

January 16, 2019

*Via U.S. First Class Mail and
Email at 401certs@tceq.texas.gov*

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

RE: USACE Permit Application / File No. SWG-2016-00384

Ladies and Gentlemen:

The above-referenced permit application has come to our community's attention and, as homeowners within The Kingwood Lakes South Community Association, we are compelled to provide you with written commentary on the subject development application.

While we have lived in Kingwood, Texas for only five years, we have come to love this community and embraced its moniker, the "Livable Forest". Although our sentiments are intrinsic and have provoked our engagement on this issue, the environment's acute impact from the proposed development is the reason for this letter. This permit application warrants a thorough, thoughtful review and critical evaluation of the potential impact from the proposed *Hérons of Kingwood* development (the "*The Hérons*").

Houston is no stranger to the transformation of swamp and prairie to vital centers of commerce and community throughout the region. Like Houston, such economic and sociographic transformation is not foreign to Kingwood. Kingwood, itself, is the master-planned, end-result of the Friendswood Development Company's strategic partnership derived from considerable planning, engineering and construction. Kingwood, as intended in 1971, continues to thrive with minimally intrusive villages amid greenbelts, trails and nature preserves. *The Hérons*, however, imposes a drastic, invasive and exploitative degradation of the environment.

Among several concerns, the following bear the greatest significance:

Floodplain impact – Harvey flood waters raised awareness of the potential of flooding but it has also elevated the recognition that local, county, state and federal officials can no longer rely on antiquated flood maps nor guess at assumptions pertaining to flood control, drainage and the efficacy of waterway management. Multiple influences – including manmade and organic – influence the capacity, the frequency, and the duration of flooding throughout the area. Harvey's aftermath made it abundantly clear that regional resources and infrastructure need enhancement and investment but funding for such improvements remain unrealized and uncertain. Until authorities (i) have more valuable and accurate data and (ii) can demonstrate responsible management of the floodplain and its mitigating factors amid Houston expansion and rising sea levels, a development of *The Heron*'s magnitude adjacent to the San Jacinto River and Lake Houston is irresponsible and potentially negligent.

Conservation of wetlands and wildlife – the wetlands and woodlands which would be removed and replaced with *The Hérons* development is a primary concern. Apart from the importance of wetlands' influence on water chemistry, the permanent alteration of the wetlands and woodlands will contribute to additional

flooding and pollution, reduction of erosion control, and the permanent destruction of the habitat for indigenous wildlife. Bald eagles, hawks, deer, coyote, among other species, along with the flora and fauna, filter through Kingwood's geography but their presence is ever more abundant nearest the San Jacinto River. The removal of these areas will result in the indigenous wildlife to perish along with their contribution to the biology of the ecosystem.

Economics – ultimately, the construction of *The Herons* requires the social, commercial and economic infrastructure to transfer the “vision” into a reality. The “reality” is that Kingwood cannot sustain *The Heron's* vision without significant business and commercial presence within the villages. The equivalent of an Exxon or a Shell taking occupancy in this complex would be necessary for it to be a going concern. However, it is not feasible or advantageous for a business entity to construct a considerable campus on the banks of the San Jacinto with the ever-present threat of flooding. Romerica may build it, but despite the artistic renderings, the enterprise begs the question, “*Who will come?*”

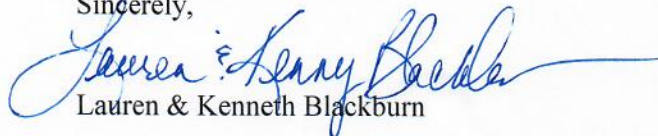
Most importantly, additional economic questions must be positioned and evaluated before the developer and local authorities proceed with this permit application. “*What if the development cannot be completed?*” “*If the developer is unable to complete the project, then what will happen to the land and who will be responsible?*” The “vision” for this development to diminish and go defunct is just as realistic as its conception. One of the worst yet realistic scenarios is the destruction of acres of wetlands and lost wildlife for an incomplete complex and a barren, bankrupt landscape. And perhaps a more critical question to ask is “*Can local, state and federal governments and programs afford the scale of loss, destruction, remediation and reparations that will be required when another act of nature devastates those families and businesses who will occupy the Herons development and its neighbors?*” The magnitude and scale of this project demands an in-depth risk evaluation. In our estimation, the risks of *The Herons* far outweigh the potential rewards.

We ask that the U.S. Army Corps of Engineers protect the last of the remaining wetlands in Kingwood especially in the wake of Hurricane Harvey. There is a distinction between “undeveloped” and “underdeveloped” land and there is value in both. But for the future of Kingwood and its most important resource - its wetlands – it is imperative to preserve and protect the undeveloped land subject to this permit application. Its protection is far more valuable than the price our community could pay if *The Herons* is constructed.

At a minimum, we request that a public hearing be scheduled for further discussion purposes. At best, we respectfully request that this permit application be rejected and permanently closed.

Thank you for the opportunity to provide our earnest comments for your consideration.

Sincerely,


Lauren & Kenneth Blackburn