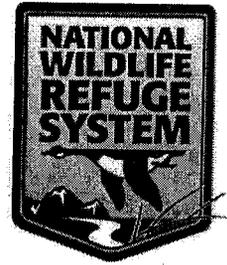


APPENDIX D
COMMENTS AND RESPONSES TO THE DRAFT
ENVIRONMENTAL ASSESSMENT



U.S. DEPARTMENT OF INTERIOR
FISH AND WILDLIFE SERVICE
Lower Rio Grande Valley National Wildlife Refuge
Rt. 2 Box 202-A
Alamo, TX 78516
956/784-7500, Fax 956/787-8338



Celebrate a century of conservation!

November 6, 2003

Mr. Daniel Borunda
Environmental Protection Specialist
U.S. International Boundary and
Water Commission
4171 N. Mesa, C-100
El Paso, TX 79902

RE: Draft EA Sediment Removal Downstream of Retamal Comments

Dear Mr. Borunda,

Thank you for the opportunity to review and comment on the Draft EA for Sediment Removal Downstream of Retamal Diversion Dam. The Lower Rio Grande Valley National Wildlife Refuge (Refuge) owns and manages a parcel of land, known as the La Coma Tract, in the vicinity of the U.S. International Boundary and Water Commission (USIBWC) project area.

A portion of the La Coma Tract has been identified in the EA (Figure 2.1, pg 2-3) however, the extent of Refuge ownership present at the site is greater than that illustrated in Figure 2.1. To help identify the extent of Refuge land adjacent to the project site I've enclosed a copy of the Refuge Tract Survey (Tract 369).

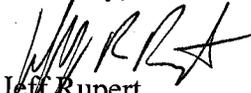
Please note from the survey that, while the USIBWC parcel boundary appears to be accurately represented in Figure 2.1, the Refuge borders on the entire northern, western, and southern boundaries. Also, please note that the Refuge boundary along the river extends beyond the field road, identified in the figure, to the gradient boundary of the river (the apparent gradient boundary is approximately located a river's upper edge).

Because the dredge project area extends downstream beyond the USIBWC parcel, Refuge ownership may be an important consideration during the planning and operation of this maintenance project. The EA sections 2.1.1, and 2.2.2 reference the availability of U.S. Government land for field offices, storage yards and other construction facilities. For the sake of clarity, does this include the proposed use of Refuge land, or USIBWC land only?

Approximately 3,800 feet of the Retamal Dike exists within an easement that crosses the Refuge. Will access to the project site from the U.S. occur entirely through this easement?

Please contact me if you need any additional information.

Sincerely,


Jeff Rupert
Refuge Manager

Enclosure

cc: Ernesto Reyes, USFWS, Ecological Services



INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

DEC 3 - 2003

Mr. Jeff Rupert
Refuge Manager
U.S. Department of Interior
Fish and Wildlife Service
Lower Rio Grande Valley National Wildlife Refuge
Route 2, Box 202-A
Alamo, Texas 78516

Dear Mr. Rupert,

This letter is a response to your November 6, 2003 comment letter on the Draft Environmental Assessment (EA) Sediment Removal Downstream of Retamal Dam. Thank you for commenting and providing a copy of the Arthur E. Beckwith (Tract 369) survey showing the refuge boundaries. The refuge boundary information will be used to update figures in the final EA to more accurately portray property boundaries and project area footprint. The updated figures will show that the dredging project will not encroach on refuge boundary as potentially inferred from draft EA figures.

To assure refuge boundary is not crossed during project activities (including the gradient boundary of the river), the United States Section, International Boundary and Water Commission (USIBWC) will conduct a boundary survey prior to project startup, clearly delineate adjacent refuge property, and notify all contractors to avoid refuge property. These mitigation steps will be reflected in the Final EA.

In addition, the USFWS posed two specific questions in the November 6, 2003 comment letter. Each question is restated, followed by the appropriate response.

Question:

"Because the dredge project area extends downstream beyond the USIBWC parcel, Refuge ownership may be an important consideration during the planning and operation of this maintenance project. The EA sections 2.1.1, and 2.2.2 reference the availability of U.S. government land for the field offices, storage yards and other construction facilities. For the sake of clarity, does this include the proposed use of Refuge land, or USIBWC land only?"

Answer:

The term "government land" was in reference to USIBWC lands only. All field offices, storage yards and other construction facilities in the U.S. will be located on USIBWC lands.

Question:

"Approximately 3,800 feet of Retamal Dike exists within an easement that crosses the Refuge. Will access to the project site from the U.S. occur entirely through this easement?"

Answer:

Yes.

Again, thank you for providing comments on the Draft EA, if you have any questions please feel free to contact Environmental Protection Specialist, Daniel Borunda at (915) 832-4701.

Sincerely,



Douglas Echlin

Acting Chief

Environmental Management Division