January 4, 2019

To whom it may concern,

Below our my wife and my comments regarding the U.S. Army Corps of Engineers (Corps) Galveston District, Section 10/404 proposed Permit Application No. SWG-2016-00384, Romerica Investments, LLC, located in waters of the United States (U.S.) and wetlands adjacent to the West Fork of the San Jacinto River, Kingwood, Harris County, Texas.

We currently own a house in the Barrington, having lived there for nearly five years (with the exception of August 29, 2017 through February 5, 2018). Hurricane Harvey brought 28 inches of San Jacinto River water into our house and brought water into every other of the 247 houses in Barrington August 29, 2017.

From the broadest of perspectives, the plan captioned above makes entirely no sense, is poorly thought out, is poorly planned, and disregards recent San Jacinto River flood history. The fact remains, that since October 18, 1994 when the San Jacinto River crested at 67.3’, the geomorphology of the river system changed dramatically and permanently. Until recently no local, county, or federal agency took any steps over the past 25 years to help control future flooding. As such, 6 of the 9 highest crests ever recorded have occurred since that time, culminating in Harvey’s crest of 69.18’. All 6 of these crests were in excess of 57’, somehow a relevant elevation in the referenced Public Notice.

In short, the misleading Notice disregards the significance of not only major construction on an erroneous 100 year floodplain of 57’ but actually in a current floodway. No volume of work or study will demonstrate this construction will not further jeopardize existing communities but also will not lay the groundwork for a failed future project, due to inevitable flooding above 57’ in the future.

Now that Hurricane Harvey has revealed the full impacts of flooding in our area, before approving proposals like this one, which are in the 100-year floodplain/floodway, the Corps should require an analysis, using Harvey and other data, about the flood potential and safety of construction in the floodplain/floodway of the West Fork of the San Jacinto River and its tributaries, including Bens Branch-Frontal Lake Houston Watershed, which flooded during Hurricane Harvey.

The applicant does not provide any documentation about how it will provide for operation and maintenance dredging of the site so that Section 10 navigation will continue over the lifetime of the developments and after floods. Periodic dredging will be required as flood waters fill the three channels and floodplains/floodways with sediment. Dredge disposal areas will be needed onsite to allow dredge material to be placed in areas where the 100-year floodplain/floodway is not affected. The Corps should require that the applicant prepare a dredge disposal management plan. The public should see this plan and review and comment on its adequacy.

The Corps should require that the applicant now provide its permittee responsible mitigation plan for wetlands, streams, and waters of the U.S. and or purchase of wetland credits from wetland and stream mitigation bank(s), so the public can review and comment on its adequacy.

It is a concern that the Corps has not verified the Interim Hydro geomorphic assessment and Level 1 Stream assessment. This is particularly important since a major river, the West Fork of the San Jacinto River and part of Lake Houston, will be impacted by these developments. The public should be provided this information so that it can review and comment on its adequacy. The Corps should either deny the permit application or return it to the applicant until the mitigation plan is prepared and made available for the public to review and comment.

Contrary to the Corps belief, An Environmental Impact Statement is required due to the permanent, loss of a large acreage of wetlands, the presence of special aquatic sites, possible aquatic resources of national importance (ARNI) that will be destroyed or degraded by the proposal, the construction of the proposal in the 100-year floodplain, and because the proposal enables or induces additional residential and commercial development directly and indirectly in the floodplain which puts people in “harm’s way”.

Some of the ways that this proposal puts people in harm’s way include the expansion of Woodland Hills will destroy existing entranceways to Barrington Kingwood Subdivision at Cotswold Blvd. and Deer Cove Trail Subdivision; destroy an existing sidewalk that goes from the FFA facility in Deer Ridge Park north on Woodland Hills Road; destroy part of River Grove Park and potentially Deer Ridge Park; destroy forests and wetlands on Hamblen Road; connect Hamblen Road to Woodland Hills Road in an area that flooded during Hurricane Harvey; increased traffic/speed of traffic will affect residents, students, and park users and could result in more injuries, deaths, damage to property, and roadkill.

We request a public hearing about this permit application and proposal. The Corps should contact all surrounding businesses, residential areas (like Trailwood Village Subdivision, Kingwood Lakes Village Subdivision, Clubs of Kingwood, Barrington Subdivision, and Kingwood Lakes South Community Association), churches (like Kingwood United Methodist Church), schools, parks (like Deer Ridge Park, River Grove Park, Boy Scout Reserve), and other entities that may be affected by the proposal, up or downstream, so that the local public can find out about, understand, and attend this public hearing and provide public comments.

Due to the concerns raised in this comment letter we request that the Corps deny this permit application and any future permits with this sort of development in mind. We appreciate this opportunity to provide public comment on this proposed permit application. Thank you.

Sincerely,

Eric & Lisa Vogl