

SUPPLEMENTAL WATERSHED PLAN AGREEMENT NO. II

Between the

Comal-Hays-Guadalupe Soil and Water Conservation District
Local Organization

Comal County Commissioners Court
Local Organization

City of New Braunfels
Local Organization

Edwards Underground Water District
Local Organization

(hereinafter referred to as the Sponsoring Local Organization)

State of Texas

and the

Soil Conservation Service
United States Department of Agriculture
(hereinafter referred to as the Service)

Whereas, the Watershed Plan Agreement for the Comal River watershed, State of Texas, executed by the Sponsoring Local Organization named therein and the Service, became effective on the 28th day of May 1970; and

Whereas, the Supplemental Watershed Plan Agreement No. I executed by the Sponsoring Local Organization named herein, and the Service became effective on the 10th day of October 1971; and

Whereas in order to complete the overall resource development program and to control critical sediment source areas for Comal River watershed, it has become necessary to modify the agreement to include critical area treatment measures; and

Whereas, there has been developed through the cooperative efforts of the local organization and the Service, a mutually satisfactory plan for critical area treatment on the Comal River watershed, which supplement is annexed to and made a part of this agreement; and

Whereas, the supplement describes the watershed problems and sets forth a plan for works of improvement, the kinds and quantities of measures to be installed, the estimated cost, cost-sharing arrangements, maintenance and other responsibilities of those participating in the project;

Now, therefore, in view of the foregoing consideration, the local organization and the Secretary of Agriculture, through the Service, hereby agree on the supplement, and further agree that the works of improvement as set forth in said supplement will be installed, operated and maintained substantially in accordance with the terms, conditions, and stipulations provided therein.

1. Paragraph numbered 3 in modified by adding the following:

The percentages of installation cost of the critical area treatment measures to be paid by the Sponsors and by the Service are as follows:

<u>Works of Improvement</u>	<u>Sponsors</u> (percent)	<u>Service</u> (percent)	<u>Estimated Installation Cost</u> (dollars)
Critical area treatment	20	80	182,000

The Sponsoring Local Organization and the Service further agree to all other terms, conditions, and stipulations of said watershed plan agreement not modified herein.

Comal-Hays-Guadalupe Soil & Water
Conservation District

By *Herman Blank* ⁱⁱⁱ
Title Chairman

Local Organization
P.O. Box 956
New Braunfels, Texas 78130
Address Zip Code

Date 11/7/78

The signing of this agreement was authorized by a resolution of the governing
body of the Comal-Hays-Guadalupe Soil & Water Conservation District adopted at a
meeting held on November 7, 1978
Local Organization

Milton Loret
Secretary, Local Organization

P.O. Box 956
New Braunfels, Texas 78130
Address Zip Code

November 7, 1978
Date

Comal County Commissioners Court
Local Organization
Main Plaza
New Braunfels, Texas 78130
Address Zip Code

By *Way R. Womack*
Title County Judge, Comal County
Date November 13, 1978

The signing of this agreement was authorized by a resolution of the
governing body of the Comal County Commissioners Court adopted
at a meeting held on November 13, 1978
Local Organization

Irene A. Alton, Rubin
Secretary, Local Organization
County Clerk
November 13, 1978
Date

Main Plaza
New Braunfels, Texas 78130
Address Zip Code

City of New Braunfels
Local Organization
P.O. Box 1109
New Braunfels, Texas 78130
Address Zip Code

By *M. R. Cramer*
Title Mayor
Date November 13, 1978

The signing of this agreement was authorized by a resolution of the
governing body of the City of New Braunfels adopted
at a meeting held on November 13, 1978
Local Organization

Barbara Foster
Secretary, Local Organization

P.O. Box 1109
New Braunfels, Texas 78130
Address Zip Code

November 13, 1978
Date

The Edwards Underground Water District is not obligated to participate in the cost of the project. *WNSA.*

Edwards Underground Water District

By Wm H. Spicer, Jr.

Local Organization
1200 Tower Life Bldg.

Chairman

San Antonio, Tx.

78205

Title Board of Directors

Address

Zip Code

Date December 5, 1978

The signing of this agreement was authorized by a resolution of the governing body of the Edwards Underground Water District at a meeting held on

Local Organization

December 5, 1978

J. M. Denny, Jr.
Secretary, Local Organization

1200 Tower Life Bldg.
San Antonio, Tx. 78205

Address

Zip Cod

December 5, 1978

Date

Soil Conservation Service
United States Department of Agriculture

Approved by:

[Signature]
State Conservationist

Acting

12/13/78

Date

SUPPLEMENTAL
WATERSHED PLAN NO. II

COMAL RIVER WATERSHED
Comal and Guadalupe Counties, Texas

September 1978

PURPOSE OF THE SUPPLEMENTAL PLAN

The purpose of this supplemental watershed plan for the Comal River watershed is to provide a method to treat critical sediment source areas in the watershed not now provided for in the plan.

The original plan, as supplemented, provided watershed protection and flood prevention funds for accelerated technical assistance to help landowners of the watershed to plan and apply land treatment measures and provided for the installation of a system of 3 floodwater retarding structures. The accelerated land treatment assistance has been completed. One floodwater retarding structure has been completed and the other two are under contract.

There now exist in the watershed critical sediment source areas which need to be stabilized to reduce erosion and sedimentation, protect structural measures and improve environmental conditions.

The purpose of this supplement is to provide for the use of Public Law 566 funds on a cost-share basis to install land treatment measures to control and stabilize critical sediment source areas.

WATERSHED PROBLEMS

Although part of the structural measures and all of the accelerated land treatment measures have been installed, there still remain areas which yield large amounts of sediment. Erosion from critical areas is a problem and critical area treatment is especially important in providing additional cover that will reduce the rate of sediment laden runoff. This sediment contributes to the filling of downstream reservoirs, pollutes streams and rivers reducing both quality of water and capacity to carry water, damage roads and bridges and provides deposition to downstream flood plains and adversely affects the overall quality of our rural environment.

WORKS OF IMPROVEMENT TO BE INSTALLED

The works of improvement to be installed consist of land treatment measures necessary to stabilize critical sediment source areas on about 480 acres. These measures may include practices such as clearing, shaping, preparation for vegetation, mulching, fertilizing, vegetating, fencing and construction of appurtenant grade stabilizing structures such as pipe drops, drop inlets, formless concrete chutes, diversions and dams. Vegetation will include plants such as trees, shrubs, vines, grasses, and legumes as appropriate for the site.

EXPLANATION OF INSTALLATION COSTS

The total estimated cost of installing the planned measures covered by this supplement is \$222,000 of which \$182,000 is for construction (stabilization) cost and \$40,000 is for technical assistance. Of the \$182,000 cost for construction 80 percent, or \$145,600 will be Public Law 566 cost and 20 percent, or \$36,400 will be local cost.

BENEFITS FROM WORKS OF IMPROVEMENT

These land treatment measures when efficiently applied to the critical areas and properly maintained will be effective in the prevention of the deterioration of the watershed. Valuable soil that is irreplaceable will be protected and further loss of a resource will be prevented. The productivity and monetary value of adjoining areas will be maintained or enhanced by the healing of these critical areas. Benefits will accrue from protection of land and improvements which otherwise would be damaged through the extension of gully systems. Society as a whole will benefit through the prevention of destruction of an irreplaceable resource. Sediment being delivered to downstream reservoirs, flood plains, and streams will be reduced.

Vegetative treatment of these areas will provide additional habitat, cover, protection, and breeding places for wildlife. This in turn can help to maintain the ecological balance of nature.

Treatment of the exposed areas will improve the appearance and enhance the beauty of the terrain for the air and land travelers by minimizing or eliminating the visual impact of raw eroding areas.

Economic conditions will be improved by maintaining the productivity of the area and making it possible for owners and operators to continue with economic units on fewer acres. The community will benefit because the tax base will be maintained and strengthened so that tax supported community services can be financed.

INSTALLATION AND FINANCING

Critical area stabilization measures will be planned and installed through cooperation of landowners and operators with their soil and water conservation district. These are measures that are to be applied to active gullies and badly eroded areas and the treatment costs are outside the financial capabilities of landowners and operators with technical and financial assistance available. These measures will be installed with technical and financial assistance from PL-566 funds.

Critical area treatment will be a part of agreed-to conservation practices included in new or revised conservation plans for each affected operating unit. These conservation plans will include an installation schedule; requirements for operation, maintenance and replacement; provision for access by the Service and the district or its agent to inspect installation and operation and maintenance; and signatures by the district and owner or operator. These plans will serve as the operation and maintenance agreement. The conservation district will provide the leadership and coordination. The Service will provide technical assistance through the conservation district for preparation of the conservation plan, installation plans, standards and specifications, and for layout and inspection of construction.

Installation of critical area treatment will be by the average cost method.

Immediately before installation, the cooperators and the Service will enter into a long-term agreement (5 to 10 years). The agreement will provide for installing the critical area treatment on the cooperator's operating unit in accordance with a conservation plan of operations and installation schedule. The agreement will include the cost-share rate, the work covered by the agreement, technical assistance for installation, duration of agreement, inspection and related subjects. The cooperator involved may install the treatment using his own labor and equipment or employ the services of vendors and contractors to install the measure. Landrights are provided by the cooperator through the district agreement.

The Service will share 80 percent of the cost of installing critical area treatment. This cost sharing will be based on actual cost not to exceed average cost for shaping and grading or average cost when the cooperator uses his own labor and equipment. The practice will be installed on an average cost basis unless the agreement specifies that practices, or components of a practice will be on an actual cost not to exceed the average cost. Average costs are determined from actual costs for similar work recently installed in the general area.

Upon completion of a practice or component of a practice by a vendor or contractor, the cooperator will provide the Service with records to show actual cost of the work. The Service will take steps necessary to ensure that cost records of work that the cooperator has performed by vendors and contractors are suitable to base a claim to the Service for the PL-566 share of the costs.

OPERATION AND MAINTENANCE

The critical area stabilization measures will be maintained by the landowners, county commissioners, or other groups responsible for the land on which the work is being installed. Based on technical recommendation by the Service, an operation and maintenance agreement will be entered into by the conservation district and the landowner concerned.

Provisions will be made for free access of District, State, and Federal representatives to inspect all critical area stabilization measures at any reasonable time during the period of operation and maintenance responsibilities specified in the conservation plan of operations.

Operation and maintenance inspections for critical area stabilization measures will be made by the Service employee responsible for operation and maintenance inspection and the sponsors on an annual basis for the first 5 years, or after the occurrence of any unusual conditions that might adversely affect these measures.

TABLE 1 - ESTIMATED INSTALLATION COST

Comal River Watershed, Texas

Installation Cost Item	Unit	Land	Estimated Cost (Dollars) 1/		
			PL 566		Other
			Funds	Nonfederal	
			Number	Land	Land
<u>LAND TREATMENT-GOING PROGRAM</u>					
Land Areas 2/	Acres				
Cropland	to be	1,779	-	15,971	15,971
Pastureland	Pro-	2,675	-	45,956	45,956
Rangeland	tected	17,098	-	58,030	58,030
Wildlife-Recreation Land		213	-	2,348	2,348
Technical Assistance	XXX	XXX	-	20,455	20,455
SUBTOTAL				142,760	142,760
<u>LAND TREATMENT-ACCELERATED</u>					
Land Areas 2/	Acres				
Cropland	to be	721	-	6,479	6,479
Pastureland	Pro-	1,085	-	18,644	18,644
Rangeland	tected	6,936	-	23,541	23,541
Wildlife-Recreation Land		87	-	952	952
Critical Area Stabilization	Acres	480	145,600	36,400	182,000
Technical Assistance	XXX	XXX	48,300	-	48,300
SUBTOTAL			193,900	86,016	279,916
TOTAL LAND TREATMENT	XXX	XXX	193,900	228,776	422,676
<u>STRUCTURAL MEASURES</u>					
Floodwater Retarding Structures	No.	3	3,304,430	904,800	4,209,230
SUBTOTAL Structural Cost			3,304,430	904,800	4,209,230
<u>PROJECT ADMINISTRATION</u>					
Construction Inspection			188,820	-	188,820
Other			267,500	1,500	269,000
Relocation Assistance			-	-	-
Advisory Services			-	-	-
SUBTOTAL -Administration			456,320	1,500	457,820
TOTAL PROJECTS COSTS 3/			3,954,650	992,316	4,946,966
TOTAL ALL COSTS			3,954,650	1,135,076	5,089,726

1/ Price base: 1978 for Critical Area Stabilization. Actual cost for other measures.
 2/ Includes only areas estimated to be adequately protected during the project installation period. Treatment will be applied throughout the watershed, and dollar amounts apply to total land areas, not just to adequately protected areas.
 3/ Excludes going program - Land Treatment