

SUPPLEMENTAL WATERSHED PLAN AGREEMENT NO. III

Between the

Hall and Donley Counties Water Control and Improvement District No. I
Local Organization

Hall-Childress Soil and Water Conservation District
Local Organization

Donley County Soil and Water Conservation District
Local Organization

Hall County Commissioners Court
Local Organization

Donley County Commissioners Court
Local Organization

City of Lakeview
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 Lakeview watershed, State of Texas, executed by the Sponsoring Local Organization named therein and the Service, became effective on the 27th day of August 1969; and

Whereas, the Supplemental Watershed Plan Agreement No. I executed by the Sponsoring Local Organization named herein, and the Service became effective on the 5th day of October 1971; and

Whereas, the Supplemental Watershed Plan Agreement No. II for said watershed, executed by the Sponsoring Local Organization named therein and the Service became effective on the 31st day of October 1977; and

Whereas, in order to complete the overall resource development program and to control critical sediment source areas for Lakeview 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 Lakeview 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; and

Whereas, it has become necessary to modify the Watershed Plan, as supplemented, to reflect current policy and terminology relative to engineering and project administration costs;

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	290,000

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

Hall and Donley Counties Water Control
and Improvement District No. 1

By Paul Montgomery
Title Chair
Date 1/18/79

Local Organization
Hall and Donley Counties Quail Route
Memphis, Texas 79245
Address Zip Code

The signing of this agreement was authorized by a resolution of the governing body of the Hall and Donley Counties Water Control and Improvement District Local Organization adopted at a meeting held on 1-18-79

K. B. Byrnes
Secretary, Local Organization
1-18-79
Date

Laurens, Texas 79239
Address Zip Code

Hall-Childress Soil and Water
Conservation District
Local Organization
Box 70
Memphis, Texas 79245
Address Zip Code

By Jan Turner
Title Board Chairman
Date 1-17-79

The signing of this agreement was authorized by a resolution of the governing body of the Hall-Childress Soil & Water Conservation District Local Organization adopted at a meeting held on 1-17-79

Ernest Pea
Secretary, Local Organization
1-17-79
Date

207 4th N.E. Childress, Texas
Address Zip Code

Donley County Soil and
Water Conservation District
Local Organization
PO Box 829
Clarendon, Texas 79226
Address Zip Code

By Claude Shan
Title Board Chairman
Date 1/12/79

The signing of this agreement was authorized by a resolution of the governing body of the Donley County Soil & Water Conservation District Local Organization adopted at a meeting held on 1/12/79

Jack A. Mamm
Secretary, Local Organization
1/12/79
Date

PO Box 829
Clarendon, Texas 79226
Address Zip Code

Hall County Commissioners Court
Local Organization
Hall Co. Courthouse
Memphis, Texas 79296
Address Zip Code

By [Signature]
Title Co Judge
Date 1-18-79

The signing of this agreement was authorized by a resolution of the governing body of the Hall County Commissioners Court adopted at a meeting held on 1-18-79 at the Hall County Commissioners Court Local Organization

held on 1-18-79
[Signature]
Secretary, Local Organization
1-18-79
Date

Hall Co. Courthouse
Memphis, Texas 792
Address Zip

Donley County Commissioners Court
Local Organization
Donley Co. Courthouse
Clarendon, Texas 79226
Address Zip Code

By [Signature]
Title Co. Judge
Date 1/12/79

The signing of this agreement was authorized by a resolution of the governing body of the Donley County Commissioners Court adopted at a meeting held on 1/12/79 at the Donley County Commissioners Court Local Organization

at a meeting held on 1/12/79
[Signature]
Secretary, Local Organization
1/12/79
Date

Donley Co. Courthouse
Clarendon, Texas 792
Address Zip

City of Lakeview
Local Organization
Lakeview, Texas 79239
Address Zip Code

By [Signature]
Title Mayor
Date 1-18-79

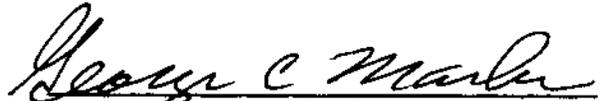
The signing of this agreement was authorized by a resolution of the governing body of the City of Lakeview adopted at a meeting held on 1-18-79 at the City of Lakeview Local Organization

at a meeting held on 1-18-79
[Signature]
Secretary, Local Organization
1-18-79
Date

Lakeview, Texas 79239
Address Zip

Soil Conservation Service
United States Department of Agriculture

Approved by:


State Conservationist

FEB 21 1979
Date

SUPPLEMENTAL
WATERSHED PLAN NO. III

LAKEVIEW WATERSHED
Hall and Donley Counties, Texas

September 1978

PURPOSE OF THE SUPPLEMENTAL PLAN

The purpose of this supplemental watershed plan for the Lakeview watershed is to provide a method to treat critical sediment source areas in the watershed not now provided for in the plan and to modify the plan to reflect current policy and terminology relative to engineering and project administrative costs.

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 25 floodwater retarding structures, 5 grade stabilization structures, 17.1 miles of channel work, 5.9 miles of floodwater diversions, 0.6 mile of dike and 0.7 mile of streambank protection. Most of the accelerated land treatment assistance and 12 floodwater retarding structures have been completed.

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 many of the structural measures and 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 sedimentladen 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 650 acres and will benefit about 10,000 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 chute diversions and dams. Vegetation will include plants such as trees, shrubs, 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 \$350,000 of which \$290,000 is for construction (stabilization) cost and \$60,000 is for technical assistance. Of the \$290,000 cost for construction 80 percent, or \$232,000 will be Public Law 566 cost and 20 percent, or \$58,000 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 cooperator 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.