



November 8, 2017

Mr. Adam Boenig
Brohn Homes
6720 Vaught Ranch Rd., Suite 200
Austin, TX 78730

Delivered via email to adamb@brohnhomes.com

Re: FITZHUGH 83 ACRES WETLANDS AND WATERS OF THE U.S. SCREENING (the "Project")
BWC PROJECT NO. 171002

Dear Mr. Boenig:

Pursuant to your request, this letter is our review of wetlands and waters of the United States that may fall under the regulation of the Clean Water Act and potential jurisdiction of the U.S. Army Corps of Engineers (USACE) within the approximately 83 acre more or less Fitzhugh Property (the "Property") located off of Fitzhugh Road, just north of the intersection of US 290 and Fitzhugh Road, in Travis County, Texas (Figure 1).

BWC professional certified scientists evaluated the Property for the presence of "waters of the United States" as defined in 33 CFR 328.3, including wetlands. Waters of the United States are regulated by the U.S. Army Corps of Engineers (USACE) under the Clean Water Act. A preliminary evaluation of the three parameters was performed by BWC prior to the field investigation by examination of existing conditions to include topographic mapping, recent and historic aerial imagery and photography, the National Wetlands Inventory (NWI) information obtained from the Wetlands Online Mapper (U.S. Fish and Wildlife Service (USFWS) NWI 2017), and the U.S. Department of Agriculture (USDA) Soil Conservation Service (SCS) Soil Survey of Travis County, Texas (USDA SCS). Available reference information was verified during the site inspection. During the field investigation, BWC characterized soils, vegetation, and hydrology within the Property to identify any potential wetlands and WOUS present.

BWC scientists visited the Property on October 25, 2017 to assess the current conditions and identify those areas that would most likely fall within the regulatory purview of the USACE according to the Corps of Engineers Wetlands Delineation Manual (1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains (Version 2.0, March 2010). Based on the field investigation and data analysis, no potentially jurisdictional wetlands or waters of the U.S. were located within the Property (Figure 2).

The Property consists of approximately 83 acres more or less, of rangeland used primarily for agricultural purposes. Vegetation within the Property consisted primarily of upland dominant vegetation species characteristic of juniper-oak woodlands and savannah within the region. In the area along the USGS-mapped ephemeral drainage, dominant species included plateau live oak, Ashe juniper, grasses and other broad-leaf herbaceous species. Other areas within the Property consisted of small clusters and thickets of Ashe juniper, oak, hackberry, and shrubs.

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A review of the U.S. Geological Survey topographic maps of the Property showed that the Property was primarily composed of sloping uplands, with one potential mapped water feature according to the National Hydrography Dataset (NHD) and National Wetlands Inventory (NWI) (ephemeral drainage) centrally located along the northern boundary of the Property (Figure 2). The Property is located outside of the mapped 100-year floodplain. No areas of standing water were present within the Property; however, a dry, isolated man-made impoundment was observed along the northern boundary of the Property.

The ephemeral drainage mapped within the Property by the USGS and NHD was identified as an unnamed tributary to Grape Creek (Figures 1 & 2). Within the Property, no indications of the presence of the USGS-mapped ephemeral drainage identified as an unnamed tributary to Grape Creek, were observed. The area within the Property was a broad, undefined upland swale dominated primarily by Plateau live oak, Ashe juniper, King Ranch bluestem, Texas broomweed, ragweed, and honey mesquite, with no presence of Ordinary High Water Marks (OHWM) or OHWM indicators, channel, bed or bank (Figure 2).

The immediate area surrounding the isolated man-made impoundment and downgradient did not include any herbaceous or woody species otherwise adapted to moist soil conditions. Soil evaluations were performed to determine if hydric soil characteristics were present which could indicate the presence of a potentially jurisdictional wetland. The soil evaluations were conducted just downgradient of the isolated impoundment berm along the Property boundary and at the uppermost extent of the boundary of the isolated impoundment, in the areas where the soil moisture was expected or to be the greatest, and was also located within the USGS-mapped area of the ephemeral drainage.

Hydric soils are defined by the NRCS as soil that is formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anaerobic conditions in the upper portion of the soil profile. The presence of hydric soils is one of three key factors in determining whether wetlands occur on a site. Soil types across the Property were identified and described using the NRCS Soil Survey of Bexar County, Texas and the USDA NRCS Web Soil Survey Mapper for possible revisions to the areas soils data. The Hydric Soils of Texas List published by the USDA NRCS (1983), was also reviewed to evaluate if any of the mapped soils present within the Property were classified as a hydric soil. A Munsell® Soil Color Chart (Kollmorgen Instruments Corp. 1990) was used to identify any potentially hydric soils in the field. A hydric soil is defined as a "soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part" (USDA NRCS 2015). According to the Wetlands Delineation Manual (USACE 1987) and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (Version 2.0, March 2010), common hydric soil indicators include low chroma (chroma <2, value >4) matrix, concretions, or listing on local or national hydric soils lists. No hydric soils were identified or present within the Property.

All of the soil evaluations taken during the field investigations were a clay texture without any hydric soil indicators observed. None of the soils observed displayed oxidation or contained an organic layer. None of the soil map units within the Property were classified or identified by the USACE or NRCS as hydric soils occurring within the State of Texas (USACE 1983, USDA SCS 1983).

Downgradient and outside of the Property, no channelization, bed, bank and OHWM were observed along the NHD and NWI mapped drainage, that would indicate there was a significant nexus to any WOUS regulated by the USACE. No distinct change in vegetation communities occurred, with upland herbaceous vegetation dominant throughout the entire extent of drainage swale.

Drainage from the Property appeared to be released as overland sheet flow across and onto the adjacent properties via a broad swale-like area within the Property. No indication of any other channelized drainage areas with definable ordinary high watermarks or wetland characteristics were observed within or in the immediate vicinity of the Property.

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Therefore, BWC believes that the Property contains no "wetlands" or "waters of the United States" as currently defined in 33 CFR 328.3.

If you have any questions pertaining to this review, please contact me at 512-415-9772 or jenny@blairwildlife.com. We appreciate the opportunity to assist you with this project.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Blair". The script is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jennifer Blair, CWB
Principal
Senior Scientist
BLAIR WILDLIFE CONSULTING, LLC

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PHOTO 1. Upgradient view of the typical conditions of isolated man-made impoundment.

OBSERVER: J. Blair & T. Blair DATE: 10/25/2017



PHOTO 2. Upgradient view of the typical conditions of isolated man-made impoundment.

OBSERVER: J. Blair & T. Blair DATE: 10/25/2017



PHOTO 3. View of the typical conditions of isolated man-made impoundment berm.

OBSERVER: J. Blair & T. Blair DATE: 10/25/2017



PHOTO 4. View of the typical conditions downgradient of isolated man-made impoundment berm.

OBSERVER: J. Blair & T. Blair DATE: 10/25/2017



PHOTO 5. Downgradient view of the typical conditions within and adjacent to the isolated man-made impoundment.

OBSERVER: J. Blair & T. Blair DATE: 10/25/2017



PHOTO 6. Downgradient view of the typical conditions within and adjacent to the isolated man-made impoundment.

OBSERVER: J. Blair & T. Blair DATE: 10/25/2017

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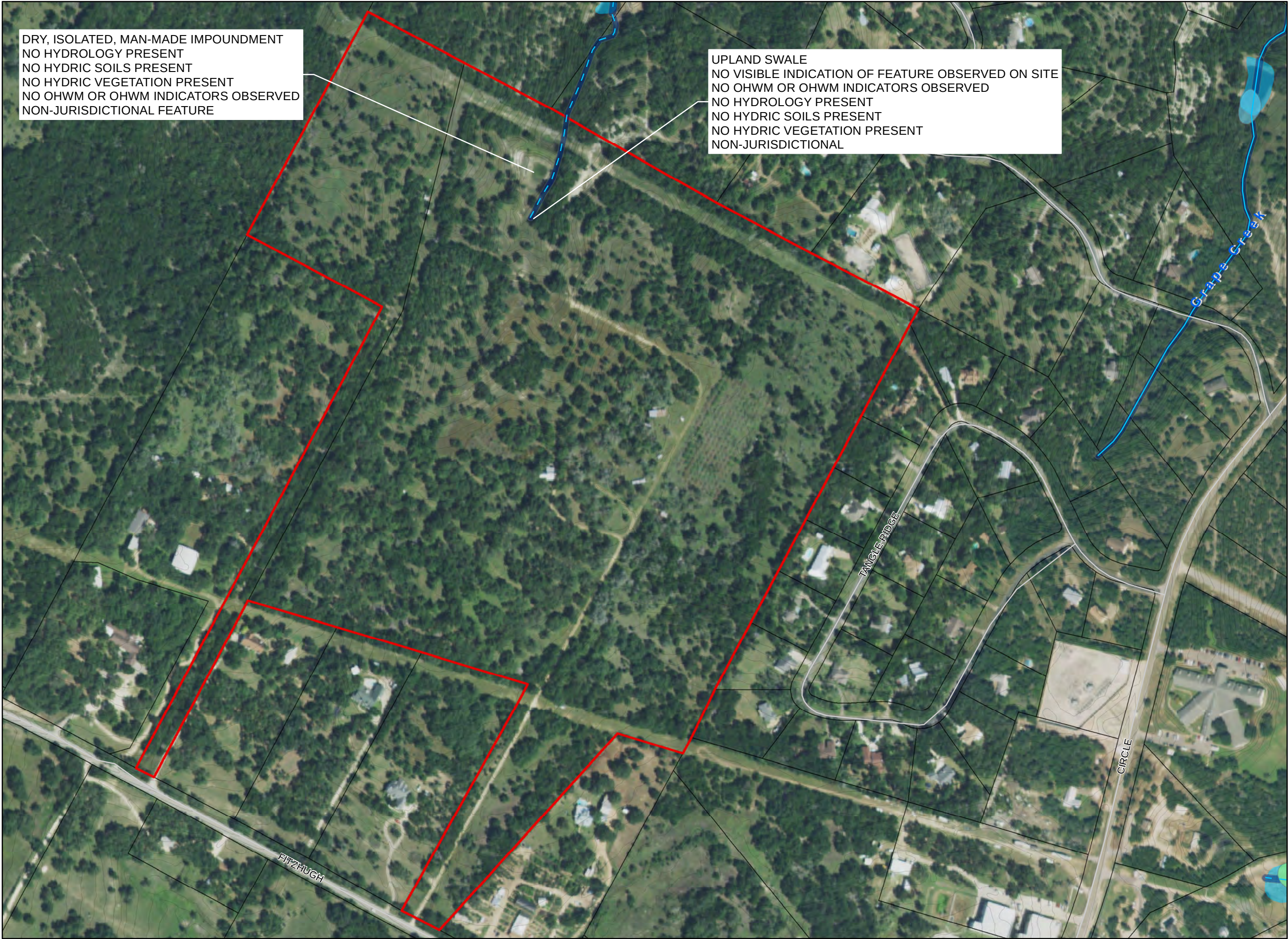
0 500 1,000
FEET

UNNAMED STREAM

NAMED STREAM

OPEN WATER

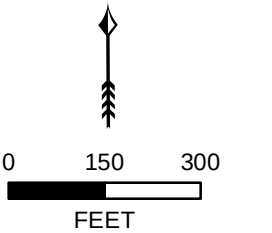




DRY, ISOLATED, MAN-MADE IMPOUNDMENT
NO HYDROLOGY PRESENT
NO HYDRIC SOILS PRESENT
NO HYDRIC VEGETATION PRESENT
NO OHWM OR OHWM INDICATORS OBSERVED
NON-JURISDICTIONAL FEATURE

UPLAND SWALE
NO VISIBLE INDICATION OF FEATURE OBSERVED ON SITE
NO OHWM OR OHWM INDICATORS OBSERVED
NO HYDROLOGY PRESENT
NO HYDRIC SOILS PRESENT
NO HYDRIC VEGETATION PRESENT
NON-JURISDICTIONAL

FIGURE 2
POTENTIAL
WOUS WITHIN
THE PROPERTY
FITZHUGH 83 ACRES
WETLANDS AND WATERS
OF THE US ASSESSMENT



- FITZHUGH 83 ACRES
- UNNAMED STREAM
- NAMED STREAM
- NHDWATERBODY
- FRESHWATER EMERGENT WETLAND
- FRESHWATER FORESTED/SHRUB WETLAND
- FRESHWATER POND
- LAKE
- RIVERINE
- OTHER
- ROADS
- TCAD PARCELS
- 2-FT CONTOURS