



United States
Department of
Agriculture

Supplemental Work Plan No. III

Natural
Resources
Conservation
Service

Temple, Texas

August 1996

CANEY CREEK WATERSHED

Fannin and Grayson Counties, Texas

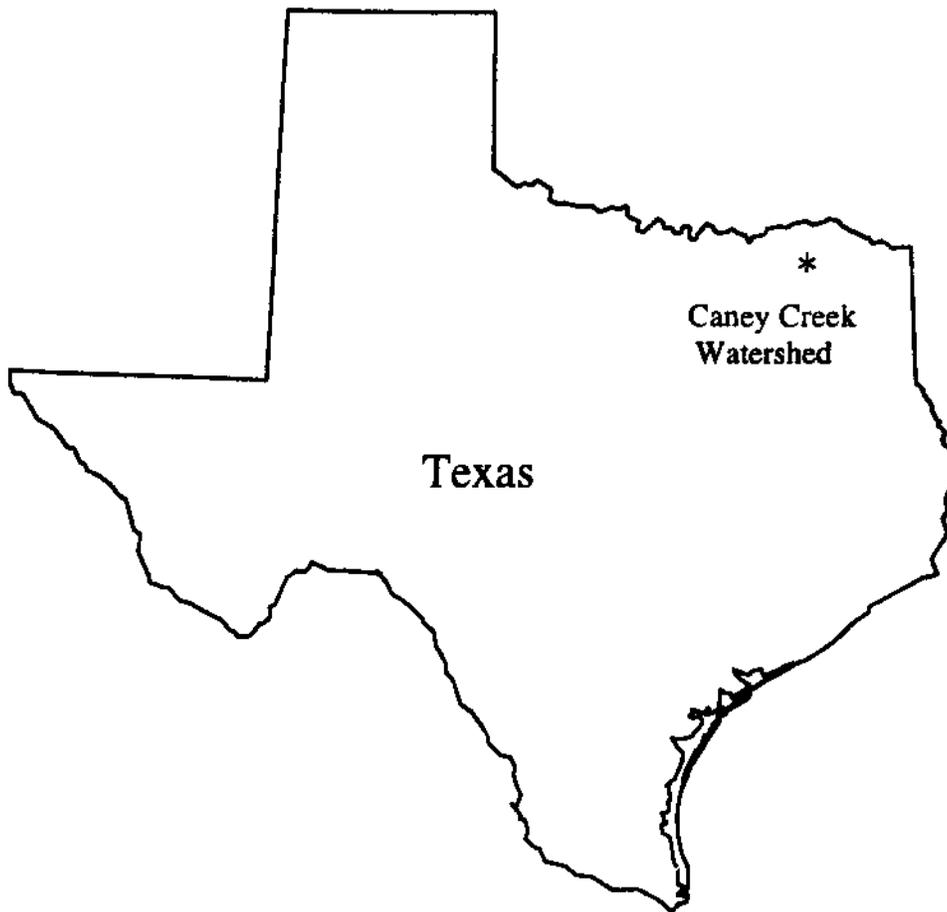


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INTRODUCTION

The plan for watershed protection and flood prevention for the Caney Creek Watershed became effective on August 31, 1959. The plan was prepared by the local sponsoring organizations with technical assistance from the Natural Resources Conservation Service (formerly the Soil Conservation Service). Financial assistance for development of the plan was provided by the Texas State Soil and Water Conservation Board and the Natural Resources Conservation Service.

Caney Creek Watershed comprises an area of 46,784 acres (18,940 hectares). The floodplain is well defined and consists of 3,857 acres (1,562 hectares). It is located in Fannin and Grayson Counties of Texas. In 1959, the main resource problems in the watershed were frequent floodwater, sediment, and scour damages on the flood plain land.

The plan to address these problems was to install 15 floodwater retarding structures with emphasis placed on land treatment practices that would have a measurable effect on the reduction of floodwater and sediment damages.

The plan has been supplemented two times since 1959. Letters of correspondence have made minor changes to some of the structures. The previous supplements addressed the following items:

Supplement I - added Fannin County Commissioners Court as a sponsor to the watershed.

Supplement II - added provisions for the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
(Public Law 191-646, 84th Stat. 1894)

Actions to date include the installation of 11 floodwater retarding structures and the planned land treatment. Installation of these measures have reduced many of the resource problems in the watershed.

The purpose of this supplement is to further modify the plan at the request of the sponsoring local organizations. This supplement will delete floodwater retarding structure Nos. 3 and 9 from the planned works of improvements and provide for the addition of floodwater retarding structure No. 3A.

The remaining works of improvement to be installed include three floodwater retarding structures Nos. 3A, 4A and 6 Rev.

This supplement will change the following items in the watershed plan:

1. Delete floodwater retarding structure Nos. 3 and 9 from the planned works of improvement.
2. Add Floodwater Retarding Structure No. 3A.
3. Add required certifications on drug-free workplace, lobbying, and other matters.

The sponsors requested the deletion of Floodwater Retarding Structure No. 9 because it was determined that landrights would be impossible to obtain. Floodwater Retarding Structure No. 3 is being deleted and being added as 3A approximately 600 feet upstream from its previous location with the spillway being moved from the left to the right side of the structure. The sponsors are willing to accept the level of protection afforded by the construction of the 14 floodwater retarding structures and land treatment measures.

SUPPLEMENTAL WATERSHED AGREEMENT NO. III

CANEY CREEK WATERSHED, TEXAS

Between the

Fannin County Soil and Water Conservation District
Local Organization

Upper Elm-Red Soil and Water Conservation District
Local Organization

Fannin County
Water Control and Improvement District No. 1
Local Organization

Fannin County Commissioners Court
Local Organization

(Referred to herein as Sponsors)

State of Texas

and the

Natural Resources Conservation Service
(Formerly the Soil Conservation Service)
United States Department of Agriculture
(Referred to herein as NRCS)

Whereas, the watershed plan for Caney Creek Watershed, State of Texas, executed by the Sponsors named therein and the NRCS, became effective on the 31st day of August, 1959; and

Whereas, a Supplemental Watershed Plan Agreement No. I executed by the Sponsors named therein and the NRCS, became effective on the 13th day of February 1961; and

Whereas, a Supplemental Watershed Plan Agreement No. II executed by the Sponsors named therein and the NRCS, became effective on the 23rd day of September 1971; and

Whereas, in order to carry out the watershed plan for said watershed, it has become necessary to modify said watershed agreement as supplemented; and

Whereas, the responsibility for administration of the Watershed Protection and Flood Prevention Act, as amended, has been assigned by the Secretary of Agriculture to the Natural Resources Conservation Service (NRCS); and

Whereas, a Supplemental Watershed Plan No. III which modifies the watershed plan dated August 31, 1959 for said watershed has been

developed through the cooperative efforts of the Sponsors and the NRCS;

Now, therefore, the Secretary of Agriculture through the NRCS and the Sponsors hereby agree upon the following modifications of the terms, conditions, and stipulations of said watershed agreement, as supplemented;

(1) Floodwater Retarding Structures No. 3 and 9 are hereby deleted from the planned works of improvements.

(2) Floodwater Retarding Structure No. 3A is added to the planned works of improvements.

(3) Paragraph No. 1 is modified to read as follows:

Except as herein provided, the Sponsoring Local Organization will acquire without cost to the federal government such landrights as will be needed in connection with the works of improvement. (Estimated cost \$194,321). The percentage of this cost to be borne by the Sponsoring Local Organization and the Service are as follows:

<u>Works of Improvement</u>	<u>Sponsoring Local Organization</u> (percent)	<u>NRCS</u> (percent)	<u>Estimated Land Rights Cost</u> (dollars)
14 Floodwater Retarding Structures	100.0	0.0	194,321

(4) Paragraph No. 3 is modified to read as follows:

The percentages of construction cost of the structural works of improvement to be paid by the Sponsors and by the NRCS are as follows:

<u>Works of Improvement</u>	<u>Sponsors</u> (percent)	<u>NRCS</u> (percent)	<u>Estimated Construction Cost</u> (dollars)
14 Floodwater Retarding Structures	0.0	100.0	1,781,819

(5) Paragraph No. 4 is modified to read:

The percentages of the cost for engineering and project administration to be borne by the Sponsors and by the NRCS are as follows:

<u>Works of Improvement</u>	<u>Sponsors</u> (percent)	<u>NRCS</u> (percent)	<u>Estimated Engineering and Project Adm. Cost.</u> (dollars)
14 Floodwater Retarding Structures	0.0	100.0	286,300

(6). Paragraph No. 14 is added to the plan agreement in accordance with the certification regarding drug-free workplace requirements (7CFR 3017, Subpart F) as follows:

By signing this watershed agreement, the sponsors are providing the certification set out below. If it is later determined that the sponsors knowingly rendered a false certification, or otherwise violated the requirements of the Drug-Free Workplace Act, the NRCS, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacturing, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) all direct charge employees; (ii) all indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantees'

payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification:

A. The sponsors certify that they will or will continue to provide a drug-free workplace by:

(1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(2) Establishing an ongoing drug-free awareness program to inform employees about--

(a) The danger of drug abuse in the workplace;

(b) The grantee's policy of maintaining a drug-free workplace;

(c) Any available drug counseling, rehabilitation, and employee assistance programs; and

(d) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

(3) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);

(4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will--

(a) Abide by the terms of the statement; and

(b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(5) Notifying the NRCS in writing, within ten calendar days after receiving notice under paragraph (4)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(6) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (4)(b), with respect to any employee who is so convicted--

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

(7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6)

B. The sponsors may provide a list of the site(s) for the performance of work done in connection with a specific project or other agreement.

C. Agencies shall keep the original of all disclosure reports in the official files of the agency.

(7). Paragraph No. 15 is added to the plan agreement in accordance with the certification regarding lobbying (7 CFR 3018) as follows:

(1) The sponsors certify to the best of their knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the sponsors, to any person for influencing or attempting to influence an officer or employee of an agency, member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The sponsors shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(2) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(8). Paragraph No. 16 is added to the plan agreement in accordance with the certification regarding debarment, suspension, and other responsibility matters - primary covered transactions (7 CFR 3017) as follows:

(1) The sponsors certify to the best of their knowledge and belief, that they and their principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the primary sponsors are unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this agreement.

The Sponsors and NRCS further agree to all other terms, conditions, and stipulations of said watershed agreement not modified herein.

Fannin County Soil and Water Conservation District
Local Organization

By M.A. Dodson
Title CHAIRMAN
9-24-96
Date

The signing of this agreement was authorized by a resolution of the governing body of the Fannin County Soil and Water Conservation District adopted at a meeting held on 9-24-96.

James Hicks
(Secretary, Local Organization)

Upper Elm-Red Soil and Water Conservation District
Local Organization

By C. William Hermes
Title CHAIRMAN
9-9-96
Date

The signing of this agreement was authorized by a resolution of the governing body of the Upper Elm-Red Soil and Water Conservation District adopted at a meeting held on 9-9-96.

W. T. Meador
(Secretary, Local Organization)

Fannin County Water
Control and Improvement District No. 1
Local Organization

By Jane Hicks
Title Chairman
9-24-96
Date

The signing of this agreement was authorized by a resolution of the governing body of the Fannin County Water Control and Improvement District No. 1 adopted at a meeting held on 9-24-96.

Mark J. Johnson
(Secretary, Local Organization)

Fannin County Commissioners Court
Local Organization

By Jimmy Hays
Title County Judge
10-14-96
Date

The signing of this agreement was authorized by a resolution of the governing body of the Fannin County Commissioners Court adopted at a meeting held on Oct. 14, 1996.

Margaret Gilbert
(Secretary, Local Organization)
County Clerk

Natural Resources Conservation Service
United States Department of Agriculture

Approved By Harry W. Oneth
Harry W. Oneth
State Conservationist

Date OCT 24 1996

SUPPLEMENTAL WATERSHED PLAN NO. III

CANEY CREEK WATERSHED, TEXAS

Need For Supplement

Since the original Watershed Agreement became effective on the 31st day of August 1959, it has become necessary to modify that agreement in order to facilitate the completion of the project. The sponsors have requested the following changes in the original plan as supplemented:

- (1) Delete Floodwater Retarding Structures Nos. 3 and 9 from the planned works of improvements.
- (2) Add Floodwater Retarding Structure No. 3A to the planned works of improvements.
- (3) Add required certifications on drug-free workplace, lobbying, and other matters.

Effects Of The Proposed Changes

Floodwater Retarding Structure No. 3A will be moved from its original location approximately 600 feet upstream and have a drainage area of 3.29 square miles. The movement of the site upstream will decrease the drainage area by approximately 50 acres.

The flood protection provided by the planned works of improvement to be deleted at the request of the sponsors will be foregone. Eleven (11) of the planned 14 floodwater retarding structures have been installed and are providing flood protection to floodplain lands below the structures. Deletion of Floodwater Retarding Structure No. 9 and the relocation of site 3A upstream will change the floodwater damage reduction benefits from 89 percent to 84 percent. The sponsors are willing to accept the level of protection provided by the 14 floodwater retarding structures as they are now planned and supplemented.

A biological evaluation of site 3A indicated that no federally listed threatened or endangered plants or animals would be affected and no critical habitat is present. No fishery resources will be affected. A cultural resource review will be made prior to construction. The installation of site 3A will not create any significant adverse impact compared to those that would have occurred at the original location.

Comparison of Benefits and Costs

The total average annual cost of structural measures (amortized total installation cost and project administration, plus operation, maintenance and replacement) is \$111,400. These measures are expected to produce average annual benefits of \$488,000. The benefit-cost ratio is 4.4 to 1.0.

Revised Table 2. Estimated Cost Distribution - Structural and nonstructural measures
 Caney Creek Watershed, Texas
 (Dollars) 1/

Structure Number or Name	Installation Cost PL - 566				Installation Cost - Other Funds				Total Installation Cost	
	Construction	Engineering	Land Rights	Project Administrative	Total PL - 566	Construction	Engineering	Land Rights		Project Administrative
Constructed FRS										
1	113,164	24,900		17,700	155,764			9,268	500	9,768
2	60,525	13,300		10,700	84,525			10,185	500	10,685
5	45,303	10,000		9,800	65,103			7,160	500	7,660
7	108,542	23,900		17,000	149,442			16,939	500	17,439
8	15,268	3,400		4,100	22,768			8,369	500	8,869
10	38,409	8,400		8,300	55,109			5,289	500	5,789
11	27,245	6,000		5,900	39,145			6,544	500	7,044
12	18,959	4,200		5,100	28,259			8,112	500	8,612
11	35,795	7,900		7,800	51,495			5,998	500	6,498
14	49,883	11,000		10,800	71,683			7,948	500	8,448
15	61,296	13,500		10,800	85,596			14,989	500	15,489
Total	574,389	126,500		108,000	808,889			100,801	5,500	106,301
Constructed Structures										
Planned Structures										
3A	501,730	110,400		88,700	700,830			54,650	1,000	55,650
4A	335,700	23,500		45,900	405,100			19,700	1,000	20,700
6Rev	370,000	25,900		50,600	446,500			19,170	1,000	20,170
Total	1,207,430	159,800		185,200	1,552,430			91,520	3,000	94,520
Planned Structures										
Grand Total	1,781,819	286,300		293,200	2,363,319			194,321	8,500	202,821

1/ Price base: Actual cost for constructed structures and 1995 for planned structures.

TABLE 3: STRUCTURAL DATA - DAMS WITH PLANNED STORAGE CAPACITY
CANEY CREEK WATERSHED, TEXAS

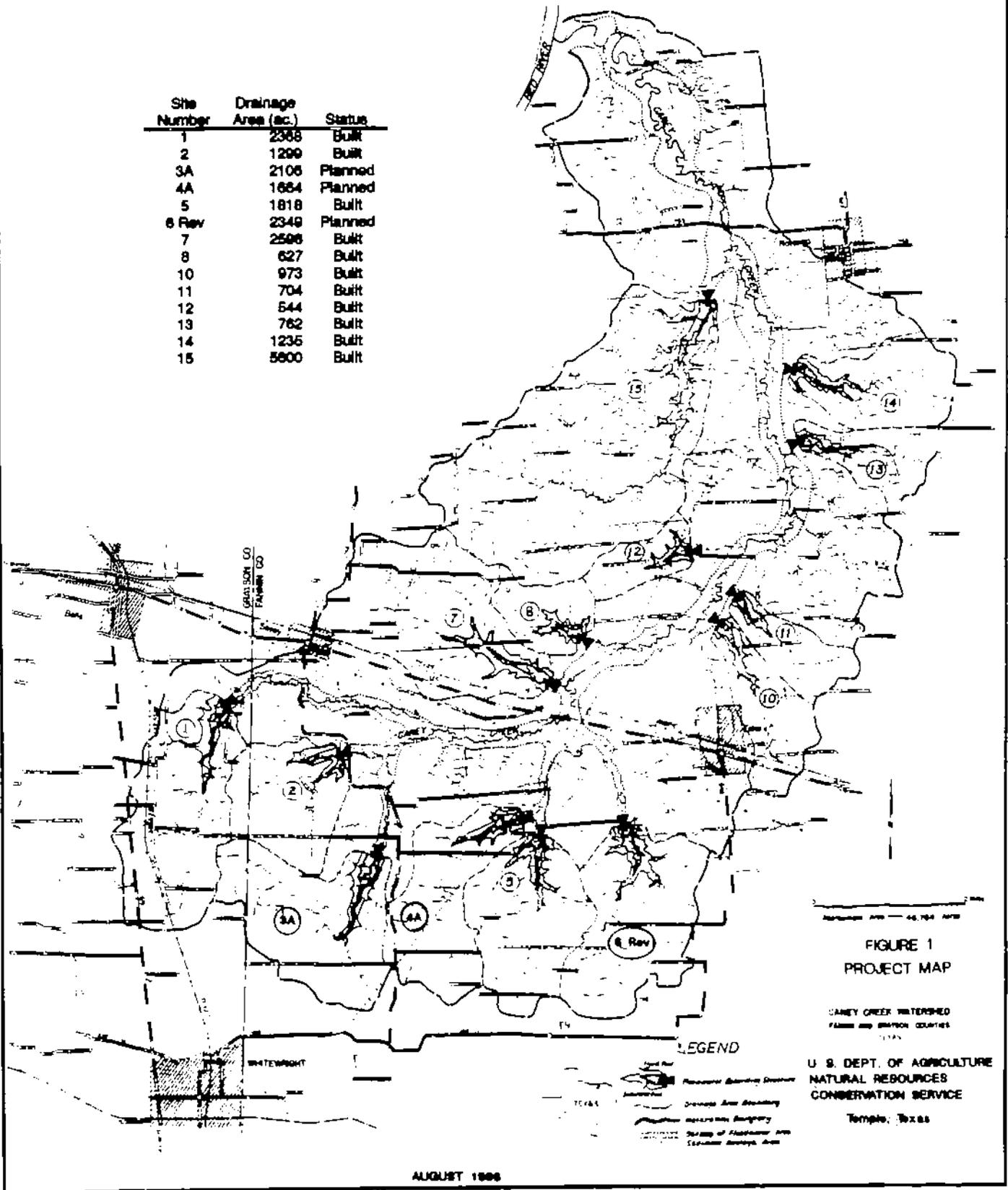
ITEM	UNIT	STRUCTURE NUMBERS
		3A
Class of Structures		a
Seismic Zone		
Uncontrolled Drainage Area	SQ. MI.	3.29
Runoff Curve No. (1 Day) (Average AMC II)		79
Time of Concentration (Tc)	HR.	1.78
Elevation Top of Dam	FT.	689.3
Elevation Crest Emergency Spillway	FT.	685.3
Elevation Crest High Stage Inlet	FT.	673.2
Elevation Crest Lowest Ungated Outlet	FT.	671.8
Emergency Spillway Type		VEGETATED
Emergency Spillway Bottom Width	FT.	100
Emergency Spillway Exit Slope	%	6.0
Maximum Height of Dam	FT.	41.1
Volume of Fill	CU. YD.	112,100
Total Capacity 1/	AC. FT.	1049.9
Sediment Submerged Lowest Ungated Outlet 2/	AC. FT.	196.2
Sediment Submerged 100 Years	AC. FT.	247.2
Sediment Aerated	AC. FT.	51
Floodwater Retarding	AC. FT.	258.8
Surface Area		
Lowest Ungated Outlet	AC.	29.2
Sediment Pool	AC.	35.1
Floodwater Retarding Pool	AC.	36.4
Principal Spillway Design		
Rainfall Volume (1 Day)	IN.	8.00
Rainfall Volume (10 Day)	IN.	13.50
Runoff Volume (10 Day)	IN.	8.50
Capacity of High Stage (Maximum)	CFS	125.1
Dimensions of Conduit	IN.	30
Frequency Operation (Emergency Spillway)	% CHANCE	2.7
Emergency Spillway Hydrograph		
Rainfall Volume	IN.	8.20
Runoff Volume	IN.	5.70
Storm Duration	HR.	6
Velocity of Flow (Va)	FT./SEC.	5.1
Maximum Reservoir Water Surface Elevation	FT.	686.3
Freeboard Hydrograph		
Rainfall Volume	IN.	12.8
Runoff Volume	IN.	10.1
Storm Duration	HR.	6
Maximum Reservoir Water Surface Elevation	FT.	689.3
Discharge Per Foot of Width (Oe/b)	AC. FT.	8
Bulk Length	FT.	77
Capacity Equivalents		
Sediment Volume	IN.	1.43
Floodwater Retarding Volume	IN.	4.51

1/ At Emergency Spillway Crest

2/ Included in Sediment Submerged 100 Years

February 1995

Site Number	Drainage Area (ac.)	Status
1	2368	Built
2	1299	Built
3A	2106	Planned
4A	1664	Planned
5	1818	Built
6 Rev	2349	Planned
7	2596	Built
8	627	Built
10	973	Built
11	704	Built
12	544	Built
13	762	Built
14	1235	Built
15	5600	Built



AUGUST 1986