MANUALLY SIGNED COPY

AGREEMENT

between the following local organizations

Upper Elm-Red Soil and Water Conservation District

Denton Soil and Water Conservation District

(Referred to herein as sponsors)

State of Texas
and the

Soil Conservation Service
United States Department of Agriculture

(Referred to herein as SCS)

Whereas, the Soil Conservation Districts have heretofore entered into a Flood Control Supplemental Memorandum of Understanding with the Soil Conservation Service for assistance in constructing works of improvement for prevention of floods in Trinity River watershed, State of Texas, under the authority of the Flood Control Act of 1944 (58 Stat. 887); and

Whereas, the responsibility for carrying out a portion of the work of the United States Department of Agriculture on the watershed has been assigned by the Secretary of Agriculture to the SCS; and

Whereas, there has been developed through the cooperative efforts of local organizations and SCS this plan for planning and application of land treatment measures for the Isle Du Bois Creek watershed, State of Texas.

Now, therefore, in view of the foregoing considerations, the Sponsors and the Secretary of Agriculture, through the Service, hereby agree on the watershed plan, and further agree that the land treatment measures as set forth in said plan can be installed in about seven years.

It is mutually agreed that in installing and operating and maintaining the land treatment measures substantially in accordance with the terms, conditions, and stipulations provided for in the watershed plan:

1. The sponsors assure that comparable replacement dwellings will be available for individuals and persons displaced from dwellings, and will provide relocation assistance advisory services and relocation assistance, make the relocation payments to displaced persons, and otherwise comply with the real property acquisition policies contained in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646, 84 Stat. 1894) effective as of

January 2, 1971, and the Regulations issued by the Secretary of Agriculture pursuant thereto. The costs of relocation payments will be shared by the sponsors and SCS as follows:

	Sponsors (percent)	SCS (percent)	Relocation Payment Costs (dollars)
Relocation Payments	66.77	33.23	0 1/

2. The sponsors will acquire or provide assurance that landowners or water users have acquired such water rights pursuant to state law as may be needed in the installation and operation of the land treatment measures.

3. The percentages of installation costs 2/ to be paid by the sponsors and by SCS are as follows:

Works of Improvement	Sponsors (percent)	SCS (percent)	Estimated Installation Costs (dollars)
870 Acres Critical Area Treatment	20	80	$300,000

4. The sponsors will provide assistance to landowners and operators to assure the installation of the land treatment measures shown in the watershed plan.

5. The sponsors will encourage landowners and operators to operate and maintain the land treatment measures for the protection and improvement of the watershed.

6. The costs shown in this plan represent preliminary estimates. In finally determining the costs to be borne by the parties hereto, the actual costs incurred in the installation of works of improvement will be used.

1/ Investigation has disclosed that under present conditions the project measures will not result in the displacement of any person, business, or farm operation. However, if relocations become necessary, relocation payments will be cost shared in accordance with the percentages shown.

2/ Installation cost is construction and vegetation cost and does not include technical assistance cost.

7. This agreement is not a fund obligating document. Financial and other assistance to be furnished by SCS in carrying out the plan is contingent upon the fulfillment of applicable laws and regulations and the availability of appropriations for this purpose.

8. A separate agreement will be entered into between SCS and the District Cooperator before either party initiates work involving funds of the other party. Such agreements will set forth in detail the financial and working arrangements and other conditions that are applicable to the specific works of improvement.

9. This plan may be amended or revised, and this agreement may be modified or terminated only by mutual agreement of the parties hereto except that an amendment to incorporate changes affecting one specific local sponsor may be made by mutual agreement between the SCS and that sponsor involved. This includes all changes affecting that sponsor including the addition of sponsors to this supplement where such action is determined necessary.

10. No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this plan, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

11. The program conducted will be in compliance with all requirements respecting nondiscrimination as contained in the Civil Rights Act of 1964, as amended, and the regulations of the Secretary of Agriculture (7 CFR 15.1-1t.12), which provide that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any activity receiving Federal financial assistance.

Upper Elm-Red Soil and Water Conservation District
Local Organization

P.O. Box 340
Gainesville, Tx 76240
Address Zip Code

By J H Bayer
Title Chairman
Date 7/16/79

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
Local Organization

at a meeting held on 7/16/79.

Andrew Enderby
Secretary, Local Organization

Rt 1, Box 139F
Valley View, Tx 76274
Address Zip Code

7/16/79
Date

Denton Soil and Water Conservation District
Local Organization

P.O. Box 40
Denton, Tx 76201
Address Zip Code

By John Blair Jr.
Title Chairman
Date 7-5-79

The signing of this agreement was authorized by a resolution of the governing body of the Denton Soil and Water Conservation District at a meeting held on
Local Organization

7-5-79.

Alfred H. Sellmeyer
Secretary, Local Organization

R-1, Krum, Tx 76249
Address Zip Code

7-5-79
Date

Soil Conservation Service
United States Department of Agriculture

Approved by:

George C. Marks
State Conservationist

JUL 26 1979
Date

WATERSHED PLAN

ISLE DU BOIS CREEK WATERSHED
Of the Trinity River Watershed
Cooke, Denton, and Grayson Counties, Texas

Plan Prepared and Works of Improvement
to be Installed Under the Authority
of the Flood Control Act of 1944
As Amended and Supplemented

Participating Agencies

Denton Soil and Water Conservation District
Upper Elm-Red Soil and Water Conservation District

Prepared By:
Soil Conservation Service
U.S. Department of Agriculture
1979

WATERSHED PLAN

ISLE DU BOIS CREEK WATERSHED
Of the Trinity River Watershed
Cooke, Denton, and Grayson Counties, Texas

1979

INTRODUCTION

Isle Du Bois Creek watershed is a subwatershed of the Trinity River watershed authorized by the Flood Control Act of 1944 (58 Stat. 887).

This plan for watershed protection for the Isle Du Bois Creek watershed was prepared by the Soil Conservation Service with the Upper Elm-Red and the Denton Soil and Water Conservation Districts. The plan is for the planning and installation of land treatmet measures including cost sharing on critical area treatment measures.

DESCRIPTION OF THE WATERSHED

Isle Du Bois Creek watershed is located in Cooke, Grayson, and Denton Counties and encompasses 206,490 acres (322.64 square miles).

Isle Du Bois Creek originates near the town of Whitesboro and flows south entering the Elm Fork of the Trinity River west of the town of Pilot Point in Denton County. Some of the larger tributaries are Wolf, Indian, Buck, Range, Spring and Timber Creeks.

The watershed is in the Cross Timbers and Prairies and Blackland Prairies Land Resource Areas. The major upland soils (Aubrey, Callisburg, Konsil, Wilson, Vertel, Heiden, Normangee, Crockett, and Rayer) are mostly deep loamy fine sands to fine sandy loams. The bottomland soils (Tinn, Frio, and Trinity) are deep clays and loams. Fertility levels are generally moderate and erosion is moderate to severe.

Land use in the watershed is estimated to be:

Land Use		Acres	Percent
Cropland		56,000	27
Pastureland		145,000	70
Other 1/		5,490	3
	Total	206,490	100

1/ Includes urban areas, roads, highways, and railroads.

The natural vegetation consists generally of a post oak and blackjack oak savannah in the Cross Timbers and Prairies. The Blackland Prairies are true grass prairies with about five percent cover of woody vegetation such as live oak, elm, and hackberry. Some of the climax grasses are little bluestem, indiangrass, big bluestem, sand lovegrass, switchgrass, and virginia wildrye. Increases are tall dropseed, hairy grama, silver bluestem, sideoats grama, texas wintergrass, and woody plants. Vegetation that invades as a result of overuse includes sand dropseed, threeawns, fall witchgrass, windmillgrasses, texas grama, mesquite, pricklypear, nightshades, sumac, and annuals.

The annual precipitation is about 35 inches. The average growing season is about 226 days.

Agriculture production constitutes an important part of the economy of this watershed. Farm units in the watershed average about 200 acres in size. The livestock enterprise consists primarily of beef cattle and dairying. Cash crops grown in the watershed are cotton, peanuts, hay and small grains.

The Soil Conservation Service field offices at Gainesville, Sherman, and Denton are assisting the Upper Elm-Red and the Denton Soil and Water Conservation Districts with accelerated land treatment programs in the watershed. Conservation agreements and plans have been developed on about 75 percent of the watershed area. Approximately 70 percent of the needed land treatment has been accomplished.

WATERSHED PROBLEMS

Throughout the watershed there are areas which yield large amounts of sediment. Erosion from critical areas is a problem. Accelerated land treatment and critical area treatment are especially important in providing additional cover that will reduce the rate of sediment laden runoff. Average soil loss per year from untreated cropland is estimated to be 14 tons per acre and 2.5 tons per acre on pastureland. This sediment contributes to the filling of downstream reservoirs, pollutes streams and rivers reducing both quality of water and capacity to carry water, damages 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

An effective conservation program based upon the use of each acre of agricultural land within its capabilities and its treatment in accordance with its needs is essential to a sound and continuing program of land treatment in the watershed. Emphasis will be placed on accelerating the establishment of land treatment practices which have a measurable effect on the reduction of sediment damages. Remaining land treatment practices are needed on 20,650 acres, which includes 5,700 acres of cropland and

14,950 acres of pastureland. These practices include conservation cropping systems, terraces, waterways, pasture planting and pasture management. It is estimated that practices installed because of the accelerated land treatment program will reduce the average soil loss per year to less than 4 tons per acre on cropland and to less than 1.2 tons per acre on pastureland. This land treatment program will amount to an estimated reduction of 76,435 tons of sediment each year in the Isle Du Bois Creek watershed.

Land treatment measures are needed to stabilize about 870 acres of critically eroding areas. These measures, which will be cost-shared with flood prevention funds, include shaping, clearing, 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, shurbs, vines, grasses, and legumes.

It has been determined that installation of floodwater retarding structures is not feasible in this watershed.

EXPLANATION OF INSTALLATION COSTS

The estimated cost of planning and installing land treatment measures is $760,600 and will be borne by other funds. Accelerated technical assistance will be provided to landowners and operators through the soil and water conservation districts by the Soil Conservation Service at an estimated cost of $108,400 from flood prevention funds.

The total estimated cost of installing the planned critical area treatment measures covered by this plan is $360,000 of which $300,000 is for construction (stabilization) cost and $60,000 is for technical assistance. Of the $300,000 cost for construction 80 percent or $240,000 will be federal cost and 20 percent or $60,000 will be local costs.

BENEFITS FROM WORKS OF IMPROVEMENT

These land treatment measures when efficiently applied 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

The needed land treatment measures will be installed by landowners and operators under agreement with the Upper Elm-Red and Denton Soil and Water Conservation Districts. The cost of applying land treatment measures, except critical area treatment measures, will be borne by the owners and operators of the land. Flood prevention funds will be used for technical assistance in accelerating the application of conservation measures. The measures covered by this plan will be established over a seven-year period.

The cost of applying the critical area treatment measures will be shared 80 percent Federal funds and 20 percent local funds. Each conservation district will be responsible for the work in their respective districts. The sponsoring local organization will acquire without cost to the federal government such construction permits as will be needed for the installation of critical area treatment measures included in this plan. They will make arrangements with individuals, county commissioners, or other groups responsible for the land on which the work is being installed. Planned measures to be cost-shared will be included as a part of the conservation plan approved by the District. Depending on the preference of those concerned, installing the works of improvement will be handled by one of the following methods: (1) contract, (2) force account, or (3) installation by the cooperator on an average cost basis. A Conservation Plan Supplement (C.P.S.) will be completed prior to beginning installation of any cost-share land treatment work. This Conservation Plan Supplement will specify method of installation, planned treatment, quantities, estimated costs and estimated time schedule for installation, etc., for cost-share and essential non cost-share practices. The necessary technical assistance will be furnished by the Service and cost-shared measures will be installed in accordance with Service standards and specifications.

OPERATION AND MAINTENANCE

The land treatment and 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 Soil Conservation 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 time.

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 unusually severe floods, or after the occurrence of any other unusual conditions that might adversely affect these measures.

TABLE 1 - ESTIMATED PROJECT INSTALLATION COST

ISLE DU BOIS CREEK WATERSHED, TEXAS

Installation Cost Item	Unit	Number: Federal Land	Number: Non Federal Land	Number: Total	Estimated Cost (Dollars) 1/: Federal Funds Non Federal Land SCS	Estimated Cost (Dollars) 1/: Other Non Federal Land SCS	Estimated Cost (Dollars) 1/: Total
LAND TREATMENT							
Land Areas							
Cropland	Acres	-	5,700	5,700	-	182,400	182,400
Pastureland	Acres	-	14,950	14,950	-	578,200	578,200
Rangeland	Acres						
Critical Area Stabilization	Acres	-	870	870	240,000	60,000	300,000
Technical Assistance					168,400	-	168,400
TOTAL LAND TREATMENT	xxx	xxx	xxx	xxx	408,400	820,600	1,229,000
TOTAL PROJECT					408,400	820,600	1,229,000

1/ Price Base: 1979

1979