



**US Army Corps
of Engineers** ®
Fort Worth District

Public Notice

Section 408 Request number: 408-SWF-2023-0037

Date issued: January 23, 2026

Close of comment period: February 23, 2026

USACE Point of Contact: Jason Story

REQUEST TO ALTER A U.S. ARMY CORPS OF ENGINEERS FEDERALLY AUTHORIZED CIVIL WORKS PROJECT UNDER 33 USC 408 (SECTION 408)

TITLE: Section 408 Request number 408-SWF-2023-0037, Deering Drive storm drain line and outfall, Fort Worth Floodway

SUBJECT: Request for a Section 408 permission to alter the Fort Worth Floodway, a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (Flood Risk Management). Written comments are being solicited from anyone having an interest in this proposed alteration. Comments will become part of the USACE administrative record and will be considered in determining whether to approve the proposed alteration. Comments supporting, opposing, or identifying concerns that may be considered by the USACE in its decision process are welcome. Issuance of this notice does not imply USACE endorsement of the proposed alteration as described.

REQUESTER: David Lewis

LOCATION: 4236 Deering Drive in Fort Worth, Texas

NON-FEDERAL SPONSOR: Tarrant Regional Water District

LOCATION MAP(S)/DRAWING(S): Attached figures

DESCRIPTION OF THE PROPOSED ALTERATION: The request involves a proposed 30-inch storm drain line and outfall within the Fort Worth Floodway. The requester is proposing a residential development located west and outside the Fort Worth Floodway. The residential development involves six lots for five single-family residences on approximately 2.31 acres. One of the lots will be used as a common area designated for valley storage. The storm drain and outfall will provide storm water drainage for the proposed residential development and will be connected to the valley storage area.

REGULATORY AUTHORITY: This request will be reviewed pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408). A requester has the responsibility to acquire other authorizations required by federal, state, and local laws or regulations,

including any required permits from the USACE Regulatory Program. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

EVALUATION: The decision whether to grant the request for the alteration under Section 408 is based on several factors which are outlined in Engineer Circular 1165-2-220. The benefits which reasonably may be expected to accrue from the proposed alteration must be balanced against its reasonably foreseeable detriments. Review of the proposed alteration will be reviewed by a USACE technical review team considering the following factors:

1. *Impacts to the Usefulness of the USACE Project Determination.* The USACE technical review team will determine if the proposed alteration would limit the ability of the federally authorized project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs.

2. *Injurious to the Public Interest Determination.* The USACE technical review team will determine the probable impacts of the proposed alteration, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation.

3. *Environmental Compliance.* The USACE technical review team will determine if the Section 408 request is in compliance with NEPA and other applicable federal environmental and cultural resources compliance requirements.

STATUS OF REVIEW: The USACE technical review team has determined the following based on the Section 408 request submittal.

1. *Impacts to the Usefulness of the USACE Project.* The USACE technical review team has reviewed the proposed alteration for impacts to the Fort Worth Floodway and initial review indicates there would be no adverse hydrologic and hydraulic impacts resulting from the proposed alteration. No adverse impacts to the Brookside Levee are expected.

2. *Threatened and Endangered species.* The USACE has reviewed an official list of species protected under the Endangered Species Act and initial review indicates the proposed alteration would have no effect to species listed by the United States Fish and Wildlife Service as threatened or endangered within the action area for the Section 408 jurisdiction.

3. *Historic, Cultural, and Archaeological Resources.* The USACE has

reviewed the proposed alteration for impacts to cultural resources, including those historic resources located within the viewshed of the proposed alteration, pursuant to Section 106 of the National Historic Preservation Act. Our review indicated the proposed undertaking will have no adverse effect to historic resources.

The USACE consulted on this determination with the Texas State Historic Preservation Officer and appropriate federally recognized tribes which include the Apache Tribe of Oklahoma, Comanche Nation of Oklahoma, Coushatta Tribe of Louisiana, Cherokee Nation, Tonkawa Tribe of Indians, and Wichita and Affiliated Tribes.

Of the consulted parties, the Comanche Nation and the Texas Historical Commission were the only respondents. Both of which provided concurrence.

SOLICITATION OF COMMENTS: The USACE is soliciting comments from the public, federal, state, and local agencies and officials, federally recognized tribes, and other interested parties to consider and evaluate the impacts of the proposed alteration.

Materials submitted as part of the Section 408 request become part of the public record and are available to the public under the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the Fort Worth District, U.S. Army Corps of Engineers, Office of Counsel.

Comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny a permission for this proposed alteration. It is presumed that all parties receiving this notice will wish to respond to this public notice, therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed alteration as described herein.

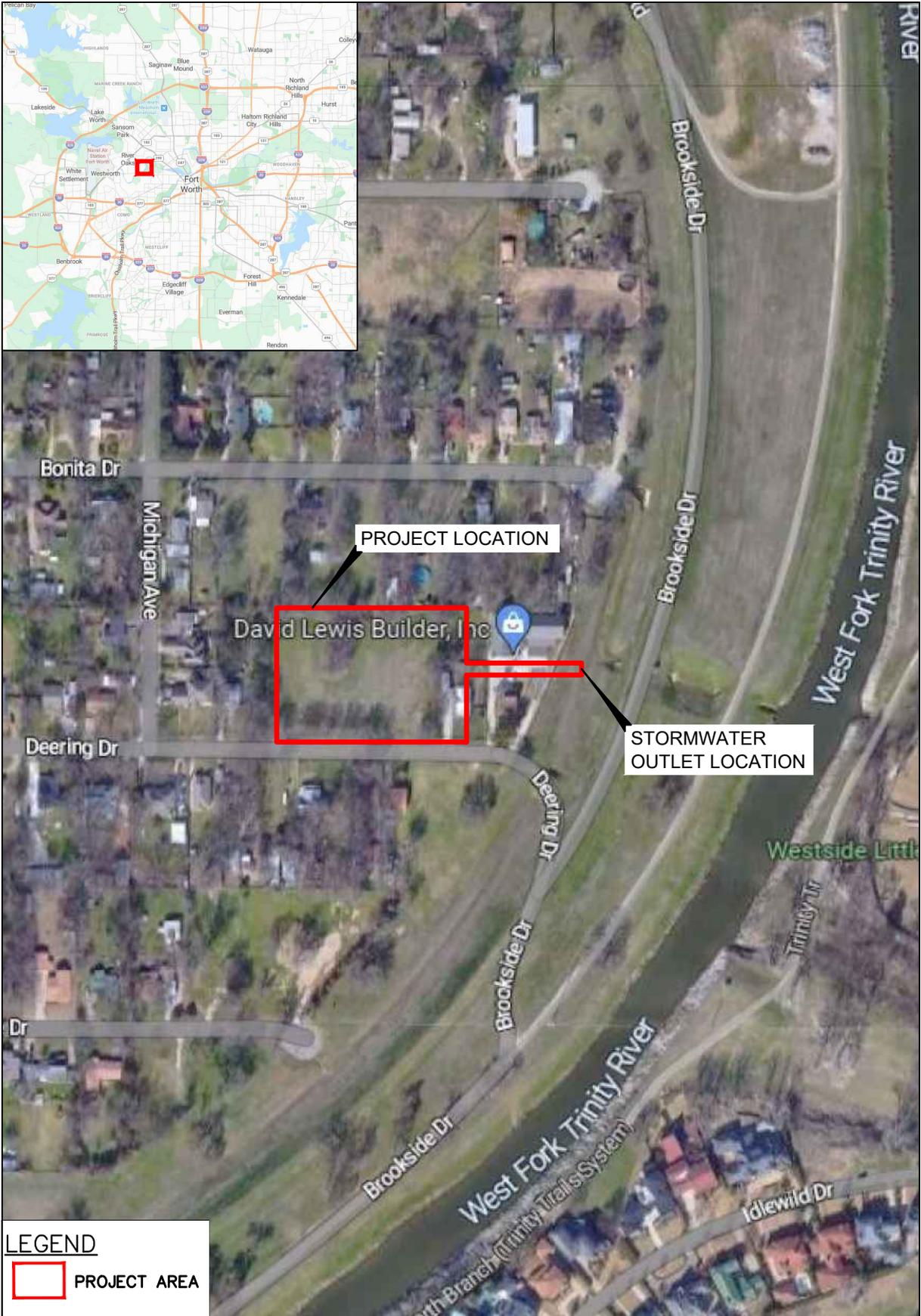
CLOSE OF COMMENT PERIOD: Written comments on the proposed alteration must reach this office on or before the close of the comment period. Comments must reference the Section 408 Request number and project name. Submit comments and requests for additional information to CESWF-408@usace.army.mil. Telephone inquiries may be directed to Mr. Jason Story, Section 408 Coordinator at (817) 886-1852. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available. For more information on Section 408, visit the Fort Worth District Section 408 webpage at <https://www.swf.usace.army.mil/Missions/Section-408/>.

Deering Drive Residences - Section 408 request 408-SWF-2023-0037



LOCATION MAP
N.T.S.

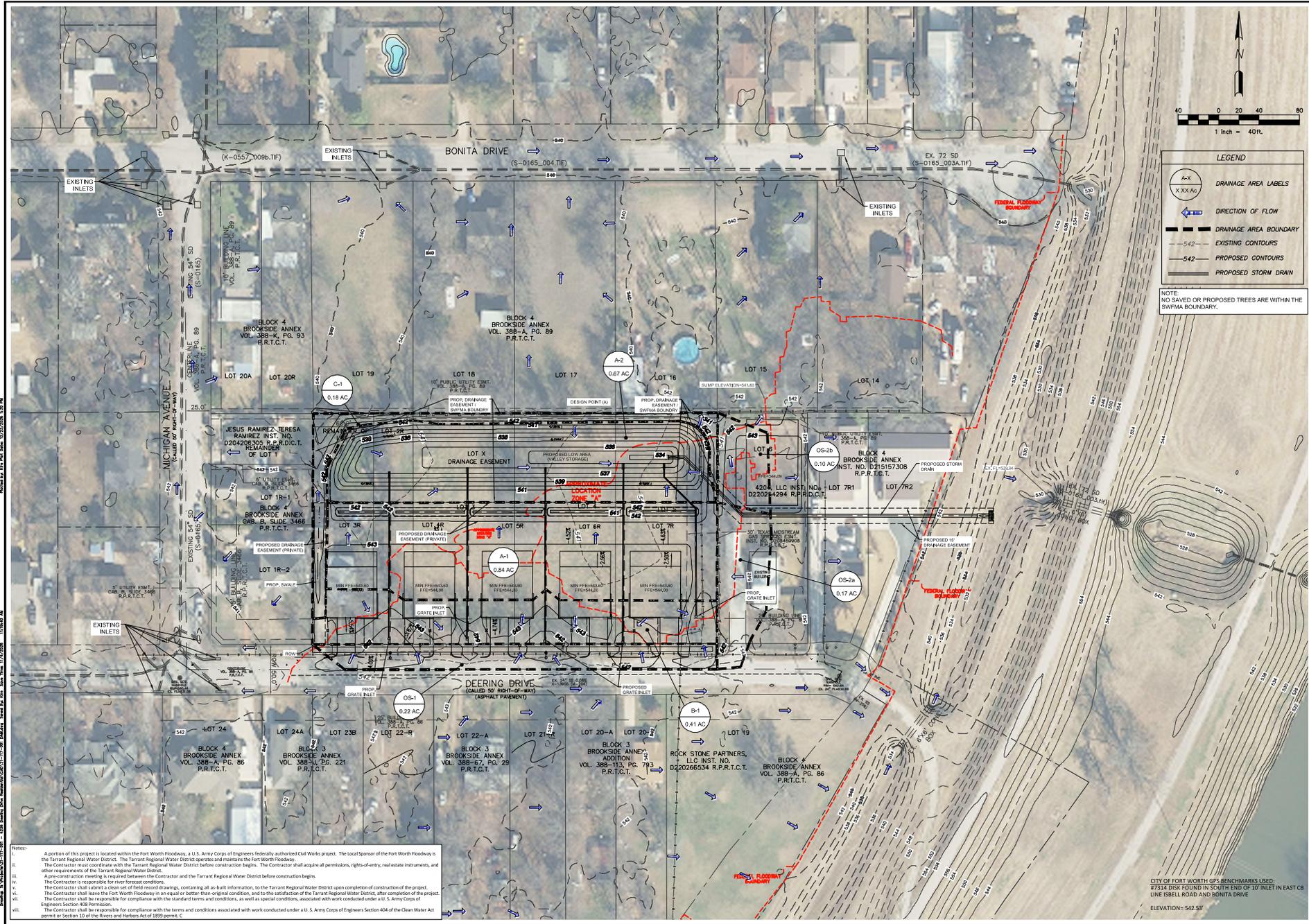
Deering Drive Residences - Section 408 request 408-SWF-2023-0037



LEGEND

 PROJECT AREA

SITE MAP
N.T.S.



LEGEND

- A-X DRAINAGE AREA LABELS
- DIRECTION OF FLOW
- DRAINAGE AREA BOUNDARY
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED STORM DRAIN

NOTE:
NO SAVED OR PROPOSED TREES ARE WITHIN THE SWFMA BOUNDARY.

Carrillo Engineering, LLC
 301 Commerce Street, Ste. 1410 - Fort Worth, Texas 76102
 Phone 817-506-0976 - Fax 817-506-0975

01-16-2025

**DEERING DR RESIDENCES
 4236 DEERING DR,
 FORT WORTH, TX 76114**

POST DEVELOPMENT DRAINAGE AREA MAP

Issue Dates:	
Date:	
Revision:	
Scale:	AS SHOWN
Drawn By:	AO
Checked By:	ACB
Sheet	4.00

CITY OF FORT WORTH GPS BENCHMARKS USED:
 #7314 DISK FOUND IN SOUTH END OF 30' INLET IN EAST CB
 LINE ISBELL ROAD AND BONITA DRIVE
 ELEVATION = 542.53'

Notes:
 1. A portion of this project is located within the Fort Worth Floodway, a U.S. Army Corps of Engineers federally authorized Civil Works project. The Local Sponsor of the Fort Worth Floodway is the Tarrant Regional Water District. The Tarrant Regional Water District operates and maintains the Fort Worth Floodway.
 2. The Contractor must coordinate with the Tarrant Regional Water District before construction begins. The Contractor shall acquire all permits, rights-of-entry, real estate instruments, and other requirements of the Tarrant Regional Water District.
 3. A pre-construction meeting is required between the Contractor and the Tarrant Regional Water District before construction begins.
 4. The Contractor is responsible for their forecast conditions.
 5. The Contractor shall submit a clean set of field record drawings, containing all as-built information, to the Tarrant Regional Water District upon completion of construction of the project. The Contractor shall have the Fort Worth Floodway in an equal or better than original condition, and to the satisfaction of the Tarrant Regional Water District, after completion of the project.
 6. The Contractor shall be responsible for compliance with the standard terms and conditions, as well as special conditions, associated with work conducted under a U.S. Army Corps of Engineers Section 408 Permit.
 7. The Contractor shall be responsible for compliance with the terms and conditions associated with work conducted under a U.S. Army Corps of Engineers Section 404 of the Clean Water Act permit or Section 10 of the Rivers and Harbors Act of 1899 permit. C.