

SALADO CREEK WATERSHED

SUPPLEMENTAL WATERSHED WORK PLAN No. III

Prepared by
U.S. Department of Agriculture
Natural Resources Conservation Service
(formerly the Soil Conservation Service)

In Cooperation With
Aledo Soil and Water Conservation District
San Antonio River Authority

January 1994
Temple, Texas

SUPPLEMENTAL WATERSHED AND AGREEMENT PLAN NO. III

FOR

**SALADO CREEK WATERSHED
Bexar County, Texas**

**U.S. Department of Agriculture
Natural Resources Conservation Service
(formerly the Soil Conservation Service)
Temple, Texas**

January 1995

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INTRODUCTION

The plan for watershed protection and flood prevention for the Salado Creek Watershed became effective on October 2, 1962. 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 (NRCS).

Salado Creek Watershed comprises an area of 139,808 acres (56,579 hectares). The watershed is approximately 35 miles (56.2 kilometers) long. It is located in Bexar County of Texas. In 1962, the main resource problems in the watershed were frequent floodwater, sediment, and scour damages on about 8,035 acres (3,252 hectares) of flood plain land.

The plan to address these problems was to install 16 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 (2) times since 1962. The supplements addressed the following items:

Supplement I - Deleted two floodwater retarding structures Nos. 13 and 14 and added three floodwater retarding structures Nos. 13A, 13B, and 15A. Floodwater retarding structure No. 15 was redesigned as 15Rev. as a result of the addition of site 15A upstream.

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

Minor revisions by letter exchange have resulted in the renumbering of some structures due to minor engineering changes to structures.

Actions to date include the installation of 13 of the 17 planned floodwater retarding structures and the completion of the planned land treatment. Installation of these measures have reduced many of the resource problems in the watershed.

The remaining works of improvement to be installed include the installation of 4 floodwater retarding structures Nos. 3, 15A, 15R, and 16.

The purpose of this supplement is to further modify the plan at the request of the sponsoring local organizations. This supplement will delete three floodwater retarding structures Nos. 3, 15A, and 16 from the planned works of improvements. This supplement will change the following items in the watershed plan:

1. Delete 3 floodwater retarding structures Nos. 3, 15A, and 16 from the planned works of improvement.
2. Add required certifications on drug-free workplace, lobbying, and other matters.

The sponsors requested the deletion of the floodwater retarding structures because it was determined that landrights would be impossible to obtain. The sponsors are willing to accept the level of protection afforded by the 14 constructed floodwater retarding structures.

SUPPLEMENTAL WATERSHED AGREEMENT NO. III

SALADO CREEK WATERSHED, TEXAS

Between the

Alamo Soil and Water Conservation District
Local Organization

San Antonio River Authority
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 Salado Creek Watershed, State of Texas, executed by the Sponsors named therein and the NRCS (Formerly SCS), became effective on the 2nd day of October 1962; and

Whereas, a Supplemental Watershed Plan Agreement No. I executed by the Sponsors named therein and the NRCS, became effective on the 23rd day of April 1969; and

Whereas, a Supplemental Watershed Plan Agreement No. II executed by the Sponsors named therein and the NRCS, became effective on the 29th 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 October 2, 1962 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 Nos. 3, 15A and 16 are hereby deleted from the planned works of improvements.

(2) 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 \$3,363,183). 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>Service</u> (percent)	<u>Estimated Land Rights Cost</u> (dollars)
14 Floodwater Retarding Structures	100.0	0.0	3,363,183

(3) 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	14,311,232

(4) 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	2,593,400

(5). 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.

(6). 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.

(7). 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.

Alamo Soil and Water Conservation District
Local Organization

By Fred DeMunn
Title Chairman
Feb 24th 1995
Date

The signing of this agreement was authorized by a resolution of the governing body of the Alamo Soil and Water Conservation District adopted at a meeting held on Feb 15th.

William Steubing
(Secretary, Local Organization)

San Antonio River Authority
Local Organization

By Paul W. Giffen
Title GENERAL MANAGER
FEBRUARY 16, 1995
Date

The signing of this agreement was authorized by a resolution of the governing body of the San Antonio River Authority adopted at a meeting held on FEBRUARY 15, 1995.

ASSISTANT James W. Lemmon
(Secretary, Local Organization)

Natural Resources Conservation Service
United States Department of Agriculture

Approved By Charles W. Jordan Acting
Harry W. Oneth
State Conservationist

Date MAR 09 1995

SUPPLEMENTAL WATERSHED PLAN NO. III

SALADO CREEK WATERSHED, TEXAS

Need For Supplement

Since the original Watershed Agreement became effective on the 2nd day of October 1962 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) Floodwater retarding structure Nos. 3, 15A, and 16 will be deleted from the planned works of improvements.
- (2) Add required certifications on drug-free workplace, lobbying, and other matters.

Effects Of The Proposed Changes

The flood protection provided by the planned works of improvement to be deleted at the request of the sponsors will be foregone. Thirteen of the planned 17 floodwater retarding structures have been installed and are providing flood protection to floodplain lands below the structures. Deleting floodwater retarding structure Nos. 3, 15A and 16 from the planned works of improvements will result in a change of floodwater damage reduction from 89 percent to 81 percent. The sponsors are willing to accept the level of protection afforded by the construction of the 14 floodwater retarding structures.

Comparison of Benefits and Costs

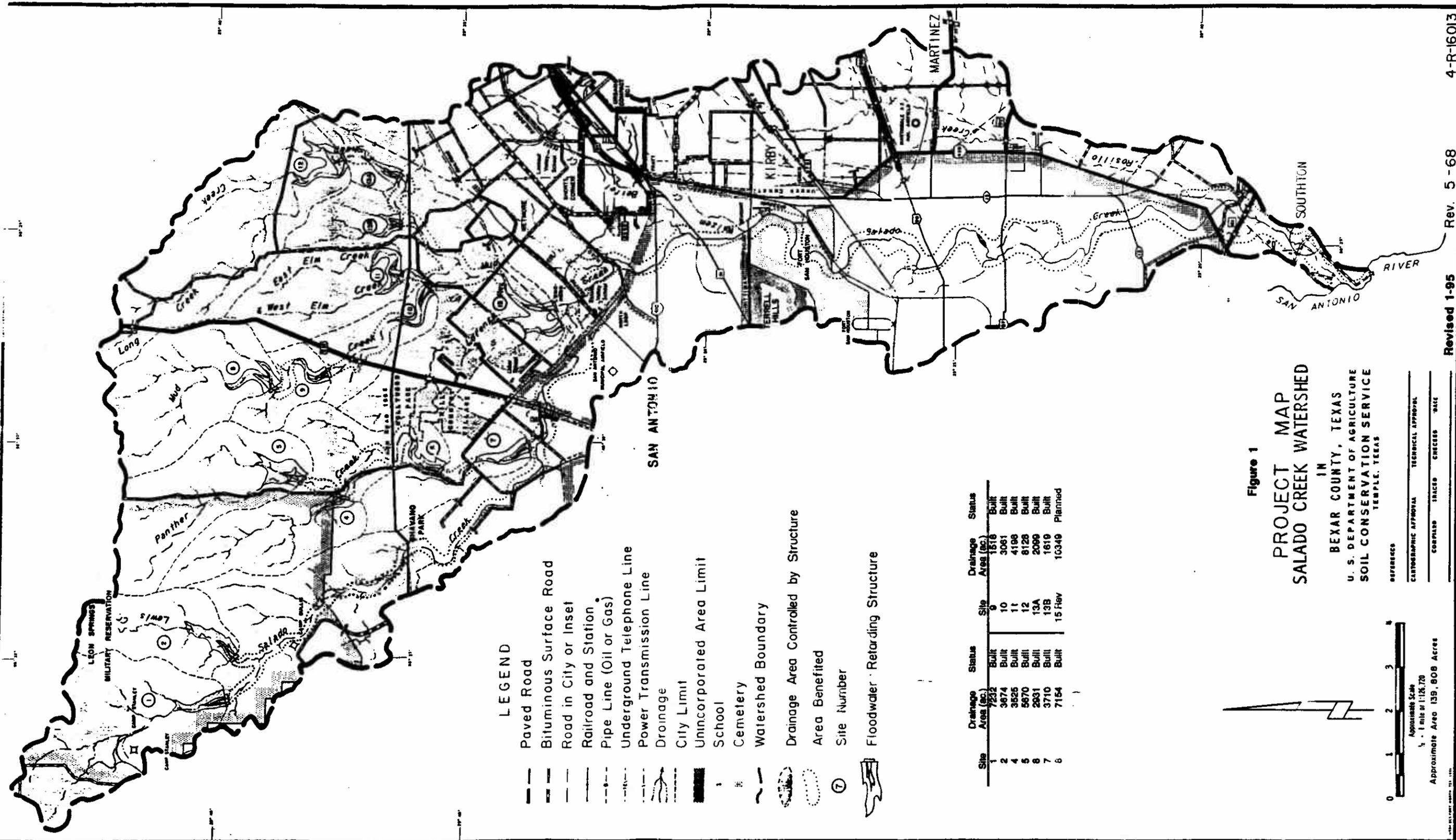
The total average annual cost of structural measures (amortized total installation cost and project administration, plus operation, maintenance and replacement) is \$766,200. These measures are expected to produce average annual benefits of \$3,293,500. The benefit-cost ratio is 4.3 to 1.0.

Revised Table 2. Estimated Cost Distribution - Structural and nonstructural measures
 Salado 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 Administration	Total PL - 566	Construction	Engineering	Land Rights		Project Administration
Constructed FRS										
1	517,091	53,700	-	39,200	629,991			-	500	500
2	216,574	23,800	-	15,800	256,174			-	500	500
4	219,374	21,900		16,000	257,274			37,265	500	17,765
5	927,308	92,700		67,700	1,087,708			232,177	500	232,677
6	1,499,042	194,900		109,400	1,803,342			(927,415)	500	(926,915)
7	1,831,528	201,500		133,700	2,166,728			1,545,000	500	1,712,228
8	298,259	29,800		21,800	349,859			80,435	500	80,935
9	2,018,168	262,400		147,300	2,427,868			18,093	500	18,593
10	3,224,560	322,500		235,400	3,782,460			1,199,211	500	1,199,711
11	1,155,424	127,100		84,300	1,366,824			711,881	500	714,381
12	667,066	66,700		48,700	782,466			101,295	500	101,795
13A	329,406	49,400		24,000	402,806			107,710	500	108,210
11B	184,012	23,900		13,400	221,312			39,092	500	39,592
Subtotal	13,107,812	1,470,100		956,700	15,534,612			3,166,746	6,500	3,173,246
Planned FRS										
15 Reu	1,203,400	79,000		87,400	1,369,800			469,437	2,000	471,437
Grand Total	14,311,212	1,549,100		1,044,100	16,904,412			3,636,181	8,500	3,644,681

1/ Price Base: Actual Cost for constructed structures and 1994 Price Base for remaining structure.

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LEGEND

- Paved Road
- - - Bituminous Surface Road
- - - Road in City or Inset
- - - Railroad and Station
- - - Pipe Line (Oil or Gas)
- - - Underground Telephone Line
- - - Power Transmission Line
- - - Drainage
- City Limit
- Unincorporated Area Limit
- ⊙ School
- ⊙ Cemetery
- - - Watershed Boundary
- Drainage Area Controlled by Structure
- Area Benefited
- ① Site Number
- Floodwater Retarding Structure

Site	Drainage Area (ac.)	Status	Site	Drainage Area (ac.)	Status
1	7232	Built	9	1518	Built
2	3674	Built	10	3081	Built
4	3525	Built	11	4198	Built
5	5670	Built	12	8128	Built
8	2931	Built	13A	2099	Built
7	3710	Built	13B	1819	Built
6	7154	Built	15 Rev	16349	Planned

Figure 1
PROJECT MAP
SALADO CREEK WATERSHED
 IN
 BEXAR COUNTY, TEXAS
 U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE
 TEMPLE, TEXAS

