



Don Durden Campaign
411 Hwy 473
Comfort, Texas 78013

ddurden@cectexas.com or ddurden@handlebarguy.com
Cell 210-414-9099
Home 830-995-2068

January 14, 2016

Comfort Floodplain Coalition
c/o Emmanuel Flatten
P.O. Box 915
Comfort, Texas 78013

RE: Flooding issues in Comfort

Dear Mr. Flatten:

Thank you for the opportunity to address your group last Friday, January 8, 2015 at the VFW Hall. I again commend you for your leadership and your coalition for its persistence. I want you and the coalition members to know that I understand and appreciate your frustration with the erroneous governmental maps and the delay in developing a plan to mitigate flooding here in Comfort. I also want you to know that I am committed to working toward solutions and improvements. As a civil engineer, I believe that I am better suited than any other candidate to advocate for and guide the technical approaches that will serve as the foundation for these improvements. More importantly, though, I am the only candidate who is a lifelong resident of the community, and I sincerely understand the long term impact of the floods that have occurred over the past 38 years.

I want to say at the outset that this is a necessarily lengthy response. I suspect some readers may be tempted to simply throw it aside and classify it as so much gobbledygook. Still, I hope that most will take the time to read it carefully and realize that I have taken the time to research the situation and to formulate thoughtful responses and detailed proposals that can finally lead to some action on this long standing problem. With that brief introduction, please allow me to lay out my response to your letter of January 8, 2016.

You have asked that I "consider and support" three proposals outlined in your letter.

- Structural improvements in the watersheds upstream from Comfort
- Improving drainage capabilities of Cypress Creek, North Creek, and Dry Creek
- A flood warning system for Cypress Creek.

Certainly, I support these measures in concept, but more importantly, **I would work to get them funded and implemented**, provided certain details can be satisfactorily addressed. I will discuss some of those details later in this letter. From the outset though, I want to be clear that, with the exception of some limited clearing of the creek channels, the time needed to bring these projects to fruition will almost certainly exceed the length of my initial term of office, should I be elected, and a major dam could require even more than two terms. That does not mean these proposals are not worth pursuing. On the contrary, I will pursue them, as well as some other measures that may have more immediate impact on the members of the CFC.

There are two kinds of flooding in the area, **major flooding** and **minor flooding**. Major flooding is the result of large rainfall events in the Guadalupe River and/or Cypress Creek watersheds. Minor flooding is the result of heavy rainfall in the immediate Comfort area. I have the sense that among CFC members there is as much frustration with minor flooding as there is with major flooding. Bar ditches fill up too fast, and drain too slow; in some cases they overflow into adjacent buildings and yards. Accordingly, I believe the scope of your proposal should be expanded to include work that addresses the minor flooding issues, as follows:

1. The County should procure one-foot contour interval aerial topographic mapping of the area shown on the attached "firmette." This topographic mapping would be used to determine local drainage areas, which can then be used to establish runoff rates for different rainfall events. This effort should also include determining the sizes and elevations of the existing culverts in the area.
2. Using this information, the County should develop a local drainage master plan specifying the sizes and elevations of new culverts and improved bar ditches that are needed to substantially alleviate minor local flooding.
3. Using the drainage master plan, the County should estimate the cost of these improvements and establish a phasing plan for implementing them. The phasing plan would take into consideration the available funding as well as practical considerations like implementing the master plan in an "upstream" direction. The phasing plan should be refined into an implementation plan can be used to do some work every year.

I will work with Commissioners Court to get the program of work detailed above funded and implemented. Over time, this approach can significantly improve the local drainage situation that residents deal with on a routine basis.

Still, the program above will NOT prevent or mitigate major flooding. My plan for dealing with that, including some of the details I referred to earlier are as follows:

1. The County should lead the effort to correct the current official floodplain maps. The current maps include areas that clearly should not be in the flood plain. This not only calls the credibility of the current Floodplain Maps into question, it also imposes additional costs for flood insurance on those property owners whose properties are erroneously shown to be in the flood plain.

2. Kendall County should cooperate with Kerr County, UGRA, and GBRA to expand the existing Early Flood Warning System to include Cypress Creek.
3. Kendall County should endeavor to work with Kerr County to pursue a flood control/recharge enhancement program in the Cypress Creek Watershed. As mentioned by Rep. Doug Miller at our recent meeting, success in this endeavor is more likely if the water resource aspects of such a program can be linked with its flood control aspects. The development of such a program will likely involve hydrological and geological investigations, as well as an in depth feasibility study to evaluate possible location(s) and size(s) of any proposed improvements, land ownership assessments, environmental studies, archaeological studies, and public involvement.

At this point, I am not in favor of any eminent domain procedures that would take land from property owners, but I do favor working with the conservation community to evaluate the potential for the cooperative or voluntary sale of properties that can facilitate the program. **Given the relatively rapid “parcelization” of eastern Kerr County, the window of opportunity to pursue adequate land to implement feasible improvements is rapidly closing, if it is not already closed.** But without the study, we won't know.

4. The County should work with TxDOT to determine if improvements can be made to the Hwy 27 bridge over Cypress Creek to reduce or eliminate the extent to which it impedes flood flows in Cypress Creek.
5. The CFC proposes clearing of the channels of Cypress Creek, North Creek, and Dry Creek upstream of Comfort. To the extent that the CFC's proposal for clearing and cleaning these creek channels is limited to small brush, debris, deadwood, I have no objection. However, I want to be clear that I am adamantly opposed to the removal of large cypress, pecan, oak and other indigenous trees that are alive and healthy. In addition, three other conditions should be required prior to pursuing the clearing and cleaning program proposed.
 - a. Technically, it is possible that improving the hydraulic conveyance of a drainage channel or creek can actually INCREASE flooding downstream by delivering more water faster. Therefore, before any such work is undertaken it must be demonstrated that the proposed clearing will be beneficial and not exacerbate the flooding problem.
 - b. If the proposed work is on or within private property, land owner permission for the County to enter the land involved and perform the specified work must be a prerequisite. It is not uncommon, to paraphrase the old adage, for “one man's brush to be another man's garden,” and these sorts of programs can become problematic if not handled well.
 - c. If the proposed work is to be done on private property, certain actions must be taken to comply with laws that prevent the use of governmental resources to make improvements to private property. (I understand this law arose in response to certain South Texas counties notorious practice of using county equipment to blade pasture

roads just before deer season.) I assume the Court will need to make a determination that there is a public benefit and that the landowner is not the sole beneficiary of the work, but I will need to verify these requirements.

One of the things that the CFC might want to consider is taking a leadership position to organize an annual event similar to the "Make Comfort Sparkle" event. A lot of this clearing and cleaning work is "hand work" (as opposed to machine work) and removing all the cans, trash, and old tires can improve water quality as well as instill a sense of stewardship of these beautiful riparian corridors.

I hope you can see that I have carefully considered the Comfort Floodplain Coalition's concerns and proposals. I also hope you can see that my pledge of support is not flippant, but thoughtful and grounded in what realistically can be accomplished.

Finally, I hope you can see that I am the Precinct 4 County Commissioner Candidate whose political and technical expertise represents the CFC's best opportunity to get its concerns addressed in any meaningful way. **To that end, I would appreciate the official endorsement of the Comfort Floodplain Coalition prior to February 15, 2016.**

Thank you again for allowing me to address the CFC. Should you have any follow up questions, please do not hesitate to contact me.

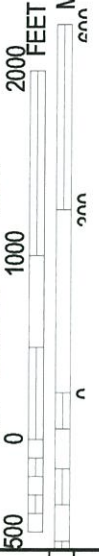
Sincerely,

A handwritten signature in black ink, appearing to read "Don Durden", written over a horizontal line.

Don Durden, P.E.
Candidate for Precinct 4 Kendall County Commissioner



MAP SCALE 1" = 1000'



PANEL 0235F

FIRM FLOOD INSURANCE RATE MAP KENDALL COUNTY, TEXAS AND INCORPORATED AREAS

PANEL 235 OF 525
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)
CONTAINS:
COMMUNITY NUMBER 480417
PANEL SUFFIX 0235 F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown below should be used on insurance applications for the subject community.



MAP NUMBER
48259C0235F
EFFECTIVE DATE
DECEMBER 17, 2010

Federal Emergency Management Agency

NATIONAL FLOOD INSURANCE PROGRAM

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

