

January 18, 2019

Evaluation Branch, North Unit  
Regulatory Division, CESWG-RD-E  
Galveston District  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Texas Commission on Environmental Quality  
401 Coordinator  
MSC-150  
P.O. Box 13087  
Austin, Texas 78711-3087

**RE: Permit Application No. SWG-2016-00384  
Romera Investments, LLC**

Dear Corps and TCEQ,

Trailwood Village consists of 927 homes and also includes 178 apartment units, and 44 townhomes. Included in our legal boundaries are also two other housing developments, Deer Cove and Deer Ridge Estates. All 48 homes within the Deer Cove Subdivision flooded in Hurricane Harvey. 34 homes in Trailwood Village proper flooded, and multiple homes in Deer Ridge Estates flooded. Many of these homes are not fully repaired at this time and a few sit, covered in mold and dilapidated beyond repair from homeowners that simply walked away.

All together over 82 homes within the Trailwood Village boundaries flooded from the rising flood waters of the San Jacinto River. Trailwood Village runs along the western boundary of this permit application.

As stated by USACE, the requirements of the Public Notice shall include all factors, which may be relevant to the proposed project to be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. Following review of the Public Notice SWG-2016-00384 issued on December 27, 2018 it is clearly evident by the TVCA that

the following factors should be fully evaluated prior to a formal review and be used by the USACE in permit denial:

In regards to **conservation**, the proposed project requests to fill numerous acres of bottomland hardwood riverine wetlands, headwaters and unimproved JWUS and replace with multiple residential high rises, parking lots, commercial buildings, high density marina and related amenities. The proposed activities are the opposite of conservation and should be fully evaluated prior to denial of the permit application.

In regards to **aesthetics**, as stated above under conservation, the proposed structures and activities are the complete opposite of the current aesthetics and should be fully evaluated prior to denial of the permit application.

In regards to **wetlands**, the applicant is requesting to fill or flood bottomland hardwood riverine wetlands and minimize impacts by only partially filling various wetlands scattered throughout the site. When are permit applicants going to end the charade of trying to get this “minimization step” approved knowing full well that the functions and values of the filled wetlands and those areas surrounding it cease to exist and instead be included in the areas to be impacted not “avoided”.

In regards to **floodplain values**, both in the physical and mathematical sense, will be negatively impacted. Currently, the proposed “uplands” shown on the permit plans flood on a monthly basis and are active floodplains in every sense of the phrase since Hurricane Harvey. Furthermore, following the USGS/FEMA publication SIR 2018-5070 the entire project area is currently being evaluated to determine if additional, if not the majority of the tract should be considered floodway. If the floodway is only marginally expanded, it is reasonable to assume the entire tract will be in the 1% floodplain since many of these areas have flooded 6 times in the last 11 months.

In regards to **water quality**, the applicant proposed to convert native vegetation, forested uplands and bottomland hardwood wetlands into concrete pavement. To improve already poor water quality levels in the immediate watershed, the applicant proposed to construct man-made structures designed to shed runoff as quickly as possible. Next, add 1000's of additional vehicles driving around in the proposed development, and for good measure throw in some fertilizer and animal feces runoff from supposed “green space” areas, it does not take much imagination to determine that the factors above will severely degrade already existing poor water quality parameters. TVCA would also like to request a copy of the Alternative Analysis or similar document from the TCEQ that demonstrates the applicant reviewed other similar

sites prior to submitting this application. The proposed activities will not improve water quality and should be fully evaluated prior to denial of the permit application.

We hope that in the coming months, the applicant can provide a more concise public notice which actually includes enough detail so the surrounding residents can make informed decisions on the proposed development. Without any detailed information concerning impacts to the overall functions and values of the site, impacts to current and future flood levels and potential hazards to human health due to public safety concerns attributed to increased traffic loads, it is our opinion that the permit application should be denied by the USACE and TCEQ upon completion of the Public Notice review period. It is also requested that any revisions and supplements to this proposed project by this applicant or any others which involve this project area, if re-noticed, be placed on a full 30-day Public Notice in order to allow all stakeholders an opportunity to provide comments which will allow the USACE and TCEQ to make an informed decision that would positively impact the public interest, and more specifically, our community, Trailwood Village.

Respectfully,

Trailwood Village Community Association Board of Directors