

**NOTICE OF MEETING
BASTROP COUNTY COMMISSIONERS COURT**

Pursuant to Section 551, Texas Government Code, the Bastrop County Commissioners Court will meet in Special Session, Tuesday, October 9, 2018, at 9:00 A.M. in the Commissioners Courtroom, Second Floor, 804 Pecan St. Bastrop, Texas.

Addendum:

14. Authorize sending a study request letter to the Corp of Engineers for a Continuing Authority Project (CAP) to stabilize stream banks along Cedar Creek adjacent to Shiloh/Barnett Cemetery and designate Commissioner Hamner as Point of Contact for Bastrop County; Judge Pape, Commissioner Hamner

The Commissioners Court reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 511.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information.)



Paul Pape, County Judge

FILED

OCT 05 2018 2:50pm

Rose Pietsch
Bastrop County Clerk

Colonel Calvin C. Hudson II
Commander, U.S. Army Engineer Corps of Engineers
819 Taylor Street (Room 3A32)
Fort Worth, TX 76102

Dear Colonel Hudson:

The Bastrop County Commissioner for Precinct One is requesting assistance from the U.S. Army Corps of Engineers for a study to address the creek bank erosion in Cedar Creek where it passes by the Shiloh/Barnett Cemetery].

Cedar Creek in Bastrop County has exceeded its banks around the Shiloh/Barnett Cemetery multiple times since 2007. It has unearthed many graves over this time and left the remains on top of the ground. Before the Texas State Cemetery Commission can address the human remains it is necessary to stabilize the creek banks first.

The Bastrop County Commissioner for Precinct One intends to serve as the sponsor for the project. We are aware that the first \$100,000 in funding for the feasibility study is fully federally funded, and that any feasibility study costs above that would be cost-shared 50% federal and 50% non-federal.

We understand that the estimated cost of the feasibility study would be prepared following a determination of federal interest. We further understand that a Federal Interest Determination (FID) report shall be prepared following initial investigation by USACE.

We are committed to this project and are willing, able and would be financially prepared to participate in the feasibility study. We look forward to executing a cost-sharing agreement for the study at the appropriate time in the process. Thank you for your assistance with this much needed project. Please contact Commissioner Mel Hamner for further information or assistance.

Melvin R. Hamner
Bastrop County Commissioner, Precinct One
804 Pecan Street
Bastrop, TX 78602
Office: 512-332-7295
Email: mel.hamner@co.bastrop.tx.us

Approval Process for USACE Studies Under the Continuing Authorities Program

A District drafts a **Federal Interest Determination (FID)** presenting a determination that there is a Federal interest in pursuing a feasibility study to determine a viable solution to the appropriate CAP authority. The FID is transmitted to the Major Subordinate Command (MSC) for review and approval.

A **Project Management Plan** detailing work tasks, study cost, and study schedule is prepared by USACE and the non-federal sponsor.

A draft **Detailed Project Report and NEPA document** documenting the recommended plan are released for concurrent public, agency, and policy reviews.

The **Design and Implementation (D&I) Phase** is conducted to prepare design and construct the project. A D&I agreement is signed by USACE and the non-Federal sponsor.



Local interests request the USACE investigate potential solutions to water resource problems. A site visit with the locals is typically performed at full Federal expense.

A **Feasibility Cost Sharing Agreement (FCSA)** is executed to complete the decision document. The study is initially federally funded up to \$100,000. Any remaining feasibility phase costs are shared 50/50 with the non-federal sponsor.

The study team's recommended plan is presented to MSC senior leaders and reviewers at the **Alternative Formulation Briefing**. The senior leaders approve the release of the draft feasibility report and NEPA document. (Note: under draft guidance, this meeting will be called the **MSC Decision Milestone**).

A final **Detailed Project Report and NEPA document** is prepared by the District. It is transmitted to the MSC for review and approval.

Construction of the project commences if funding is available within the HQUSACE CAP. Costs are shared as specified in the authorizing legislation for the applicable section.

The **Continuing Authorities Program (CAP)** is a group of **nine legislative authorities** under which the USACE can plan, design, and implement certain types of water resources projects without additional project specific congressional authorization. The purpose of the CAP is to plan and implement projects of limited size, cost, scope and complexity.

Section 14, Flood Control Act of 1946, as amended
Streambank and shoreline erosion protection of public works and non-profit public services

Section 107, River and Harbor Act of 1960, as amended
Navigation improvements

Section 204, WRDA of 1992, as amended
Beneficial uses of dredged material

Section 206, WRDA of 1996, as amended
Aquatic ecosystem restoration

Section 103, River and Harbor Act of 1962, as amended
Beach erosion and hurricane and storm damage reduction

Section 111, River and Harbor Act of 1968, as amended
Shore damage prevention or mitigation caused by Federal navigation projects

Section 205, Flood Control Act of 1948, as amended
Flood control

Section 208, Flood Control Act of 1954, as amended
Removal of obstructions, clearing channels for flood control

Section 1135, WRDA of 1986, as amended
Project modifications for improvement of the environment