DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P. O. BOX 1229
GALVESTON, TEXAS 77553-1229

April 11, 2017

Regional Planning and Environmental Center

Rusty Swafford
National Marine Fisheries Service
Habitat Conservation Division
4700 Avenue U, Bldg. 307
Galveston, Texas 77551-5997

Dear Mr. Swafford,

Enclosed please find a compact disk of the Freeport Harbor Channel Improvement Project Draft Integrated General Reevaluation Report – Environmental Assessment for your review. We would like to coordinate essential fish habitat (EFH) impacts of this project with your agency in accordance with requirements of the Magnuson-Stevens Reauthorization Act of 1996 (MSRA).

The tentatively selected plan (TSP) would include three areas of construction along the existing channel in the inner harbor: widening of the channel at the Dow thumb, bend easing, and the addition of an approach notch to the upper turning basin. Channel widening would occur on the east side of the existing channel for a distance of 4,298 feet or about 0.82 mile. The widening would occur entirely within the banks of the channel, affecting about 9.9 acres of river bottom. The bend easing would be constructed on the west side of the channel, just southwest of the widening area. It would result in the dredging of about 7.5 acres of river bottom and the excavation of about 16.4 acres of upland. This upland is comprised primarily of a section of wave barrier associated with the existing Freeport Hurricane Flood Protection Project (HFPP). The remainder of the area has been heavily impacted by construction of nearby roads and industrial development. The turning notch is located west of the channel and just northwest of the widening area. It would impact approximately 8.3 acres of river bottom. All dredged material from construction is designated for placement at existing Placement Area 1. All maintenance dredged material is designated for placement at the existing maintenance ocean dredged material disposal site.

Prior to channel widening, an approximately 3,110-foot long stability wall would be constructed to reinforce the Freeport HFPP levee that is located close to the Dow Thumb river bank. It would be constructed on the outside levee slope, between the levee and eastern Old Brazos River bank. This wall would provide stability for the HFPP levee, replacing stability currently provided by a submerged bench. In addition, a portion of the HFPP wave barrier, located in the area to be removed by bend easing, would need to be removed and a portion of the

Old Quintana Highway designated to replace it. It is currently anticipated that no modifications to the highway would be needed to make this designation.

We have reviewed the TSP for impacts to categories of EFH and managed species. The NOAA EFH Mapper has identified the study area as EFH for federally managed species such as the red drum (*Sciaenops ocellatus*), 43 species of reef fish, all of the coastal migratory pelagic species, and 4 species of shrimp. The categories of EFH that occur within the TSP project area include estuarine water column, estuarine mud and sand bottoms (unvegetated estuarine benthic habitats), estuarine emergent wetlands, marine water column, and marine nonvegetated bottoms. EFH that occurs within the project footprint includes marine water column and marine nonvegetated bottoms. Marine water column and marine nonvegetated bottoms occur in the project area.

The majority of impacts to managed species and their associated EFH would be limited to the estuarine benthic environment where the actual dredging would take place, as well as temporary impacts to the water column as a result of increased turbidity. The life stages anticipated to be most impacted are the egg and larval stages. Impacts to egg and larval stages are expected to be minor and temporary because of the limited geographic extent and short construction period. The majority of the juvenile and adult life stages present in the project area are primarily forage and pelagic species capable of detection and avoidance behavior when exposed to unfavorable conditions. It is expected that construction of the TSP would not have any direct impacts to juvenile and adult fish other than a temporary displacement, and individuals would re-inhabit temporarily affected areas upon dredging completion. No aquatic vegetation has been identified in the dredged or adjacent buffer zone areas; therefore, no impacts to seagrass or the nursery habitat it provides to juvenile fish would occur from the TSP. Consequently, only minimal impacts to benthic EFH are expected to occur.

Turbidity generated by the TSP could affect the foraging behavior of certain predators and the efficiency of filter feeders. Turbidity would be expected to affect only a small area surrounding the project area relative to the total habitat available to managed species, and dissipate quickly. Therefore, the impact to the water column EFH would be minor and short-term.

Impacts from maintenance dredging would include short-term increases in water column turbidity and short-term disturbance to the benthic environment, although no long-term effects would be expected. NMFS concurred with this determination for the 2012 *Freeport Harbor Channel Improvement Project Final Feasibility Report and Environmental Impact Statement*.

The TSP project area is not in or near any of the areas identified as Habitat Areas of Particular Concern (HAPC), as these areas are located offshore. Therefore, no impacts to HAPC are expected from construction or maintenance of the TSP. Additionally, the project area is not in or near any of the areas identified as Essential Fish Habitat Protected from Fishing (EFHA).

Please provide your evaluation of the EFH assessment, presented here and in the DIGRR-EA. The public comment period closes 30 calendar days after the date of this letter and we would appreciate receipt of your comments by the end of the comment period. If you have any questions or concerns, please contact Janelle Stokes at the letterhead address, by telephone at 409-766-3039, or by email at janelle.s.stokes@usace.army.mil.

Sincerely,

Kelly. A. Burks-Copes

Kelly Burks-Copes
Chief, Coastal Section
Environmental Compliance Branch