Appendix C – Cultural Resources

Matagorda Ship Channel, Port Lavaca, TX

Section 216 – Review of Completed Projects
Integrated Draft Feasibility Report and Environmental Impact Assessment

March 2019

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TABLE OF CONTENTS

PROGRAMMATIC AGREEMENT 2

I. Identification, Evaluation, Effect Determination, and Resolution.....3
II. Post Review Changes and Discoveries.....6
III. Curation and Disposition of Recovered Materials, Records, and Reports 6
IV. Treatment of Native American Human Remains.....6
V. PA Amendments, Disputes and Termination.....7
VI. Term of this Agreement.....7

CULTURAL RESOURCES AND PROJECT SUMMARY FOR THE PROGRAMMATIC AGREEMENT 9

I. Study Purpose 9
II. Description of Existing Project.....10
III. Tentatively Selected Plan.....11
IV. Cultural Resources and Area of Potential Effects.....12
V. Recommendations.....14
VI. References Cited.....14

PROGRAMMATIC AGREEMENT
REGARDING COMPLIANCE WITH SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR
MATAGORDA SHIP CHANNEL IMPROVEMENT PROJECT
IN
MATAGORDA AND CALHOUN COUNTIES, TEXAS
AMONG
THE U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND
THE CALHOUN PORT AUTHORITY

WHEREAS, the U.S. Army Corps of Engineers, Galveston District (USACE) has determined that improvements and maintenance of the Matagorda Ship Channel Improvement Project (hereinafter, "undertaking") may have an effect on historic properties eligible for listing in the National Register of Historic Places (NRHP) (hereinafter, "historic properties") pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) (NHPA), as amended, and its implementing regulations (36 CFR 800); and

WHEREAS, the Matagorda Ship Channel Improvement Project was authorized by the Section 101 of the 1958 Rivers and Harbors Act, P.L. 85-500, 84th Congress, dated July 3, 1958 and Section 216 of the 1970 Rivers and Harbors Act, P.L. 91-611, 91st Congress, H.R. 19877, dated December 31, 1970.; and

WHEREAS, the Calhoun Port Authority is the non-Federal sponsor (NFS) with the USACE for construction and maintenance of this undertaking, and is providing the necessary lands, easements, relocations and rights-of-way; and

WHEREAS, the Area of Potential Effect (APE) includes the footprint of all areas of direct impacts, as a result of new construction, improvements to existing facilities, and maintenance of existing facilities; and

WHEREAS, this Programmatic Agreement (PA) is being executed to describe the process the USACE and the Calhoun Port Authority will utilize to account for the effects of the undertaking on historic properties and in the event that unanticipated discoveries are identified during construction and maintenance activities; and

WHEREAS, the USACE, the Texas State Historic Preservation Officer (SHPO), and the NFS have agreed that it is advisable to execute this PA for the purposes stated above in accordance with 36 CFR 800.6 and 36 CFR 800.14(b)(1)(ii); and

WHEREAS, the USACE invites the ACHP and Tribes to participate during the drafting of this agreement, signatories are limited to those parties who have responsibilities under the agreement.

WHEREAS, the USACE invites the Advisory Council on Historic Preservation (Council) to participate as a signatory to this agreement prior to construction activities; and

WHEREAS, in accordance with 36 CFR 800.14(b), the USACE has notified the Comanche Indian Tribe, the Mescalero Apache Tribe, Kiowa Indian Tribe of Oklahoma, and the Tonkawa Tribe of Indians of Oklahoma of the development and execution of this PA; and

WHEREAS, in accordance with 36 CFR 800.2(d) the USACE has issued public notices by mail and in local newspapers, as well as conducted interagency and public meetings regarding the undertaking.

NOW, THEREFORE, the USACE, the SHPO, and the Calhoun Port Authority agree that the proposed undertaking shall be implemented and administered in accordance with the following stipulations in order to take into account the effects of the undertaking on historic properties and to satisfy the USACE's Section 106 responsibilities for all individual aspects of the undertaking.

STIPULATIONS

I. Identification, Evaluation, Effect Determination, and Resolution

A. Scope of Undertaking. This PA shall be applicable to all new construction, improvements, and maintenance activities related to the proposed Matagorda Ship Channel Improvement project. The APE shall be established by the USACE in consultation with the SHPO and shall include all areas to be directly affected by new construction, construction staging and access areas, new or extensions of existing placement or borrow areas, ecological mitigation features, and project maintenance activities.

B. Qualifications and Standards. The USACE shall ensure that all work conducted in conjunction with this PA is performed in a manner consistent with the Secretary of Interior's "Standards and Guidelines for Archeology and Historic Preservation" (48 FR 44716-44740; September 23, 1983), as amended, or the Secretary of the Interior's "Standards for the Treatment of Historic Properties" (36 CFR 68), as appropriate.

C. Definitions. The definitions set forth in 36 CFR 800.16 are incorporated herein by reference and apply throughout this PA.

D. Identification of Historic Properties. Prior to the initiation of construction, the USACE shall make a reasonable and good faith effort to identify historic properties located within the APE. These steps may include, but are not limited to, background research, consultation, oral history interviews, sample field investigations, and field survey. The level of effort for these activities shall be determined in consultation with the SHPO and

any Native American Indian Tribe or Tribes (Tribes) that attach religious and cultural significance to identified properties. All draft reports of survey or site testing investigations shall be submitted to the SHPO for review and comment. If the SHPO comments are not received by the USACE within thirty (30) days of receipt, the reports and their recommendations shall be considered adequate and the reports may be finalized. Comments received by the USACE from the SHPO or Tribes shall be addressed in the final reports, which shall be provided to all consulting parties. If no historic properties are identified in the APE, the USACE shall document this finding pursuant to 36 CFR 800.11(d), provide this documentation to the SHPO.

E. Evaluation of National Register Eligibility. If historic properties are identified within the APE, the USACE shall determine their eligibility for the NRHP in accordance with the process described in 36 CFR 800.4(c) and criteria established in 36 CFR 60. All draft reports of NRHP site testing or other NRHP investigations shall be submitted to the SHPO and Tribes for review and comment. If SHPO comments are not received by the USACE within 30 days of receipt, the reports or investigations and their recommendations shall be considered adequate and the reports may be finalized. Comments received by the USACE from the SHPO or Tribes shall be addressed in the final report, which shall be provided to all consulting parties. The determinations of significance shall be conducted in consultation with the SHPO and Tribes. Should the USACE and the SHPO agree that a property is or is not eligible, then such consensus shall be deemed conclusive for the purpose of this PA. Should the USACE and the SHPO not agree regarding the eligibility of a property, the USACE shall obtain a determination of eligibility from the Keeper of the National Register pursuant to 36 CFR 63. For historic properties found not eligible for the NRHP, no further protection or consideration of the site will be afforded for compliance purposes.

F. Assessment of Adverse Effects.

1. No Historic Properties Affected. The USACE shall make a reasonable and good faith effort to evaluate the effect of each undertaking on historic properties in the APE. The USACE may conclude that no historic properties are affected by an undertaking if no historic properties are present in the APE, or the undertaking will have no effect as defined in 36 CFR 800.16(i). This finding shall be documented in compliance with 36 CFR 800.11(d) and the documentation shall be provided to the SHPO and retained by the USACE for at least seven (7) years. The USACE shall provide information on the finding to the public upon request, consistent with the confidentiality requirements or 36 CFR 800.11(c).

2. Finding of No Adverse Effect. The USACE, in consultation with the SHPO, and Tribes shall apply the criteria of adverse effect to historic properties within the APE in accordance with 36 CFR 800.5. The USACE may propose a finding of no adverse effect if the undertaking's effects do not meet the criteria of 36 CFR 800.5(a)(1) or the undertaking is modified to avoid adverse effects in accordance with 36 CFR 68. The USACE shall provide to the SHPO documentation of this finding meeting the requirements of 36 CFR 800.11(e). The SHPO shall have 30 days in which to review

the findings and provide a written response to the USACE. The USACE may proceed upon receipt of written concurrence from the SHPO. Failure of the SHPO to respond with 30 calendar days of receipt of the finding shall be considered agreement with the finding. The USACE shall maintain a record of the finding and provide information on the finding to the public upon request, consistent with the confidentiality requirements of 36 CFR 800.11(c).

3. Resolution of Adverse Effect. If the USACE determines that the undertaking will have an adverse effect on historic properties as measured by criteria in 36 CFR 800.5(a)(1), the USACE shall consult with the SHPO and Tribes to resolve adverse effects in accordance with 36 CFR 800.6.

   a) For historic properties that the USACE and the SHPO agree will be adversely affected, the USACE shall:

      (1) Consult with the SHPO to identify other individuals or organizations to be invited to become consulting parties. If additional consulting parties are identified, the USACE shall provide them copies of documentation specified in 36 CFR 800.11(e) subject to confidentiality provisions of 36 CFR 800.11(c).

      (2) Afford the public an opportunity to express their views on resolving adverse effects in a manner appropriate to the magnitude of the project and its likely effects on historic properties.

      (3) Consult with the SHPO, Tribes, and any additional consulting parties to seek ways to avoid, minimize or mitigate adverse effects.

      (4) Prepare an historic property plan (Plan) which describes mitigation measures the USACE proposes to resolve the undertaking's adverse effects and provide this Plan for review and comment to all consulting parties. All parties have 30 days in which to provide a written response to the USACE.

   b) If the USACE and the SHPO fail to agree on how adverse effects will be resolved, the USACE shall request that the Council join the consultation and provide the Council and all consulting parties with documentation pursuant to 36 CFR 800.11(g).
   c) If the Council agrees to join the consultation, the USACE shall proceed in accordance with 36 CFR 800.9.

   d) If, after consulting to resolve adverse effects, the Council, the USACE, or the SHPO determines that further consultation will not be productive, then any party may terminate consultation in accordance with the notification requirements and processes prescribed in 36 CFR 800.7.

II. Post Review Changes and Discoveries

A. Changes in the Undertaking. If construction on the undertaking has not commenced and the USACE determines that it will not conduct the undertaking as originally coordinated, the USACE shall reopen consultation pursuant to Stipulation I. D-F.

B. Unanticipated Discoveries or Effects. Pursuant to 36 CFR 800.13(b)(3), if historic properties are discovered or unanticipated effects on historic properties are found after construction on an undertaking has commenced, the USACE shall develop a treatment plan to resolve adverse effects and notify the SHPO and Tribes within 48 hours of the discovery. The notification shall include the USACE assessment of the NRHP eligibility of affected properties and proposed actions to resolve the adverse effects. Comments received from the SHPO and Tribes within 48 hours of the notification shall be taken into account by the USACE in carrying out the proposed treatment plan. The USACE may assume SHPO concurrence in its eligibility assessment and treatment plan unless otherwise notified by the SHPO within 48 hours of notification. USACE shall provide the SHPO and Tribes a report of the USACE actions when they are completed.

III. Curation and Disposition of Recovered Materials, Records, and Reports

A. Curation. The USACE shall ensure that all archeological materials and associated records owned by the State of Texas or the NFS, which result from identification, evaluation, and treatment efforts conducted under this PA, are accessioned into a curation facility in accordance with the standards of 36 CFR 79, the Antiquities Code of Texas (Texas Natural Resource Code, Chapter 191), the Texas Administrative Code 13 TAC §29.5, and the Council of Texas Archeologists Guidelines and Standards for Curation, except as specified in Stipulation IV for human remains. The curation of items owned by the State of Texas or the NFS shall be maintained in perpetuity by the NFS. Archeological items and materials from privately owned lands shall be returned to their owners upon completion of analyses required for Section 106 compliance under this PA.

B. Reports. The USACE shall provide copies of final technical reports of investigations and mitigation to the consulting parties and the SHPO, as well as additional copies for public distribution. All consulting parties shall withhold site location information or other data that may be of a confidential or sensitive nature pursuant to 36 CFR 800.11(c).

IV. Treatment of Native American Human Remains

A. Prior Consultation. If the USACE's investigations, conducted pursuant to Stipulation I of this PA, indicate a high likelihood that Native American Indian human remains may be encountered, the USACE shall develop a treatment plan for these remains in consultation with the SHPO and Tribes. The USACE shall ensure that Tribes indicating an interest in the undertaking are afforded a reasonable opportunity to identify concerns, provide advice on identification and evaluation, and participation in the resolution of adverse effects in compliance with the terms of this PA.

B. Inadvertent Discovery. Immediately upon the inadvertent discovery of human remains during historic properties investigations or construction activities conducted pursuant to this PA, the USACE shall ensure that all ground disturbing activities cease in the vicinity of the human remains and any associated grave goods and that the site is secured from further disturbance or vandalism. The USACE shall be responsible for immediately notifying local law enforcement officials, and within 48 hours of the discovery, shall initiate consultation with the SHPO and Tribes to develop a plan for resolving the adverse effects.

C. Dispute Resolution. If, during consultation conducted under paragraphs A and B of Stipulation IV, all consulting parties cannot agree upon a consensus plan for resolving adverse effects, the matter shall be referred to the Council for resolution in accordance with the procedures outlines in 36 CFR 800.9.

V. PA Amendments, Disputes and Termination

A. Amendments. Any party to the PA may propose to the other parties that it be amended, whereupon the parties will consult in accordance with 36 CFR 800.6(c)(7) to consider such an amendment.

B. Disputes. Disputes regarding the completion of the terms of this agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute, any one of the signatories may request the participation of the Council in resolving the dispute in accordance with the procedures outlined in 36 CFR 800.9. The USACE shall forward to the Council and all consulting parties within fifteen (15) days of such a request all documentation relevant to the dispute, including the USACE's proposed resolution of the dispute. The Council will respond to the request within thirty (30) days of receiving all documentation. The USACE will take any recommendations or comments from the Council into account in resolving the dispute. In the event that the Council fails to respond to the request within thirty (30) days of receiving all documentation, the USACE may assume the Council's concurrence with its proposed resolution and proceed with resolving the dispute.

C. Termination of PA. Any party to this PA may terminate it by providing a sixty (60) day notice to the other parties, provided that the parties will consult during the period prior to the termination to seek agreement on amendments or other actions that will avoid termination. In the event of termination of this PA the USACE shall comply with the provisions of 36 CFR 800, Subpart B.

VI. Term of this Agreement

A. This PA remains in force for a period of ten (10) years from the date of its execution by all signatories, unless terminated pursuant to Stipulation V(C) Sixty (60) days prior to the conclusion of the ten (10) year period, the USACE shall notify all parties in writing of the end of the ten year period to determine if they have any objections to extending the term

of this PA. If there are no objections received prior to expiration, the PA will continue to remain in force for a new ten (10) year period.

Execution of this PA and implementation of its terms evidences that the USACE has afforded the Council an opportunity to comment on the undertaking and its effects on historic properties, and that the USACE has taken into account those effects and fulfilled Section 106 responsibilities regarding the undertaking.

Colonel Lars N. Zetterstrom, District Engineer	**Date**

Mark Wolfe, Texas State Historic Preservation Officer	**Date**

Signatory for, Calhoun Port Authority	**Date**

THE MATAGORDA SHIP CHANNEL IMPROVEMENT PROJECT,
MATAGORDA AND CALHOUN COUNTIES, TEXAS

CULTURAL RESOURCES AND PROJECT SUMMARY
FOR THE PROGRAMMATIC AGREEMENT

U.S. ARMY CORPS OF ENGINEERS
GALVESTON DISTRICT

I. Study Purpose

The US Army Corps of Engineers (USACE) has prepared an Integrated Feasibility Report and Environmental Impact Statement (IFR-EIS) (USACE, 2019) that presents the results of a feasibility study to recommend to Congress improvements to the Matagorda Ship Channel in Calhoun and Matagorda Counties, Texas. These improvements reflect the need to reduce transportation costs and provide safe, reliable navigation due to significant changes in the economic conditions of the port. Authorization for the study is derived from Public Law 91-611; Title II - River and Harbor and Flood Control Act of 1970, Section 216, dated December 31, 1970, 33 U.S.C. § 549a, which states:

> *The Secretary of the Army, acting through the Chief of Engineers, is authorized to review the operation of project the construction of which has been completed and which were constructed by the Corps of Engineers in the interest of navigation, flood control, water supply, and related purposes, when found advisable due to significantly changed physical or economic conditions, and to report thereon to Congress with recommendations on the advisability of modifying the structures or their operation, and for improving the quality of the environment in the overall public interest.*

The study fits into the overall concept of the authorization to conduct an integrated and coordinated approach to locating and implementing opportunities for improvements to the Matagorda Ship Channel. The Calhoun Port Authority, formerly known as the Calhoun County Navigation District, is participating as a non-Federal sponsor. This document has been prepared to provide background information supporting coordination of a draft Cultural Resources Programmatic Agreement. Information is presented on the proposed project, the area of potential effects (APE), cultural resources in the study area, investigations that have been conducted to identify historic properties, and potential project effects on these properties.

II. Description of Existing Project

The proposed project area for the Matagorda Ship Channel Improvement project is located along the central Texas coast and has been occupied by humans for the last 7,500 years. The study area is characterized by upland coastal prairies dissected by streams and rivers and extensive bay and estuarine systems along the coast. The Colorado, Lavaca, San Antonio, and Guadalupe rivers are the major drainages in the region. Sediments in the region consist of fluvial deposits and delta formations overlying Pleistocene aged clay. Prehistoric sites are commonly found within these upper sediments along streams and rivers and adjacent to brackish estuarine systems, close to prime areas for resource exploitation. These sites include campsites, dense shell middens, and cemeteries, containing projectile points, stone, bone, and shell tools, aquatic and terrestrial faunal remains, hearth features, ceramics, and in some cases human remains and associated funerary objects. Shell midden sites are especially common in the region along the shorelines and upland areas adjacent to rivers and bays and on the barrier islands. Historic age resources in the region consist of farmsteads, plantations, and ranches, houses, buildings, bridges, cemeteries, lighthouses, shipwrecks, and the ruins of these buildings and structures. Although historic age resources can occur anywhere, these sites tend to be concentrated in small towns and urban areas, along roads, and within current and historic navigation paths. Shipwrecks may also occur in numerous locales due to the dynamic nature of the sea floor and bay bottoms and the lack of navigation improvements until the latter part of the 19th century. These dynamic conditions can result in shifting shoals and reefs that endanger ships as well as bury their wrecks as shorelines and bars migrate through time.

There are over 600 recorded prehistoric and historic archeological sites located within this region of the central Texas Coast. These cultural resources include National Register of Historic Places (NRHP) listed properties, archeological sites, cemeteries, historical markers, and shipwrecks and submerged resources. A preliminary assessment of the cultural resources within five miles of the project area was conducted using a desktop review of the databases maintained by the Texas Historical Commission and the Texas Archeological Research Laboratory for terrestrial and marine cultural resources as well as the shipwreck and obstruction databases of the National Oceanic and Atmospheric Administration and the Bureau of Ocean Energy Management. This assessment identified 113 previously recorded cultural resources including 42 archeological sites, five cemeteries, 31 historical markers, and 35 possible marine resources. There are no recorded National Register properties or State Historic Landmarks within the study area.

Within the areas of the proposed new dredging and dredged material placement area construction, a study area was examined within 500 feet of the proposed work for existing cultural resources. There are no previously recorded cultural resources located within this study area. However, a 2006 marine archeological survey of the channel identified 39 magnetic anomalies and four associated sonar targets along the ship channel (Borgens et al. 2007). Another survey conducted in 2013 of the portions of the channel identified seven magnetic anomalies within the project area (Tuttle 2018).

The primary considerations concerning cultural resources are threats from direct impacts to intact terrestrial and marine archeological sites from new construction and improvements. A portion of the study area, primarily around Point Comfort has been altered for industrial and commercial

use. Additionally, shoreline areas, especially along the western shorelines of Matagorda and Lavaca Bays have suffered from erosion from coastal storms and wind and wave action. However, based on the previous investigations, there is a high probability for ship wrecks to occur anywhere in Matagorda and Lavaca Bays. There is also a high probability for archeological sites to occur in the newly proposed dredged material placement area P1. Due to the minimal impacts to upland areas, there is little likelihood of impacting historic buildings or structures and there are no cemeteries located within the project area.

III. Tentatively Selected Plan

The Matagorda Ship Channel Improvement project consists of the construction of an extension to the existing entrance channel and the deepening and widening of the existing channel. The tentatively selected plan includes the following elements:

- The Entrance Channel Extension includes extending the existing entrance channel by an additional 2.5 miles (between Stations -33+000 and -20+000) (Appendix F, Drawing C-11). This channel would be dredged to a maximum depth of 53 feet and 600 feet wide. Dredging in this section will done by hopper dredge and material will be placed in the new Offshore Dredged Material Disposal Site (ODMDS) O-5.

- The Entrance Channel extends for a length of 2.7 miles between Stations -20+000 and -6+000 (Appendix F, Drawing C-10). This section will be dredged to increase depth from 40 feet to 54 feet and to increase the width from 300 feet to 600 feet. Dredging in this section will done by hopper dredge and material will be placed in the new ODMDS O-5.

- The Jetty Channel extends for a length of 1.1 miles between Stations -6+000 and 0+000 (Appendix F, Drawing C-9). This section will be dredged to increase depth from 40 feet to 54 feet and to increase the width from 300 feet to 600 feet. Dredging in this section will done by hopper dredge and material will be placed at Sundown Island.

- The channel crosses 14.2 miles of Matagorda Bay (between Stations 0+000 and 75+000) (Appendix F, Drawing C-4 to C-9) and 7.8 miles of Lavaca Bay (between Stations 75+000 and 116+223) (Appendix F, Drawing C-1 to C-4). These sections will be dredged to increase depth from 38 feet to 51 feet and to increase the width from 200 feet to 350 feet. The 150 feet of widening will occur only on the west side of the channel. Dredging in this section will done by a hydraulic pipeline dredge and material will be placed in new upland placement area P1 and new unconfined open-water placement areas NP2 and NP3.

- A new turning basin is proposed between Stations 111+450.24 and 114+592 (Appendix F, Drawing C-1). This turning basin would be dredged to a depth of 51 feet and 1,200 feet wide. Dredging in this section will done by a hydraulic pipeline dredge and material will be placed in new bay upland placement area ER3/D.

- The Point Comfort Turning Basin (between Stations 116+223 and 117+223) and the Point Comfort North and South Basins (between Stations 117+223 and 118+502) will be dredged to increase depth from 38 feet to 51 feet (Appendix F, Drawing C-1). These basins will

not be widened, maintaining their current width of 1000 feet (Point Comfort Turning Basin) and 159.43 to 344.77 feet (Point Comfort North and South Basins). Dredging in this section will done by a hydraulic pipeline dredge and material will be placed in new bay upland placement area ER3/D.

- New dredged material placement areas will be constructed at ER3/D, a bay upland area, west of Point Comfort, upland placement area P1, west of Magnolia Beach, unconfined open water placement areas NP2 and NP3 between the existing channel and the western shoreline of Matagorda Bay, and Offshore Dredged Material Placement area O-5 southwest of the Entrance Channel Extension (Appendix F, Drawing G-2).

IV. Cultural Resources and Area of Potential Effects

The activities associated with the proposed undertaking include all new construction, improvements, and maintenance activities related to the proposed Matagorda Ship Channel Improvement project. The Area of Potential Effect (APE) includes the footprint of all areas in the tentatively selected plan. The APE also includes any new areas of direct impacts from new construction, construction of staging and access areas, new dredged material placement areas, and project maintenance activities that may be added during Project Engineering and Design.

Cultural resource surveys have been performed for much of the surrounding region and some of these investigations overlap with the proposed APE. The majority of the tentatively selected plan, primarily within the ship channel and new dredged material placement area ER3/D have been previously surveyed. Two segments of the ship channel were surveyed in Matagorda Bay in 1990 and identified 53 anomalies, but the investigators concluded that none of these anomalies were ship wrecks (Pearson and Hudson 1990). Enright et al. (2002) conducted a marine survey across Matagorda Bay to explore alternate routes for the Gulf Intracoastal Waterway. This survey crossed the Matagorda Ship Channel in two locations and identified three magnetic anomalies (M5, M6, and M9) near, but outside of, the ship channel. Enright et al. (2002) concluded that these three anomalies were associated with modern well pads or platforms. PBS&J conducted a marine survey of the Point Comfort turning basin and proposed dredged material placement areas at ER3/D and along the north side of Cox Bay (Borgens and Gearhart 2006). Borgens and Gearhart (2006) did not identify any ship wrecks and recommended no additional investigations in the area.

The most comprehensive survey of the ship channel was conducted in 2007 by PBS&J (Borgens et al. 2007). This survey was conducted over the entire currently proposed channel expansion and at new bay upland dredged material placement area ER3/D at the behest of the Calhoun County Navigation District in support of a USACE regulatory permit. Borgens et al. (2007) identified 39 features and concluded that 17 of these features were potentially significant. Of these 17 features, eleven magnetic anomalies (M6, M7, M8, M9, M10, M12 (S5), M18, M19, M46, M47, and M48) have a potential to be impacted by the proposed project. Additionally, Tuttle (2018) conducted a survey for a Liquid Natural Gas facility just south of Point Comfort that included a turning basin and portions of the existing channel. During this survey, Tuttle (2018) identified seven magnetic anomalies (142, 164, 197, 217, 221, 224, and 231) that were

recommended for avoidance or additional close order survey. Anomaly 197 was determined to correlate with anomaly M7 identified previously by Borgens et al. (2007).

Other marine archeological surveys have been conducted across Matagorda and Lavaca Bays, but they do not intersect with the project area. In 1982, the Texas Antiquities Committee conducted a magnetometer survey at Pass Cavallo and north of the Matagorda Peninsula near Greens Bayou, identifying five shipwrecks and numerous magnetic anomalies (Arnold 1982). Dan Scurlock and William Schroeder conducted a marine survey over seven state tracts in the northwestern portion of Matagorda Bay, identifying sixteen possible ship wrecks, with only one of these wrecks producing modern artifacts (Institute for Underwater Research 1971). In 1993, Coastal Environments, Inc. conducted a marine survey of the lower reaches of the Lavaca and Navidad Rivers (Pearson et al. 1993). While this survey did identify two ship wrecks in the Navidad River, these sites are not located within the current study area. PBS&J conducted two surveys in 2004 and another survey in 2006 for proposed well pads and flow lines in Matagorda Bay, east of the project area (Gearhart et al. 2004; Jones et al. 2005; Jones et al. 2006). These surveys identified 12 magnetic anomalies, but the investigators did not conduct additional investigations to determine their origin. Finally, LLOG Exploration Texas L.P. conducted an archeological and hazard survey east of the project area in Matagorda Bay (El Darragi and Saltus 2006). This survey identified 41 anomalies outside of the current project area that were recommended for avoidance, but no additional investigations have been conducted to determine the origin of these anomalies.

One of the first broad terrestrial surveys of the Matagorda Bay area was conducted by the Texas General Land Office and the Texas Archeological Survey in 1975 (Fritz 1975). This survey was conducted over six target areas in eastern Matagorda Bay, eastern Matagorda Island, the peninsula south of Keller Bay, the shoreline of Cox Bay, the lower reach of the Lavaca River, and upland areas between Indianola and Magnolia Beach. This last area, between Indianola and Magnolia Beach is near the proposed new dredged material placement area P1 and Fritz (1975) identified seven archeological sites in this area. Five of these sites were prehistoric sites that included lithic debitage, pottery, and at least one human burial. These sites were located on natural and cultural shell ridges amidst salt marshes and small lakes. The other two sites were historic in age and included a cemetery and the former village of Karlshaven at Indian Point (Fritz 1975).

Other terrestrial surveys conducted in the vicinity of proposed dredged material placement area P1 include shoreline surveys north of Indianola Island (McCoy 1986; 1987), a survey of a shrimp farm northwest of the project area (Warren 1987), two pipeline surveys north of the project area (Heartfield, Price and Greene 1988; Roberts 1998), and a survey for a salt marsh remediation project on Powderhorn Lake (Turpin 2003). None of these projects identified cultural resources within their survey areas, although Roberts (1998) did identify two sites just south of Chocolate Bay. Three surveys have also been conducted along Ocean Drive between Indianola Island and Magnolia Beach including a shoreline survey by Geo-Marine (Tinsley and Forbes 2010), a survey of Ocean Drive by William Self Associates, Inc. (Smith and Karbula 2011), and another survey of Ocean Drive by Hicks & Company (Haefner and Reed 2014). All three of these surveys included pedestrian survey, shovel testing, and architectural surveys, but did not identify any historic properties.

Additional terrestrial surveys in the study area include a pipeline and liquid natural gas terminal survey at Point Comfort,, extending north along FM 1593 (Handly et al. 2005). This survey included a pedestrian survey and architectural survey at high probability areas along the pipeline route and did not identify any cultural resources. Moore Archeological Consulting, Inc. conducted a survey for the Powderhorn Ranch Marina on the western shoreline of Matagorda Bay and included shovel testing and backhoe trenching (Driver 2011). Driver (2011) did not identify any cultural resources. Finally, Prewitt and Associates, Inc. was contracted by the U.S. Army Corps of Engineers, Galveston District to conduct a comprehensive survey of the shoreline and adjacent parcels of the Gulf Intracoastal Waterway between Port O'Connor and the Brazos River Floodgates (Gadus and Freeman 2005). These investigations included pedestrian survey, architectural survey, and survey by helicopter. While this investigation identified several cultural resources, they did not find any resources in the current project area.

V. Recommendations

There is a potential for the tentatively selected plan to impact historic properties. The majority of the proposed construction activities will be the deepening and widening of the ship channel and the construction of associated placement areas. Dredged material from these activities will be placed in marine placement areas including the new ODMDS O-5, the existing Sundown Island placement area, and new unconfined open-water placement areas southwest of the channel in Matagorda Bay (NP2 and NP3). The two new upland placement areas, ER3/D and P1 will also receive dredged material. With the exception of Sundown Island and ER3/D, these placement areas are considered to have a high probability for cultural resources to occur. Therefore, it is recommended that additional marine investigations consisting of close-order survey be conducted on anomalies identified by Borgens et al. (2007) (M6, M7, M8, M9, M10, M12 (S5), M18, M19, M46, M47, and M48) and by Tuttle (2018) (142, 164, 197, 217, 221, 224, and 231) to determine the nature and origin of these anomalies. Furthermore, it is recommended that marine survey investigations be conducted within the areas of the newly proposed unconfined open-water placement areas and ODMDS O-5. Finally, it is recommended that the new upland placement area P1 be subjected to a pedestrian survey to include subsurface testing to determine the presence or absence of historic properties. These investigations will be conducted prior to construction during the U.S. Army Corps of Engineers Project Engineering and Design phase. The scope of these investigations will be determined in concert with the Texas State Historic Preservation Officer and Native American Tribes and in accordance with the Programmatic Agreement for this project.

VI. References Cited

Arnold, Barto J.
1982 A Matagorda Bay Survey and Site Test Excavation Project. Texas Antiquities Committee Publication No. 9, Texas Antiquities Committee, Austin, Texas.

Borgens, Amy, and Robert L. Gearhart
2006 Archaeological Investigations Related to Calhoun County Navigation District's Proposed Turning Basin and Marine Improvements and Associated Placement Areas, Lavaca Bay, Calhoun County, Texas. PBS&J, Austin, Texas.

Borgens, Amy A., Sara G. Lawrence, and Robert L. Gearhart
2007 Marine Geophysical Survey for Historic Properties, Matagorda Ship Channel and Potential Placement Areas, Matagorda Ship Channel Improvement Project, Matagorda and Lavaca Bays, Texas. PBS&J, Austin, Texas.

Driver, David
2011 A Cultural Resources Survey for the Proposed Powderhorn Ranch Marina on Matagorda Bay, Calhoun County, Texas. Report of Investigations Number 593, Moore Archeological Consulting, Inc., Houston, Texas.

El Darragi, S. Dean, and Allen R. Saltus
2006 Archaeological and Hazard Study of Two Proposed Well Sites and Rig Routes, Matagorda Bay 103 Well Nos. 1 and 2 & Matagorda Bay 128 Well Nos. 1 and 2, Matagorda Bay Area, Calhoun County, Texas. LLOG Exploration Texas, L.P., Metairie, Louisiana.

Enright, Jeffrey M., Robert L. Gearhart, and Robert Rogers
2002 Underwater Remote-Sensing Survey of Gulf Intracoastal Waterway Alternative Routes across Matagorda Bay, Matagorda and Calhoun Counties, Texas. PBS&J, Austin, Texas.

Fritz, Gayle
1975 Matagorda Bay Area, Texas: A Survey of the Archeological and Historical Resources. Texas General Land Office and Texas Archeological Survey, University of Texas at Austin, Texas.

Gadus, E. Frances, and Martha Doty Freeman
2005 Cultural Resources Survey of the Gulf Intracoastal Waterway from the Brazos River Floodgates to Port O'Connor, Brazoria, Calhoun, and Matagorda Counties, Texas. Reports of Investigations Number 141, Prewitt and Associates, Inc., Austin, Texas.

Gearhart, Robert L., Jenna Watts, and Doug Jones
2004 Archaeological Remote Sensing Survey of Four Proposed Flow Lines and Two Proposed Well Pads in Matagorda Bay Conducted on behalf of Sterling Exploration & Production Co., LLC, Matagorda County, Texas. PBS&J, Austin, Texas.

Haefner, Josh, and Emily Reed
2014 Report on the Cultural Resource Investigations for Calhoun County's North Ocean Drive Raised Roadbed Project from 0.34 miles Southeast of the Crabbing Bridge to 0.087 miles Northeast of 21st Street, Calhoun County, Texas. Hicks & Company Archeology Series #256, Hicks & Company, Austin, Texas

Handly, M., R. Sick, S.B. Smith, P. Cropley, S. Poche, J. Langenberg, and W.P. Athens
2005 Phase I Cultural Resources Survey and Archeological Inventory of the Proposed Calhoun LNG Project at the Port of Port Lavaca - Point Comfort, Calhoun and Jackson Counties, Texas. R. Christopher Goodwin & Associates, Inc., New Orleans, Louisiana.

Heartfield, Price and Greene, Inc.
1988 A Cultural Resources Survey of Terrestrial Portions of the Proposed TRANSCO 20" Tomcat Pipeline, Calhoun and Matagorda Counties, Texas. Heartfield, Price and Greene, Inc., Monroe, Louisiana.

Institute for Underwater Research
1971 Archeological Survey for Shipwreck Sites in Northwestern Matagorda Bay. Institute for Underwater Research, Inc., Dallas, Texas.

Jones, Doug, Amy Borgens, and Jeffrey M. Enright
2006 Archaeological Remote-Sensing Survey of Proposed Wells ST 104-1, ST 175-1, and ST 178-1, and Two Associated Flow Lines in Matagorda Bay, Calhoun and Matagorda Counties, Texas. PBS&J, Austin, Texas.

Jones, Douglas, Jeff Enright, Jenna Enright, and Robert L. Gearhart
2005 Archaeological Remote-Sensing Survey of Two Proposed Flow Lines and Two Proposed Well Pads in Matagorda Bay, Calhoun and Matagorda Counties, Texas. PBS&J, Austin, Texas.

McCoy, Patricia
1986 Cultural Resources Survey, Department of the Army Permit Application 17879, Texas Department of Highways and Public Transportation Applicant, Matagorda Bay, Calhoun County, Texas. Letter Report on file, U.S. Army Corps of Engineers, Galveston, Texas.

McCoy, Patricia
1987 A Cultural Resource Survey, Department of the Army Permit Application 17958, Mr. L. Vianes Applicant, Calhoun County, Texas, Matagorda Bay. Letter Report on file, U.S. Army Corps of Engineers, Galveston, Texas.

Pearson, Charles E. and Kay G. Hudson
1990 Magnetometer Survey of the Matagorda Ship Channel: Matagorda Peninsula to Point Comfort, Calhoun and Matagorda Counties, Texas. Coastal Environments, Inc., Baton Rouge, Louisiana.

Pearson, Charles E., Stephen R. James, Kay G. Hudson, and James A. Duff
1993 Underwater Archaeology along the Lower Navidad and Lavaca Rivers, Jackson County, Texas. Coastal Environments, Inc., Baton Rouge, Louisiana.

Roberts, Katherine M.
1998 Cultural Resources Survey of the Proposed British Petroleum Chemicals, Inc. Duel 8-Inch Diameter Chemical Pipelines, Calhoun County, Texas. Coastal Environments, Inc., Baton Rouge, Louisiana.

Smith, Alexa M., and James Karbula
2011 Cultural Resources Survey of Ocean Drive, Calhoun County, Texas. WSA Technical Report No. 2011-11, William Self Associates, Inc., Round Rock, Texas.

Tinsley, Clayton M., and Jessica Forbes
2010 Magnolia Beach Intensive Cultural Resources Survey, Calhoun County, Texas. Geo-Marine, Inc., Plano, Texas.

Turpin, J.
2003 Alcoa Salt Marsh Remediation, Powderhorn Lake, Calhoun County, Texas. TAS, Inc., Austin, Texas.

Tuttle, Michael C.
2018 Marine Archaeological Survey for the Lavaca Bay LNG Project off Calhoun County, Texas. HRA Gray & Pape, LLC, Houston, Texas.

Warren, James E.
1987 A Cultural Resources Survey of Port Lavaca Plantation Shrimp Farm, Calhoun County, Texas. Report on file, U.S. Army Corps of Engineers, Galveston, Texas. James E. Warren, George West, Texas.

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

December 16, 2016

Regional Planning and Environmental Center

Ms. Jo Ann Battise
Chairperson
Alabama-Coushatta Tribe of Texas
571 State Park Road 56
Livingston, Texas 77351

Dear Chairperson Battise:

The U.S. Army Corps of Engineers, Galveston District (Corps) intends to prepare an Integrated Feasibility Report and Environmental Impact Statement (IFR-EIS) for the Matagorda Ship Channel (MSC) Feasibility Study. The Corps and the non-federal sponsor, the Calhoun Port Authority, would like to invite your agency to participate as a Cooperating Agency in the development of the IFR-EIS. The IFR-EIS will assess the social, economic and environmental effects of widening and deepening the Matagorda Ship Channel in Calhoun and Matagorda counties, Texas. In addition to No Action, specific alternatives to be evaluated are expected to include nonstructural measures, structural alternatives to modify the depth of the bayside channels of the MSC and alternatives to modify the depths and extend the length of the Entrance Channel into the Gulf of Mexico. The IFR-EIS will also evaluate the impacts and potential benefits of a dredged material management plan that may include new upland, confined placement areas, beneficial use of dredged material sites, and Ocean Dredged Material Disposal Sites.

In partial fulfillment of responsibilities under Executive Order 13175, the National Environmental Policy Act, and Section 106 of the National Historic Preservation Act, the Corps offers you the opportunity to review and comment on the potential of the proposed study to significantly affect protected tribal resources, tribal rights, or Indian lands. Furthermore, we would like to coordinate our review schedule for study completion so that all reviews and approvals will, to the maximum extent practicable, be conducted concurrently. This concurrent coordination is required by Section 2045 of the Water Resources Development Act of 2007 and Section 1001 of the Water Resources Reform Development Act of 2014. The following review periods for the IFR-EIS have been established in accordance with the current project schedule:

Review of Draft IFR-EIS – 45-day review period begins April 2018
State & Agency Review of Final IFR-EIS – 30-day review begins May 2019

We appreciate this opportunity to invite your participation as a Cooperating Agency and request that you advise us as to whether the report review periods shown above are acceptable. In addition, we would like to invite you to participate in the MSC Feasibility Study scoping meeting, which will be held from 5:30 to 7:30 pm on January 24, 2017 at the Bauer Civic Center, 2300 Highway 35 North, Port Lavaca, Texas 77979. Please contact Janelle Stokes of my staff at (409) 766-3039 or at janelle.s.stokes@usace.army.mil.

Sincerely,

Eric W. Verwers
Director, Regional Planning and
Environmental Center

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

December 16, 2016

Regional Planning and Environmental Center

Mr. Jimmy Arterberry
Tribal Administrator
The Comanche Nation
P.O. Box 908
Lawton, Oklahoma 73502

Dear Administrator Arterberry:

The U.S. Army Corps of Engineers, Galveston District (Corps) intends to prepare an Integrated Feasibility Report and Environmental Impact Statement (IFR-EIS) for the Matagorda Ship Channel (MSC) Feasibility Study. The Corps and the non-federal sponsor, the Calhoun Port Authority, would like to invite your agency to participate as a Cooperating Agency in the development of the IFR-EIS. The IFR-EIS will assess the social, economic and environmental effects of widening and deepening the Matagorda Ship Channel in Calhoun and Matagorda counties, Texas. In addition to No Action, specific alternatives to be evaluated are expected to include nonstructural measures, structural alternatives to modify the depth of the bayside channels of the MSC and alternatives to modify the depths and extend the length of the Entrance Channel into the Gulf of Mexico. The IFR-EIS will also evaluate the impacts and potential benefits of a dredged material management plan that may include new upland, confined placement areas, beneficial use of dredged material sites, and Ocean Dredged Material Disposal Sites.

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Eric W. Verwers
Director, Regional Planning and
Environmental Center

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

December 16, 2016

Regional Planning and Environmental Center

Mr. Lovelin Poncho
Chairman
Coushatta Tribe of Louisiana
1940 C.C. Bel Road
Elton, Louisiana 70532

Dear Chairman Poncho:

The U.S. Army Corps of Engineers, Galveston District (Corps) intends to prepare an Integrated Feasibility Report and Environmental Impact Statement (IFR-EIS) for the Matagorda Ship Channel (MSC) Feasibility Study. The Corps and the non-federal sponsor, the Calhoun Port Authority, would like to invite your agency to participate as a Cooperating Agency in the development of the IFR-EIS. The IFR-EIS will assess the social, economic and environmental effects of widening and deepening the Matagorda Ship Channel in Calhoun and Matagorda counties, Texas. In addition to No Action, specific alternatives to be evaluated are expected to include nonstructural measures, structural alternatives to modify the depth of the bayside channels of the MSC and alternatives to modify the depths and extend the length of the Entrance Channel into the Gulf of Mexico. The IFR-EIS will also evaluate the impacts and potential benefits of a dredged material management plan that may include new upland, confined placement areas, beneficial use of dredged material sites, and Ocean Dredged Material Disposal Sites.

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Eric W. Verwers
Director, Regional Planning and
Environmental Center

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

December 16, 2016

Regional Planning and Environmental Center

Mr. Mattew M. Komalty
Chairman
Kiowa Indian Tribe of Oklahoma
100 Kiowa Way
Carnegie, Oklahoma 73015

Dear Chairman Komalty:

The U.S. Army Corps of Engineers, Galveston District (Corps) intends to prepare an Integrated Feasibility Report and Environmental Impact Statement (IFR-EIS) for the Matagorda Ship Channel (MSC) Feasibility Study. The Corps and the non-federal sponsor, the Calhoun Port Authority, would like to invite your agency to participate as a Cooperating Agency in the development of the IFR-EIS. The IFR-EIS will assess the social, economic and environmental effects of widening and deepening the Matagorda Ship Channel in Calhoun and Matagorda counties, Texas. In addition to No Action, specific alternatives to be evaluated are expected to include nonstructural measures, structural alternatives to modify the depth of the bayside channels of the MSC and alternatives to modify the depths and extend the length of the Entrance Channel into the Gulf of Mexico. The IFR-EIS will also evaluate the impacts and potential benefits of a dredged material management plan that may include new upland, confined placement areas, beneficial use of dredged material sites, and Ocean Dredged Material Disposal Sites.

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Eric W. Verwers
Director, Regional Planning and
Environmental Center

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

December 16, 2016

Regional Planning and Environmental Center

Mr. Danny Breuninger, Jr.
President
Mescalero Apache Tribe
P.O. Box 227
Mescalero, New Mexico 88340

Dear President Breuninger:

The U.S. Army Corps of Engineers, Galveston District (Corps) intends to prepare an Integrated Feasibility Report and Environmental Impact Statement (IFR-EIS) for the Matagorda Ship Channel (MSC) Feasibility Study. The Corps and the non-federal sponsor, the Calhoun Port Authority, would like to invite your agency to participate as a Cooperating Agency in the development of the IFR-EIS. The IFR-EIS will assess the social, economic and environmental effects of widening and deepening the Matagorda Ship Channel in Calhoun and Matagorda counties, Texas. In addition to No Action, specific alternatives to be evaluated are expected to include nonstructural measures, structural alternatives to modify the depth of the bayside channels of the MSC and alternatives to modify the depths and extend the length of the Entrance Channel into the Gulf of Mexico. The IFR-EIS will also evaluate the impacts and potential benefits of a dredged material management plan that may include new upland, confined placement areas, beneficial use of dredged material sites, and Ocean Dredged Material Disposal Sites.

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

December 16, 2016

Regional Planning and Environmental Center

Mr. Russell Martin
President
Tonkawa Tribe of Oklahoma
1 Rush Buffalo Road
Tonkawa, Oklahoma 74654

Dear President Martin:

The U.S. Army Corps of Engineers, Galveston District (Corps) intends to prepare an Integrated Feasibility Report and Environmental Impact Statement (IFR-EIS) for the Matagorda Ship Channel (MSC) Feasibility Study. The Corps and the non-federal sponsor, the Calhoun Port Authority, would like to invite your agency to participate as a Cooperating Agency in the development of the IFR-EIS. The IFR-EIS will assess the social, economic and environmental effects of widening and deepening the Matagorda Ship Channel in Calhoun and Matagorda counties, Texas. In addition to No Action, specific alternatives to be evaluated are expected to include nonstructural measures, structural alternatives to modify the depth of the bayside channels of the MSC and alternatives to modify the depths and extend the length of the Entrance Channel into the Gulf of Mexico. The IFR-EIS will also evaluate the impacts and potential benefits of a dredged material management plan that may include new upland, confined placement areas, beneficial use of dredged material sites, and Ocean Dredged Material Disposal Sites.

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