



# Public Notice

**U.S. Army Corps  
Of Engineers**

**Galveston District**

Permit Application No: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Comments \_\_\_\_\_

Due: \_\_\_\_\_

SWG-2014-00408

6 September 2016

6 October 2016

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**U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT  
AND  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

**PURPOSE OF PUBLIC NOTICE:** To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. The U.S. Army Corps of Engineers (Corps) is not the entity proposing or performing the proposed work, nor has the Corps taken a position, in favor or against the proposed work.

**AUTHORITY:** This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA).

**APPLICANT:** Texas Department of Transportation – Corpus Christi District  
1701 South Padre Island Drive  
Corpus Christi, Texas 78416-1324  
Telephone: 361-808-2376  
POC: Mr. Christopher Amy

**LOCATION:** The project site is located in the Corpus Christi Ship Channel (Ship Channel) along United States Highway (US) 181, in Corpus Christi, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map entitled: Corpus Christi, Texas.

**LATITUDE & LONGITUDE (NAD 83):**

Latitude: 27.813402 North;

Longitude: 97.399439 West

**PROJECT DESCRIPTION:** The applicant proposes to construct a new US 181 bridge to traverse the Ship Channel, 1,000 feet west of the existing bridge in Corpus Christi, Texas. The project limits are from the US 181 and Beach Avenue intersection south to the State Highway 286 and Morgan Avenue intersection, and from Mesquite Avenue in downtown Corpus Christi west to the Interstate Highway (IH) 37 and Buddy Lawrence Avenue intersection. The proposed project includes constructing a new bridge, demolishing the old bridge, constructing new approaches and new location roadway and frontage roads, and reconstructing the interchange at IH 37 and the Crosstown Expressway, which would include four direct connector ramps. In order to span the Ship Channel, the proposed bridge will be a cable stay bridge, approximately 1,700 feet in length, with a minimum vertical clearance height of 205 feet above mean high water (MHW). The bridge design includes the use of 50-foot square concrete piles and 64-foot by 174-foot rectangular concrete footings. The bridge footings and associated bridge structures will not be placed within waters of the U.S. The new structure will have three 12-foot lanes in each direction with 12-foot inside and 10-foot outside shoulders. It will also include a 10-foot bicycle and pedestrian shared use path separated from the main lanes by a 2-foot concrete barrier. Materials for construction will include steel for the main bridge span over the Ship Channel with concrete supports, concrete for elevated structures on main lanes, direct connector ramps, and asphalt for frontage roads. Construction of the bridge approaches and frontage roads would result in 0.88 acre of permanent impacts caused by discharge of fill material into waters of the U.S. The applicant's plans are enclosed in 8 sheets.

**AVOIDANCE AND MINIMIZATION:** The applicant has stated that they have avoided and minimized the environmental impacts by incorporating bridging instead of culverting into the project design wherever feasible. The bridge design has also been modified so that all bridge footings will be outside of the MHW. The applicant will implement Texas Commission on Environmental Quality (TCEQ) approved Best Management Practices for erosion control, sediment control, and post-construction total suspended solids control.

TxDOT and Federal Highway Administration (FHWA) evaluated five alternatives in Section 2.0 and 4.0 of the project's Final Environmental Impact Statement (Final EIS) using an interdisciplinary approach and balancing the consideration of the need for safe and efficient transportation with the project's social, economic, and environmental impacts and national, state, and local environmental protection goals. In Section 3.0 of the project's Record of Decision (ROD), the FHWA identified the Recommended Alternative as one of two environmentally preferable alternatives, and concluded that it was the only alternative that fulfills FHWA's statutory mission and meets the objectives of the project. The ROD and Final EIS documents are available upon request from the applicant or through the Corpus Christi Harbor Bridge website: <https://ccharborbridgeproject.com/eis/>.

**MITIGATION:** The applicant submitted a draft mitigation plan that proposes to compensate for the 0.88 acre of impacts to wetlands by developing a mitigation in accordance with the mitigation rule. On-site, in-kind creation of 2.0 acres of estuarine emergent wetland is proposed in the draft mitigation plan. The applicant's mitigation plan is enclosed in 7 sheets.

**CURRENT SITE CONDITIONS:** The project site is currently: 1) a 6-lane (3-lanes in each direction) bridge that spans across the Ship Channel; 2) access and side roads that exit off and on the highway; 3) open water marine habitat with an unconsolidated bottom; 4) commercial entities based in the Ship Channel to which their products are exported and imported; 5) a variety of pipelines that are submerged beneath the Ship Channel and adjacent areas; 6) commercial and recreational entities such as Whataburger Field, North Beach, bay fishing, etc. and 7) the north side of Corpus Christi along US 181 both north and south of the Ship Channel.

This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. The wetland delineation has been completed and was verified by the Corps on 16 September 2014. The applicant's plans are enclosed in 8 sheets.

As the lead federal agency, FHWA issued a ROD, dated January 2016, regarding the proposed US 181 Harbor Bridge Project. The ROD approves the selection of the Recommended Alternative for the Harbor Bridge, as identified and described in the project's Final EIS, dated November 2014.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the CWA.

**OTHER AGENCY AUTHORIZATIONS:** Consistency with the State of Texas Coastal Management Plan is required. The applicant has stated that the proposed activity complies with Texas' approved Coastal Management Program goals and policies and will be conducted in a manner consistent with said program.

This project incorporates the requirements necessary to comply with the Texas Commission on Environmental Quality's (TCEQ) Tier I project criteria. Tier I projects are those which result in a direct impact of three acres or less of waters of the state or 1,500 linear feet of streams (or a combination of the two is below the threshold) for which the applicant has incorporated best management practices and other provisions designed to safeguard water quality. The Corps has received a completed checklist and signed statement fulfilling Tier I criteria for the project. Accordingly, a request for 401 certification is not necessary and there will be no additional TCEQ review.

**NATIONAL REGISTER OF HISTORIC PLACES:** The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

TxDOT is receiving funding from Federal Highways Administration (FHA) for the proposed project. Therefore, FHA is the lead Federal Agency and all Section 106 Consultation was handled by TxDOT pursuant to the programmatic agreement between TxDOT, the Texas State Historic Preservation Officer (SHPO), FHA, and the Advisory Council on Historic Preservation. TxDOT coordinated a determination of no historic properties present with a letter dated 27 August 2014 and the SHPO concurred with that determination on 28 August 2014.

**THREATENED AND ENDANGERED SPECIES:** Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

**ESSENTIAL FISH HABITAT:** This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

**PUBLIC INTEREST REVIEW FACTORS:** This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Programs of the Corps, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit 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 proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

**SOLICITATION OF COMMENTS:** The Corps 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. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Impact Assessment and/or an EIS pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

**PUBLIC HEARING:** The purpose of a public hearing is to solicit additional information to assist in the evaluation of the proposed project. Prior to the close of the comment period, any person may make a written request for a public hearing, setting forth the particular reasons for the request. The District Engineer will determine if the reasons identified for holding a public hearing are sufficient to warrant that a public hearing be held. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

**CLOSE OF COMMENT PERIOD:** All comments pertaining to this public notice must reach this office on or before **6 October 2016**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections.** Comments and requests for additional information should reference our file number, **SWG-2014-00408**, and should be submitted to:

Corpus Christi Field Office  
Regulatory Division, CESWG-RD-CC  
U.S. Army Corps of Engineers  
5151 Flynn Parkway, Suite 306  
Corpus Christi, Texas 78411-4318  
361-814-5847 Phone  
swg\_public\_notice@usace.army.mil

DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS