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

September 11, 2015

AGENCY: Department of the Army; Corps of Engineers and Texas Commission on Environmental Quality

Joint Notice of Availability for the Draft Sabine Pass to Galveston Bay, Texas, Coastal Storm Risk Management and Ecosystem Restoration Integrated Feasibility Report and Environmental Impact Statement

ACTION: Joint Notice of Availability

SUMMARY: The U.S. Army Corps of Engineers-Galveston District (USACE) announces the release of the Draft Integrated Feasibility Report and Environmental Impact Statement (DIFR-EIS) for the Tentatively Select Plan (TSP) of the Sabine Pass to Galveston Bay Coastal Storm Risk Management (CSRM) and Ecosystem Restoration (ER) Project.

COMMENT PERIOD: The USACE will accept written public comments on the DIFR-EIS from September 11, 2015 through October 26, 2015. Comments on the DIFR-EIS must be postmarked by October 26, 2015.

ADDRESSES FOR COMMENT SUBMITTAL: You may send written comments or questions to the USACE, Galveston District, Attn: Janelle Stokes, P.O. Box 1229, Galveston, TX 77553-1229, or you may email comments or questions to janelle.s.stokes@usace.army.mil.

SUPPLEMENTARY INFORMATION:

Authority: The lead agency for this proposed action is the USACE, under the authority of a resolution from the Committee on Environmental and Public Works dated June 23, 2004, entitled "Coastal Texas Protection and Restoration Study".

Background: This DIFR-EIS was prepared as required by the National Environmental Policy Act (NEPA) to present an evaluation of potential impacts associated with the Sabine Pass to Galveston Bay TSP. The USACE and the non-Federal sponsor for the study, the Texas General Land Office (GLO), have conducted this study and prepared the DIFR-EIS. Originally, the study was intended to develop recommendations for regional CSRM and ER projects for Congressional approval across a study area encompassing six counties (Orange, Jefferson, Chambers, Harris, Galveston and Brazoria Counties) along the upper Texas coast between Sabine Pass and Freeport. The study scope was later revised to focus full feasibility planning efforts on CSMR projects in the Sabine Region (Orange and Jefferson Counties) and Brazoria Region (the Freeport metropolitan area in southern Brazoria County). Orange and Jefferson Counties (and specifically Jefferson County Drainage District No. 7) and the Velasco Drainage District have indicated a willingness to serve as implementing sponsors of the proposed projects within their respective jurisdictions. The DIFR-EIS also presents a programmatic overview of CSRM problems and opportunities in the Galveston region (Galveston, Harris, and Chambers

Counties) and a programmatic assessment of ER opportunities for the entire six-county study area. The programmatic assessment is a listing and screening of alternatives identified as having high potential to demonstrate Federal interest and result in successful CSRM and ER projects.

Project Description: The purpose of the TSP is to reduce the risk of storm surge impacts to residents, industry, and infrastructure in Orange, Jefferson, and Brazoria Counties, Texas. The TSP is comprised of three separable elements, one of which would entail the construction of a new CSRM levee system in southern Orange County, and two which consist of improvements to existing hurricane flood protection projects (HFPP) at Port Arthur and Freeport.

In the Sabine Region, the Orange-Jefferson CSRM Plan would construct a new levee system that would reduce the risk of storm surge impacts in Orange County and in northeast Jefferson County (Figure 1). It is comprised of three separate levee system components: 1) a 27.2-mile long levee and floodwall system extending down the west bank of the Sabine River from Interstate 10 in the City of Orange, across the north shore of Sabine Lake near Bridge City, and up the east bank of the Neches River to the vicinity of Orangefield, called the Orange 3 New Levee ; 2) a 3.6-mile long levee/floodwall system surrounding industrial facilities southeast of Beaumont, called the Beaumont A New Levee; and 3) an 11-mile long levee/floodwall system extending along the west bank of the Neches River from the vicinity of the Neches River''s McFadden Bend to high ground adjacent to the terminus of the existing Port Arthur and Vicinity HFPP near the City of Port Neches, called the Jefferson Main New Levee. The Orange 3 and Jefferson Main levee systems would be constructed to an elevation of at least 11 feet; the Beaumont A levee system would be constructed to an elevation of at least 12 feet. Construction of the Orange 3 New Levee would also include the construction and installation of navigable surge gates and pump stations on Adams and Cow Bayous. The proposed alignments presented in the report are tentative; refinements will be considered during final feasibility planning to reduce impacts to residential and commercial structures, infrastructure, natural habitats and the floodplain to the greatest extent practicable.

Also in the Sabine Region, the Port Arthur and Vicinity CSRM Plan would improve four separate areas of the existing Port Arthur and Vicinity HFPP by: 1) raising 2,000 linear feet (LF) of the 8 to 10-foot I-Wall at the southwest corner of the existing HFPP, west of the Taylor Bayou Basin, and installing 7,500 LF of scour pad along the interior side of the system in this area; 2) constructing 5,000 LF of scour pad and structural support for the I-Wall near Valero, and raising 3,000 feet of the adjacent levee system by 1 foot; 3) constructing 1,800 LF of scour pad and structural support for the I-Wall near the tank farm, and raising 7,000 LF of the adjacent levee system by 1 foot; and 4) raising the railroad track closure structure located at the northeast corner of the existing HFPP system and approximately 12,000 LF of the adjacent levee by 1 foot (Figure 2). The existing HFPP alignment would not be changed or extended. Minor additional rights-of-way may be necessary to construct improvements in some areas.

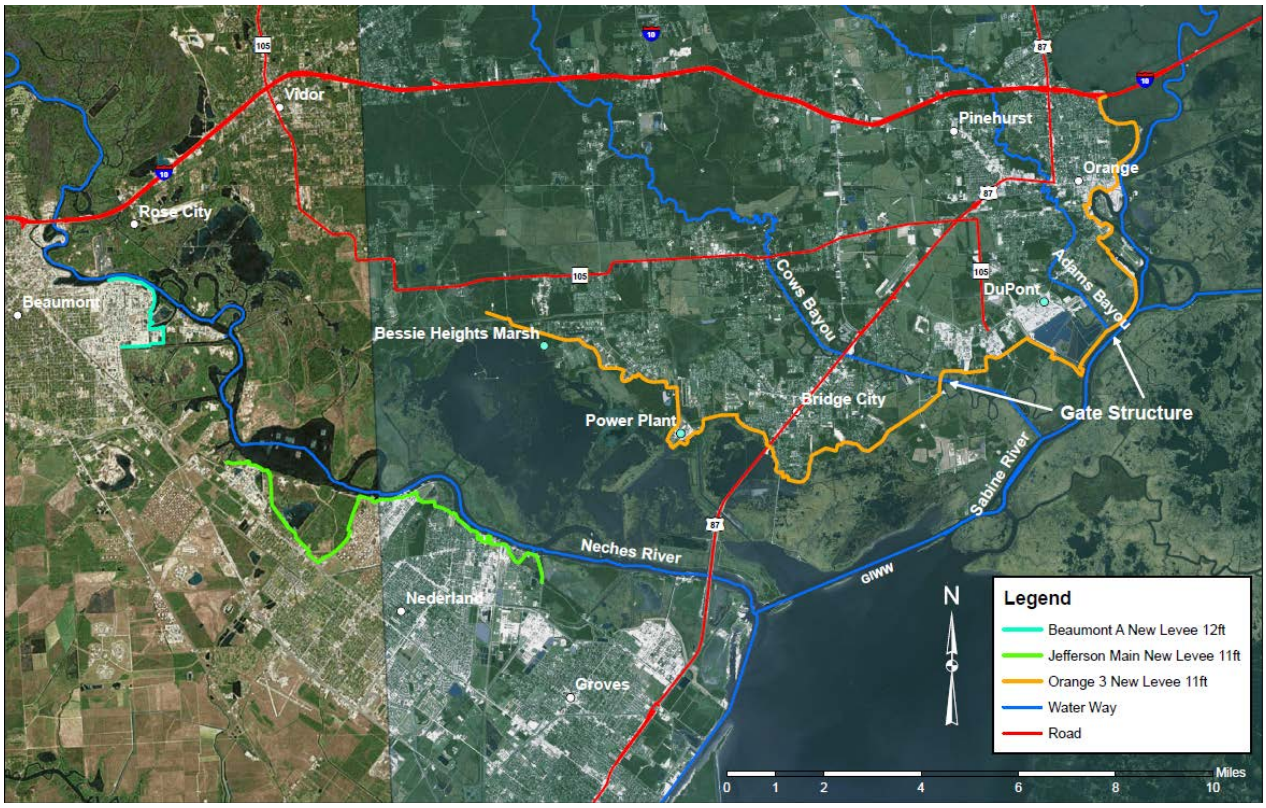

Figure 1: Orange-Jefferson CSRM Plan

Figure 2: Port Arthur and Vicinity CSRM Plan

In the Brazoria Region, the Freeport and Vicinity CSRM Plan would improve six separate areas of the existing Freeport and Vicinity HFPP by 1) raising 3,500 LF of the Oyster Creek Levee by 3 feet and 10,000 LF by 1 foot; 2) raising approximately 13,000 LF of the East Storm Levee by 1 foot; 3) raising about 3,000 LF of the Freeport Dock Floodwall by 1 foot; 4) raising 3,000 LF of the Old River Levee at the DOW Thumb by 1 foot, constructing 4,000 LF of scour pad, and installing 14,500 LF of high performance turf reinforcement mattress (HPTRM); 5) reconstructing and raising 700 LF of floodwall to an elevation of 11 feet and raising 2,000 LF of levee at the Tide Gate I-Wall by 1 foot (Figure 3). In addition, a new, navigable surge gate structure and pump station would be constructed at the mouth of the DOW barge canal. The existing HFPP alignment would not be changed or extended. Minor additional rights-of-way may be necessary to construct improvements in some areas.

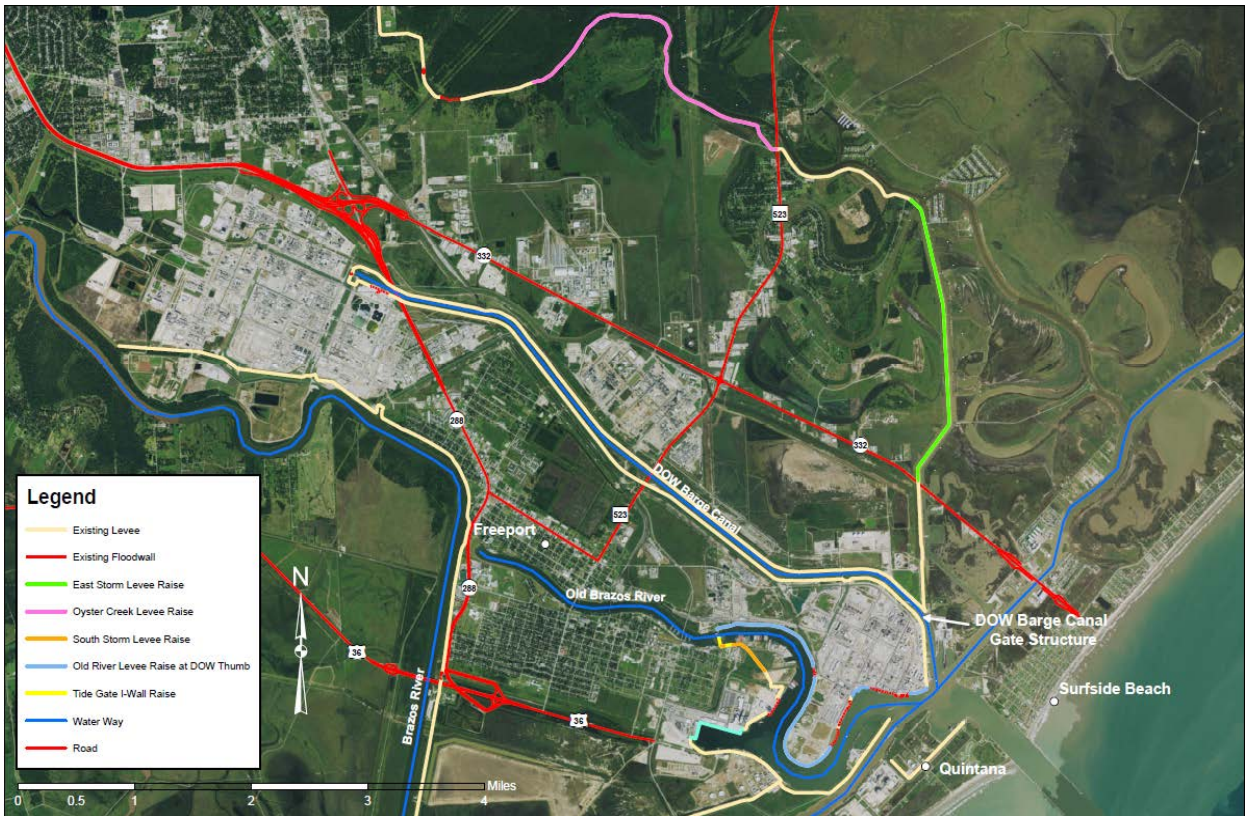

Figure 3: Freeport and Vicinity CSRM Plan

Compelling factors exist to support a decision to select a plan at least one foot higher than the TSP based on economics (the higher elevation provides more net benefits to the national economy), life-safety (the lower the probability of a flood event damaging property generally results in lower risk to loss of life), critical infrastructure (major petro-chemical facilities that could be impacted by storm surge produce significant impacts to local, regional, and the national economy), and relative sea-level change (a resilient project would be cheaper to build it now rather than to retro-fit later). A final decision will be made following the reviews and higher-level coordination within the USACE to select a plan for feasibility-level design and recommendation for implementation. The decision will be documented in the Final Integrated

Feasibility Report (FIFR)-EIS. A supplemental DIFR-EIS would not likely be produced unless there are substantial design changes that significantly alter environmental impacts. Coordination with the natural resource agencies will continue throughout the study process as required by the Fish and Wildlife Coordination Act.

Availability of Draft Integrated Feasibility Report/Environmental Impact Statement: Pursuant to section 102(2)(c) of the NEPA of 1969, as amended and as implemented by the Council on Environmental Quality (40 CFR parts 1500-1508), the DIFR-EIS for the Sabine Pass to Galveston Bay CSRM and ER Project has been filed with the U.S. Environmental Protection Agency (EPA) and is being made available to Federal, State, and local agencies, and all interested parties. The DIFR-EIS can be viewed at

http://www.swg.usace.army.mil/BusinessWithUs/PlanningEnvironmentalBranch/DocumentsforPublicReview.aspx

Compact disc (CD) copies of the DIFR-EIS can be requested from Ms. Janelle Stokes at the address above. In addition, the CDs of the report are available for viewing at the following libraries:

- Beaumont Public Library, 801 Pearl, Beaumont, TX 77701
- Elmo Willard Library, 3590 East Lucas, Beaumont, TX 77701
- Theodore Johns Branch Library, 4255 Fannett, Beaumont, TX 77701
- R.C. Miller Library, 1605 Dowlen, Beaumont, TX 77701
- Marion and Ed Hughes Public Library, Nederland, TX 77627
- Port Arthur Public Library, 4615 9th Avenue, Port Arthur, TX 77642
- Effie and Wilton Hebert Public Library, 2024 Merrriman, Port Neches, TX 77651
- Groves Library, 5600 W. Washington, Groves, TX 77619
- Lamar College Library, 410 W. Front Avenue, Orange, TX 77630
- City of Orange Public Library, 220 N. 5th Street, Orange, TX 77630
- Bridge City Public Library, 101 Parkside Drive, Bridge City, TX 77611
- City of Vidor Public Library, 440 E. Bolivar, Vidor, TX 77662
- Brazoria Library, 620 South Brooks, Brazoria, TX 77422
- Clute Branch Library, 215 North Shanks Street, Clute, TX 77531
- Freeport Library, 410 Brazosport, Freeport, TX 77541
- Lake Jackson Library, 250 Circle Way, Lake Jackson, TX 77566

*Clean Water Act***:** The USACE is requesting §401 State Water Quality certification from the Texas Commission on Environmental Quality (TCEQ) for this action. A Clean Water Act §404(b)(1) evaluation of the proposed action, provided in the Appendix H of the DIFR-EIS, describes the effects of the TSP. The USACE has determined that construction of the TSP will not violate water quality standards. The proposed alignment for the Orange-Jefferson CSRM Plan has been located to minimize, to the greatest extent practicable, impacts on the Neches and Sabine River floodplains and to avoid and minimize impacts on the aquatic ecosystem. Unavoidable, significant impacts would be fully mitigated. Construction of the Port Arthur and Vicinity and Freeport and Vicinity CSRM Plans would have negligible impacts. The TSP is the least environmentally damaging practicable alternative.

Clean Air Act: Temporary air emission impacts resulting from construction of the TSP in the Sabine and Brazoria Regions have been calculated; the analysis is presented in Appendix I of the DIFR-EIS. Construction of the TSP in both areas would result in emissions below the *de minimis* threshold for nonattainment pollutants; a conformity determination is not required.

Threatened and Endangered Species: Interagency consultation procedures under Section 7 of the Endangered Species Act have been undertaken. A draft Biological Assessment (BA) was prepared describing the TSP project areas, federally listed threatened and endangered species of potential occurrence in the project areas, and potential impacts on these listed species (Appendix J of the DIFR-EIS). This draft BA has been submitted to NMFS and USFWS for review. The USACE has determined that the TSP would have no effect on the following listed animal species: piping plover, red knot, whooping crane, West Indian manatee, four whale species (fin, humpback, sei, and sperm), four sea turtle species (green, Kemp's ridley, loggerhead and hawksbill), and four coral species (lobed star, mountainous star, boulder star and elkhorn). The TSP would also have no effect on the following candidate species: Sprague's pipit, and two freshwater mussel species (smooth pimpleback and Texas fawnsfoot). There is no designated critical habitat in the project areas.

Essential Fish Habitat (EFH): The Magnuson-Stevens Fishery Conservation and Management Act (PL 94-265), as amended, establishes procedures for identifying EFH and required interagency coordination to further the conservation of federally managed fisheries. Direct and indirect impacts associated with construction of the Orange-Jefferson CSRM Plan would result in the loss of about 275.9 acres of estuarine emergent marsh EFH over the period of analysis. Marsh acres include water within the marsh and small drainages; some submerged aquatic vegetation in the estuarine marsh areas would also be lost. The Cow and Adam Bayous surge gate structures would constrict flows in these bayous while in their normal open condition, resulting in fisheries access impacts on a total of about 2,137 acres of estuarine emergent marsh in the bayou floodplains upstream of the gated structures. Direct and indirect impacts would be fully compensated with the restoration of estuarine emergent marsh and shallow water in the amount determined during final feasibility planning. Conservation measures identified by the NMFS will be considered during this process.

National Register of Historic Places (NRHP): Compliance with the National Historic Preservation Act (NHPA) of 1966, as amended, requires identification of all historic properties listed or eligible for the National Register of Historic Places in the project areas, and development of mitigation measures for those adversely affected in coordination with the Texas State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP). It has been determined that there is a potential for new construction, improvements to existing facilities, and maintenance of existing facilities to cause effects on historic properties. Therefore, in accordance with 36 CFR 800.14, the USACE will execute a Programmatic Agreement among the USACE, the Texas SHPO, and non-Federal implementation sponsors to address the identification and treatment of historic properties that may be affected during the construction and maintenance of the TSP. The USACE will also invite the ACHP and Native American tribes to participate as signatories to the Programmatic Agreement. A draft of the Programmatic Agreement is provided in Appendix L.

Other Agency Authorizations: Texas Coastal Zone consistency certification is required. The USACE has prepared a Consistency Determination that evaluates the TSP for consistency with the Texas Coastal Management Plan and has concluded that it is fully consistent to the maximum extent practicable with the enforceable policies of the Texas program (Appendix M). The DIFR-EIS and Texas Coastal Consistency Determination have been submitted to the GLO for review.

This public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification. Any comments concerning this application may be submitted to the TCEQ, 401 Coordinator, MSC-150, P.O. Box 13087, Austin, Texas 78711-3087. A copy of the public notice, with a description of work, is made available for review in the TCEQ's Austin office.

Public Meeting: If you wish to voice your comments, public meetings on the TSP will be held in the Sabine and Brazoria Regions during the public comment period. Please refer to the Galveston District website at http://www.swg.usace.army.mil/ for upcoming announcements of meeting dates and locations.

Public Interest Review Factors: The decision whether to implement the TSP will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the TSP, must be balanced against reasonably foreseeable detriments associated with the TSP. All factors which may be relevant to the proposal will be considered. These include, but are not limited to: life and safety concerns associated with storm surge impacts, water and sediment quality, air quality, historic properties, protected species, hazardous materials, and in general, the welfare of the people.

Solicitation of Comments: The USACE is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments will be considered in the evaluation of impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments will be used in preparation of the Final Integrated Feasibility Report and Environmental Impact Statement pursuant to the NEPA. Comments are also used to determine the overall public interest of the proposed activity.

September 11, 2015
Date

Diana Laird
Diana Laird
Chief, Planning Branch

DEPARTMENT OF THE ARMY
U.S. Army Engineer District, Galveston
Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229

OFFICIAL BUSINESS
ATTN: CESWF-PEC-TN@SWG