained in the above preamble of this Resolution are hereby incorporated herein for all purposes.

**SECTION 2.** The City Manager is hereby authorized to submit a letter of requesting at a minimum the items listed in this resolution and reflected on the attached conceptual site master plan be included in TxDOT's mitigation of Copperas Branch Park as needed to offset the negative impact on the site due to the widening of IH-35E.

**SECTION 3.** That this Resolution shall take effect immediately from and after its adoption and it is so ordered.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, ON THIS THE 27<sup>th</sup> DAY OF JUNE, 2006.


APPROVED:

  
Dianne Costa, Mayor

Resolution No 06-1864  
Page 2 of 3

*"Lakeside Community of Choice"*

ATTEST:

  
Alicia Richardson  
Alicia Richardson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Dorothy G. Palumbo  
Dorothy G. Palumbo, City Attorney

*"Lakeside Community of Choice"*



## Copperas Branch Park – Spine/Loop Concept



*"Lakeside Community of Choice"*







REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**FORT WORTH DISTRICT, CORPS OF ENGINEERS**  
**ELM FORK PROJECT OFFICE**  
**1801 N. MILL ST**  
**LEWISVILLE, TEXAS 75057**

August 29, 2006

TXDOT  
Texas Department of Transportation  
2006.08.18  
AUG 31 2006

Operations Division

Texas Department of Transportation  
Mr. Stan Hall, P.E.  
District Advance Project  
Development Engineer  
P.O. Box 133067  
Dallas, Texas 75313-3067

Dear Mr. Hall:

This letter is in response to your letter dated July 07, 2006, in which you requested the US Army Corps of Engineers concur with the proposed conceptual mitigation plan for impacts from the planned IH 35E improvements.

The conceptual mitigation plan appears satisfactory for public disclosure through the NEPA process. We agree that the following mitigation elements are needed for Copperas Branch Park:

- a. Replacement for the loss of any existing recreational amenities at Copperas Branch Park
- b. Develop and construct pedestrian access to Copperas Branch East from Copperas Branch Park, on the west side of IH 35E.
- c. Develop and construct trail system through Copperas Branch East
- d. Develop and construct primary trail head (to include parking, signage, furnishings, paving, etc.)
- e. Develop and construct secondary vehicular access from Copperas Branch Park to northbound frontage road
- f. Develop and construct parking area under IH 35E structure

Also, as stated in your letter, there will be no net loss of flood storage capacity; Water Quality Best Management Practices will be designed and submitted for USACE approval; Wildlife Habitat and Wetland Mitigation will be performed in accordance with Lewisville Lake Programmatic EA ratios in a location to be jointly determined by USACE and the City of Highland Village; TXDOT will develop and maintain an appropriate buoy plan and buoys; and Section 404

-2-

coordination will continue with USACE Regulatory Branch (USACE Project No. 200400105).

In order for this conceptual mitigation plan to become final, all plans and specifications concerning the above proposed mitigation will be coordinated with USACE and other interested agencies and/or municipalities. Due to the complexity of the issues, the number of impacted entities and in the essence of time we would like to encourage TXDOT to consider initiating a design charrette, workshop, whereby impacted entities work together over a period of two to three days to jointly formulate a design solution that meets the requirements of all.

If you need further information, please contact me, Randall Mayne at (469) 645-9100.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall Mayne", is written over a faint circular stamp.

Randall L. Mayne, RLA  
Recreation/Natural Resources Manager  
Lewisville, Grapevine, Ray Roberts  
Lakes



P.O. BOX 133067 • DALLAS, TEXAS 75313-3067 • (214) 320-6100

July 2, 2009

CSJ: 0196-02-068  
Highway: IH 35E  
From President George Bush Turnpike (PGBT)  
To FM 2181  
Dallas and Denton Counties

Tim MacAllister  
USACE, Fort Worth District  
Trinity Regional Project Office  
1801 N. Mill Street  
Lewisville, TX 75057

Dear Mr. MacAllister:

This letter serves as a continuation of the coordination regarding the proposed mitigation for the use of USACE Property, including Copperas Branch Park along the Interstate Highway (IH) 35E corridor in Dallas and Denton Counties. TxDOT has prepared a *Draft Nationwide 4(f) Evaluation for Net Benefit* that addresses alternatives considered, mitigation and measures to minimize harm, and coordination that has occurred regarding USACE Property, including Copperas Branch Park. As part of the proposed project, TxDOT would provide Section 4(f) mitigation for the use of USACE Property, including Copperas Branch Park along IH 35E.

Alternatives have been considered and evaluated for the proposed project. The "Do Nothing" or "No-Build" alternative has been evaluated and is considered to not be feasible and prudent because it would neither address, nor correct, the transportation need that necessitated the project. The No-Build Alternative is not consistent with local planning efforts of the local jurisdictions or the North Central Texas Council of Governments (NCTCOG) and would not satisfy 2030 transportation demand.

Several Build Alternatives were developed that addressed the need and purpose of the proposed project. Each Build Alternative was assessed to determine if it would be feasible and prudent to avoid the Section 4(f) property through engineering design or transportation system management techniques. Design modifications and techniques such as double-decking the mainlanes over frontage roads, reducing or eliminating frontage roads, and bridging the managed lanes were considered. The Build Alternatives explored did not require the use of USACE Property; however, in order to avoid impacts exit ramps from IH 35E that provide access to Copperas Branch Park would require removal, acquisition of other Section 4(f) property (Lewisville Lake Park) would be necessary, portions of the Union Pacific Railroad (UPRR) would require relocation, and additional residential and business displacements would occur. The Build Alternatives that avoid the use of Section 4(f) property would create adverse community impacts by reducing access to adjacent homes and Copperas Branch Park, and would substantially increase the cost of the proposed expansion of IH 35E.

The impacts, costs, and problems would be of extraordinary magnitude when compared to the proposed use of USACE Property, including Copperas Branch Park after taking into account measures to minimize harm and mitigate for adverse uses, and enhance the functions and values of the Section 4(f) resource. The Build Alternatives that would avoid USACE Property, including Copperas Branch Park would result in a substantial missed opportunity to benefit the Section 4(f) property and the identified need would not be met.

Furthermore, a Build Alternative at a location that does not require use of the Section 4(f) property was evaluated and considered not to be feasible and prudent. Building IH 35E on new location without the use of USACE Property, including Copperas Branch Park would not be feasible and prudent because the new location would not address or correct the problems cited in the need and purpose. The new location would result in substantial adverse social, economic, and environmental impacts such as impacts to other Section 4(f) property (Lewisville Lake Park) as well as the required relocation of portions of the UPRR, and displacement of a substantial number of residences and businesses. The new location would also substantially increase costs, require considerable amounts of additional ROW, and create additional engineering difficulties.

The proposed project has incorporated both mitigation and measures to minimize harm. All possible planning to minimize harm has been included in the proposed action. This was accomplished, in part, by reducing the originally proposed design of the IH 35E frontage roads from three-lane to two-lane roads, thereby minimizing impacts USACE Property, including Copperas Branch Park.

Mitigation measures would consist of fair market value for impacts to land and open water, recreation mitigation, natural resources mitigation, and water quality standards best management practices that would be reviewed and approved by the USACE prior to construction. See the attached table and maps, which are excerpts from the *Draft Nationwide 4(f) Evaluation for Net Benefit* that has been prepared for USACE Property, including Copperas Branch Park, for additional details regarding impacts and proposed mitigation. Because impacts to potentially jurisdictional waters of the U.S. are anticipated, mitigation has been also been proposed and included in attached table. A Section 404 permit application was submitted to the USACE Fort Worth District Regulatory Branch in April 2008 (Project Number 200400105).

Because the precise location of construction activity that would occur on USACE property has not yet been identified at this stage of project development, a 300 foot (ft) construction easement has been assumed. The proposed construction easement would begin at the proposed ROW/easement and extend approximately 300 feet as depicted in Maps 2 and 3. As listed in the attached table (Section 3, Natural Resources Mitigation, Construction Easement), mitigation is proposed for impacts to wooded and emergent wetland habitat within this 300 ft area. Potential impacts that may occur beyond the 300 ft buffer within Copperas Branch Park are considered temporary and would be restored in accordance with the ratios established in the attached mitigation table dependent upon habit type and condition. Potential impacts are unknown at this time but will be included as part of the temporary construction license in the event that the area would be impacted to avoid possible construction delays.

TxDOT has conducted extensive coordination for the proposed project with the USACE and the City of Highland Village through a series of coordination letters, meetings, and development of conceptual plans. TxDOT, in cooperation with the USACE, and City of Highland Village, have formulated solutions that minimize harm to USACE property, including appropriate mitigation measures. TxDOT proposes that a design charrette be conducted to continue refining the mitigation plan and to further develop the conceptual plans identified in the attachments.

Tim MacAllister  
July 2, 2009  
Page 3 of 3

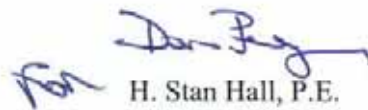
TxDOT is seeking concurrence from the USACE regarding the following:

- Assessment of impacts to USACE Property, including Copperas Branch Park;
- Proposed measures to minimize all possible harm;
- Mitigation (as currently proposed would preserve, rehabilitate and enhance those features and values of the property) and would result in a net benefit to USACE Property, including Copperas Branch Park;
- Use of the USACE Property, including Copperas Branch Park does not result in a substantial diminishment of the function or value that made the property eligible for Section 4(f) protection; and
- The cumulative result would be an overall improvement and enhancement of USACE Property, including Copperas Branch Park when compared to both the future No-Build or avoidance alternative and the present condition of the property.

This project is a regional priority and if you concur with this net benefit determination, please sign and return this letter within 15 days. Thank you for your partnership and continued support, and cooperation in moving this project forward.

Should you have any questions, please contact Nasser Askari, P.E. at 214-320-6628.

Sincerely,

  
H. Stan Hall, P.E.  
District Advance Project  
Development Engineer

☐ Concur

☐ Do not concur

-----  
Printed Name

-----  
Signature

Attachments





**USACE Property including Copperas Branch Park  
Mitigation Table**

**CSJs: 0196-02-068, 0196-01-096, 0196-02-073,  
0196-02-114, 0196-03-245**

**1. Fair Market Value (FMV).** FMV consists of the value of the actual land and water areas impacted by the proposed project, which totals 20.66 acres (11.94 Land, and 8.72 Open Water). All existing facilities and proposed enhancements/mitigation are listed within the Recreation Mitigation section (Section 2 below) as NEPA Recreation Mitigation per USACE requirements. TxDOT costs were estimated for impacts to USACE Land/Open Water based on an independent appraisal and are subject to revision after USACE appraisal process is complete, however the FMV will be waived by the USACE for the purpose of benefiting the general public. NOTE: The proposed IH 35E pedestrian sidewalk over Lewisville Lake has recreational value because of the imbedded Trinity Trail System design and connectivity, while, ensuring that there is no net loss of recreation classified lands by opening Copperas Branch Park East for recreation activity, but is not considered Section 4(f) mitigation. The proposed trail head locations and pedestrian sidewalk over Lewisville Lake are shown on Maps 2 and 3 and denoted as Other Enhancements.

Existing elements		USACE Estimated Cost/Value of USACE property	TxDOT Estimated Replacement Cost/Value of USACE Property
	a. Land (11.94 acres Upland)	\$537,300	\$537,300
	b. Open Water (8.72 acres Lake)	\$131,468	\$131,468
<b>Total</b>	<b>20.66 Acres</b>	<b>\$668,768</b>	<b>\$668,768</b>

Note: Actual cost to be waived as Recreation Value and roadway benefiting the general public

**2. Recreation Mitigation.** Recreation elements are the existing recreation facilities and activities conducted on USACE property. Recreation Mitigation is not identified as a dollar amount but as a commitment of items to be replaced and/or constructed because of a loss of recreational facilities, use, areas, both on land and water. NOTE: The opening of Copperas Branch East, including full access (roads, trails, minimum sanitary and water fountains) ensures the USACE requirement that there is no net loss of Recreation Classified Lands.

Copperas Branch (West) Park	Existing elements	Elements to be replaced/provided by TxDOT
	a. Gatehouse Complex (2 buildings)	Approximate location known for one building, other location TBD.
	b. Park Roads (~1,000 LF)	Primary park access road (~1,230 LF) to be reconstructed by TxDOT.
	c. Signage (2)	Location TBD
	d. Parking (67,500 SF)	Parking area under IH 35E Bridge over Lewisville Lake (68,000 SF/180 Spaces) to be constructed by TxDOT.
	e. Baseball Backstops with hood and Baseball Diamond (2)	Location TBD
	f. Soccer Goals (2)	Location TBD
	g. Precast Picnic Tables with Grills (6)	Location TBD
	h. Metal Rail Fencing (1,728 LF), Barrier Posts (100), and Gates (2)	Location TBD
	i. Landscaping (stand of hardwoods in picnic area)	Location TBD
	j. Minimum Sanitary Facilities (drinking fountain pad, restroom)*	Location TBD
	k. Beach	Beach Complex to be restored meeting USACE guidelines. Location TBD.
	l. Buoy's*	Buoy maintenance throughout life of IH 35E
	Temporary Construction License	Potential impacts are unknown at this time but will be included as part of the temporary construction license in the event that the area would be impacted to avoid possible construction delays. See Map 2 of 3.
<b>Copperas Branch (East) Park</b>	<b>Proposed Basic facilities (roadway, parking lot, restroom, drinking fountain, lighting, trail head, trail system, etc.) to be provided by TxDOT to ensure no net loss of Recreation Lands</b>	<b>Description</b>
	m. Park road providing access to Copperas Branch East	Park road (requiring grade separation) providing access to Copperas Branch East to be constructed by TxDOT (1,200 LF).
	n. Railroad Crossing and Gates	Component provided as requirement of railroad crossing to accommodate at grade design for park road access to Copperas Branch East.
	o. Parking Access at Sanitary Facilities & Trailhead	Parking Lot (15-20) Parking Spaces (20,000 SF) to be constructed by TxDOT.
	p. Copperas Branch Park East Trail	Approx one mile of 10 foot wide trail (location shown on map is approximate).
	q. Primary Trail Head	To connect Copperas Branch East with Copperas Branch West.
	r. Minimum Sanitary Facilities	To include drinking fountain pad, restroom.
	s. Buoy's*	Buoy maintenance throughout life of IH 35E.

**3. Natural Resources Mitigation.** Mitigation for permanent impacts to natural resources on USACE property consists of a direct payment to the Lewisville Lake Environmental Learning Area (LLELA) and on-site mitigation at Copperas Branch Park East to control non-native/invasive species. Temporary impacts to the mowed/maintained herbaceous vegetation would be mitigated by permanently revegetating the area(s) after construction is complete. Note: The ratios used below to determine mitigation acreage were obtained from the Lewisville Lake PEA (Chapter 8, Mitigation) and based on recent USACE direction (Gaylord EA example). The estimated mitigation costs were derived based on other similar projects. The Natural Resources Mitigation has been divided in to four sections: Existing ROW, Additional ROW Easement, Construction Easement and Copperas Branch East. Note: The "Impacts - Additional ROW/Easement" section directly correlates to the FMV acreage shown in Section 1 and can be reviewed in Maps 2 and 3.

Flood Event Frequencies	Type of Habitat	Habitat Condition	Mitigation Ratio	Total Acreage	Impacted Acres	Mitigation Acres	Cost/Acre Mitigation	Estimated Mitigation Costs to be paid to LLELA	LLELA Administrative and Overhead Costs to Implement Mitigation	Est. Mitigation Paid to LLELA linked to Consumer Price Index (CPI)
<b>Existing Easement -</b> These wooded areas are within the existing ROW north of Lewisville Lake on the west side of IH 35E and would be permanently impacted.										
<b>5 Year (522 - 528)</b>	Wooded	Good	2:1	N/A	0.58	1.16	\$20,400	\$23,664	0.25	\$29,580.00
<b>10 Year (528 - 530)</b>	Wooded	Good	3:1	N/A	0.34	1.02	\$20,400	\$20,808	0.25	\$26,010.00
<b>50 Year (530 - 537)</b>	Wooded	Good	4:1	N/A	0.88	3.52	\$20,400	\$71,808	0.25	\$89,780.00
<b>≥ 100 Year (Above 537)</b>	Wooded	Good	5:1	N/A	0.12	0.60	\$20,400	\$12,240	0.25	\$15,300.00
<b>Subtotal</b>					<b>1.92</b>	<b>6.3</b>		<b>\$128,520</b>		<b>\$160,650</b>

**USACE Property including Copperas Branch Park  
Mitigation Table**  
CSJs: 0196-02-068, 0196-01-096, 0196-02-073,  
0196-02-114, 0196-03-245

Flood Event Frequencies	Type of Habitat	Habitat Condition	Mitigation Ratio	Total Acreage	Impacted Acres	Mitigation Acres	Cost/Acre Mitigation	Estimated Mitigation Costs to be paid to LLELA	LLELA Administrative and Overhead Costs to implement Mitigation	Est. Mitigation Paid to LLELA linked to Consumer Price Index (CPI)
<b>Impacts - Easement.</b> This section includes the easement needed to expand IH 35E (approximately 20.66 acres) and corresponds to Section 1, FMV. Impacts to Wooded and Grassland habitat areas would be mitigated for as listed below. The Open Water impacts listed below are attributed to the placement of bridge columns and are included in the Section 404 permit application. The remaining acreage of Open Water is within the area of additional easement necessary to construct IH 35E, however there are no permanent impacts. The mowed/maintained parkland, which is used for recreational activities and is mapped as recreation per Lewisville Lake Master Plan, would be mitigated for by providing recreational opportunities east of IH 35E at Copperas Branch Park East (See 2.m-2.s above).										
5 Year (522 - 528)	Mowed/Maintained Parkland	Poor	1:1	1.03	1.03	1.03	N/A	N/A	N/A	N/A
	Grassland	Good	2:1	0.21	0.21	0.42	\$3,000	\$1,200	0.25	\$1,575.00
	Wooded	Good	2:1	0.98	0.98	1.96	\$20,400	\$39,984	0.25	\$49,980.00
	Open Water**	Excellent	3:1	8.77	0.04	0.12	\$30,000	\$3,600	0.25	\$4,500.00
10 Year (528 - 530)	Mowed/Maintained Parkland	Poor	2:1	0.35	0.35	0.70	N/A	N/A	N/A	N/A
	Grassland	Good	3:1	0.02	0.02	0.06	\$3,000	\$180	0.25	\$225.00
	Wooded	Good	3:1	0.46	0.46	1.38	\$20,400	\$28,152	0.25	\$35,190.00
50 Year (530 - 537)	Mowed/Maintained Parkland	Poor	3:1	4.28	4.28	12.84	N/A	N/A	N/A	N/A
	Grassland	Good	4:1	0.01	0.01	0.04	\$3,000	\$120	0.25	\$150.00
	Wooded	Good	4:1	2.09	2.09	8.36	\$20,400	\$170,544	0.25	\$213,180.00
≥ 100 Year (Above 537)	Mowed/Maintained Parkland	Poor	4:1	0.90	0.90	3.92	N/A	N/A	N/A	N/A
	Grassland	Good	5:1	0.01	0.01	0.05	\$3,000	\$150	0.25	\$187.50
	Wooded	Good	5:1	0.08	0.08	0.40	\$20,400	\$8,160	0.25	\$10,200.00
Paved Areas				1.39						
Subtotal				20.66	10.54	31.28		\$252,150		\$315,186
Flood Event Frequencies	Type of Habitat	Habitat Condition	Mitigation Ratio	Total Acreage within 300' Easement	Impacted Acres within 300' Easement	Mitigation Acres	Cost/Acre Mitigation	Estimated Mitigation Costs to be paid to LLELA	LLELA Administrative and Overhead Costs to implement Mitigation	Est. Mitigation Paid to LLELA linked to Consumer Price Index (CPI)
<b>Temporary Construction License.</b> The total acreage included in the 300' construction license is listed below. Mitigation is proposed for impacts Emergent Wetland and Wooded habitat. Natural resources mitigation was not proposed for herbaceous vegetation within the park that is routinely mowed and maintained to a height of approximately 3 to 4 inches (Mowed/Maintained Parkland) or for Open Water.										
5 Year (522 - 528)	Mowed/Maintained Parkland	Poor	1:1	5.52	5.52	5.52	N/A	N/A	N/A	N/A
	Emergent Wetland**	Good	2:1	0.79	0.38	0.76	\$30,000	\$22,800	0.25	\$28,500.00
	Wooded	Good	2:1	0.70	0.70	1.40	\$20,400	\$28,560	0.25	\$35,700.00
	Open Water**	Excellent	3:1	34.42	0.00	0.00				
10 Year (528 - 530)	Mowed/Maintained Parkland	Poor	2:1	0.93	0.93	N/A	N/A	N/A	N/A	N/A
	Wooded	Good	3:1	1.57	0.89	2.07	\$20,400	\$42,228	0.25	\$52,785.00
50 Year (530 - 537)	Mowed/Maintained Parkland	Poor	3:1	4.93	2.11	N/A	N/A	N/A	N/A	N/A
	Wooded	Good	4:1	0.73	2.46	9.80	\$20,400	\$199,820	0.25	\$249,900.00
≥ 100 Year (Above 537)	Mowed/Maintained Parkland	Poor	4:1	0.44	0.44	N/A	N/A	N/A	N/A	N/A
	Wooded	Good	5:1	0.03	0.03	0.15	\$20,400	\$3,060	0.25	\$3,825.00
Subtotal				50.66	13.25			\$298,568		\$338,010
<b>Copperas Branch Park East.</b> Impacts resulting from construction of the trail, access road, and parking lot. A width of 40 feet was used for calculating impacts to the trail. For the access road and parking lot, impacts were calculated to 10 feet outside of pavement edge.										
Flood Event Frequencies	Type of Habitat	Habitat Condition	Mitigation Ratio	Total Acreage	Impacted Acres	Mitigation Acres	Cost/Acre Mitigation	Estimated Mitigation Costs to be paid to LLELA	LLELA Administrative and Overhead Costs to implement Mitigation	Est. Mitigation Paid to LLELA linked to Consumer Price Index (CPI)
5 Year (522 - 528)	Grassland	Good	2:1	1.54	1.54	3.08	\$3,000	\$9,240	0.25	\$11,550.00
	Wooded	Good	2:1	0.71	0.71	1.42	\$20,400	\$28,968	0.25	\$36,210.00
10 Year (528 - 530)	Grassland	Good	3:1	0.31	0.31	0.93	\$3,000	\$2,790	0.25	\$3,487.50
	Wooded	Good	3:1	0.69	0.69	2.07	\$20,400	\$42,228	0.25	\$52,785.00
50 Year (530 - 537)	Grassland	Good	4:1	1.59	1.59	6.36	\$3,000	\$19,080	0.25	\$23,850.00
	Wooded	Good	4:1	1.64	1.64	6.56	\$20,400	\$133,824	0.25	\$167,280.00
≥ 100 Year (Above 537)	Grassland	Good	5:1	0.03	0.03	0.15	\$20,400	\$3,060	0.25	\$3,825.00
	Wooded	Good	5:1	0.03	0.03	0.15	\$20,400	\$3,060	0.25	\$3,825.00
Subtotal					8.51	20.57		\$239,190		\$298,987.50
Total								\$916,428		\$1,109,835
<b>4. Water Quality Standards.</b> Oil and Water Debris Removal Separators are required to ensure Water Quality Standards. Water Quality Standards and associated commitments are described in Section V. of the EA.										
Final plans would be submitted from TxDOT to USACE review when the IH 35E project is further along in the project development process.										
*Not an existing element **Part of Section 404 Mitigation										



**USACE Property Lewisville Lake  
(Map 1 of 3)**

**LEGEND**

<b>USACE Property Classification</b>		

0 400 800 1,200 Feet

N

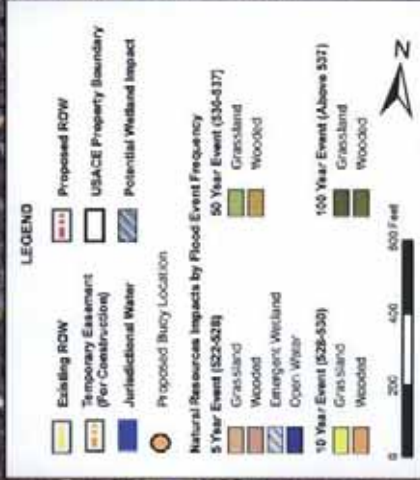






# USACE Property Lewisville Lake Potential Impacts and Mitigation (Map 3 of 3)

2.1 and s



**NOTE:**

- 1) All locations of mitigation items are approximate and will be finalized after design charrette.
- 2) Additional mitigation elements are not shown on map. Their locations to be determined after design charrette.

**Additional Mitigation Elements (See Mitigation Table)**

- Garagehouse (2.a), Other to be Determined
- Signage (2.c)
- Baseball Backstops/Diamonds (2.e)
- Soccer Goals (2.f)
- Picnic Tables with Grills (2.g)
- Metal Rail Fencing (2.h)
- Landscaping (2.i)
- Minimum Sanitary Facility (2.j and 2.x)
- Beach Complex (2.k)
- Other Enhancements (\*\*)







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

November 6, 2009

Planning, Environmental, and Regulatory Division

Mr. H. Stan Hall, P.E.  
District Advance Project Development Engineer  
Texas Department of Transportation  
P.O. Box 133067  
Dallas, TX 75313  
Phone: (214) 320-6100

Dear Mr. Hall:

Thank you for your letter dated July 02, 2009, requesting concurrence from the U.S. Army Corps of Engineers (USACE), Fort Worth District in regards to the assessment of impacts and the net benefit determination involving USACE property for the proposed IH 35E Widening Project, Denton County, Texas. We appreciate the ongoing coordination with our Regulatory and lake staff over the last few years on this project. Our jurisdiction and involvement as a cooperating agency has focused on those activities affecting USACE property and the Section 404 permit approval process.

At this time USACE is in agreement with the assessment and impacts disclosed in the draft environmental assessment and the proposed mitigation plan for USACE property. Due to the possibility of changes or modifications as a result of public and agency coordination, we feel we cannot offer full concurrence until full resource agency and public coordination along with the signing of a Finding of No Significant Impact (FONSI) has been completed. We look forward continuing our role as a cooperating agency to insure that the NEPA process provides adequate consideration and public disclosure of impacts to USACE land. We are committed to continued cooperation with your agency in this effort. Please contact Mr. Brandon Mobley at (817)886-1565 if you have any questions.

Sincerely,

For William Fickel, Jr.  
Chief, Planning, Environmental, and  
Regulatory Division



**CITY OF HIGHLAND VILLAGE, TEXAS**

**RESOLUTION NO. 2010-2236**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS AFFIRMING THAT THE CITY COUNCIL CONCURS WITH THE DRAFT PROGRAMMATIC SECTION 4(f) NET BENEFIT EVALUATION RELATED TO THE PROPOSED RECONSTRUCTION OF INTERSTATE HIGHWAY I35E (IH-35E) AND THE ANTICIPATED IMPACTS TO U.S. ARMY CORPS OF ENGINEERS (USACE) LAND, SPECIFICALLY COPPERAS BRANCH PARK, AS A RESULT OF THE TEXAS DEPARTMENT OF TRANSPORTATION PROPOSED IMPROVEMENTS TO IH-35E FROM THE PRESIDENT GEORGE BUSH TURNPIKE TO FARM-TO-MARKET 2181; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Highland Village, Texas values the recreational opportunities associated with Copperas Branch Park located in the City of Highland Village; and

**WHEREAS,** the City Council values the benefits associated with the widening of Interstate Highway I35E (IH-35E) by the Texas Department of Transportation; and

**WHEREAS,** extensive planning has been conducted and appropriate measures have been followed to minimize harm and develop mitigation necessary to preserve and enhance the features and values of USACE property, including Copperas Branch Park; and

**WHEREAS,** in April 2005, the Federal Highway Administration issued a final nationwide programmatic Section 4(f) evaluation (programmatic evaluation) for use in certain Federal transportation improvement projects where the use of public owned property from a Section 4(f) park, recreation area, or wildlife and waterfowl refuge or property from a historic site results in a net benefit to the Section 4(f) property; and

**WHEREAS,** the proposed reconstruction of IH-35E would require the use of approximately 20.7 acres of additional USACE property, including 6.4 acres from Copperas Branch Park. Although portions of Copperas Branch Park and USACE Property would be impacted, the reconstruction of IH-35E does not result in a substantial diminishment of the function or value that made the USACE Property, including Copperas Branch Park, eligible for Section 4(f) protection; and

**WHEREAS,** The City Council concurs with TXDOT's proposal that a design charette be conducted to continue refining the mitigation plan and to further develop the conceptual plans.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS:**

**SECTION 1.** The facts and recitations contained in the above preamble of this Resolution are hereby incorporated herein for all purposes.

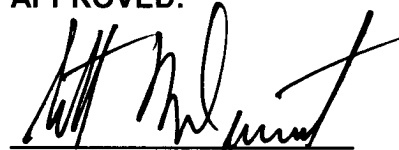


**SECTION 2.** The City Council of the City of Highland Village, Texas hereby concurs with assessment of impacts and proposed conceptual mitigation to U.S. Corps of Engineers (USACE) land, specifically Copperas Branch Park, described in the draft programmatic Section 4(f) net benefit evaluation, related to the proposed reconstruction of as a result of the Texas Department of Transportation proposed improvements to IH-35E from the President George Bush turnpike to Farm-to-Market 2181.

**SECTION 3.** That this Resolution shall take effect immediately upon passage.


**PASSED AND APPROVED** this the 28<sup>th</sup> day of September, 2010.


**APPROVED:**




**Scott McDearmont, Mayor**

**ATTEST:**



  
Alicia Richardson, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

  
Dorothy G. Palumbo, City Attorney