



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

May 10, 2013

**DEPARTMENT OF DEFENSE**

**Department of the Army; Corps of Engineers**

**Notice of Availability for the Environmental Assessment, Galveston Harbor Channel Extension, Post-Authorization Change Report, Galveston County, Texas**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, Department of Defense; Texas Commission on Environmental Quality

**ACTION:** Notice of Availability and Joint Public Notice

**SUMMARY:** The U.S. Army Corps of Engineers (USACE), Galveston District announces the release of the Draft Post-Authorization Change Report (DPACR), the Draft Environmental Assessment (DEA), and the Draft General Conformity Determination (DGCD), and their public comment periods, for the Galveston Harbor Channel Extension Project, Post-Authorization Change Report.

**PURPOSE:** This public notice is to inform interested parties that the U.S. Army Corps of Engineers (USACE), Galveston District (the District) has prepared a Draft Environmental Assessment (DEA) in accordance with the National Environmental Policy Act (NEPA), Public Law 91-190, and regulations for implementing the Procedural Provisions of the NEPA, 40 Code of Federal Regulations 1500-1508. This notice is being distributed to interested State, Federal, and local agencies, private organizations, and individuals in order to assist in collecting facts and recommendations concerning the tentatively recommended channel improvements to extend the limits of the existing authorized 45-foot deep Galveston Harbor Channel for a distance of 2,571 feet to reach the end of the limits of the authorized and currently maintained 40-foot portion of the channel.

**PROJECT LOCATION:** The approximately 4-mile-long Galveston Harbor Channel is included in the Galveston Channel Reach of the Houston-Galveston Navigation Channels (HGNC), Texas, Project, and provides entry to the Port of Galveston located on the upper Texas coast near the mouth of Galveston Bay in Galveston County, Texas.

**PROJECT DESCRIPTION:** Tentatively recommended channel improvements would deepen the 40-foot deep by 1,085-foot wide segment of the Galveston Harbor Channel from Station 20+000 (near POG Pier 38) to Station 22+571 (near the Pelican Island Bridge) to a 45-foot deep by 1,075-foot wide channel. The proposed project, referred to as the Galveston Harbor Channel Extension, would be consistent with the newly deepened -45 feet mean low tide (MLT) Galveston Harbor Channel dimensions. The channel modifications would increase efficient movement of deep-draft vessels transporting commodities to dock facilities located along this terminal section of the Galveston Harbor Channel.

**NEED FOR WORK:** The tentatively recommended channel improvement would address the navigation inefficiency that exists within last 2,571 feet of the Galveston Harbor Channel by deepening the -40 foot MLT section of channel to be consistent with the rest of the existing -45 feet MLT Galveston Harbor Channel. Deepening the channel would allow vessel operators and shippers to fully realize the economies of scale of fully loaded vessels that are currently light-loaded inbound and outbound due to channel depth constraints. Vessel operators and shippers would be able to transport larger volumes of goods on more fully loaded or deeper draft vessels, which would improve shipping productivity by moving cargo faster, safer, and more efficiently with less energy expended and producing less pollution.

**PROPOSED WORK:** The Tentatively Recommended Plan consists of channel improvements to deepen the 40-foot deep by 1085-foot wide segment of the Galveston Harbor Channel from Station 20+000 (near POG Pier 38) to Station 22+571 (near the Pelican Island Bridge) to a 45-foot deep by 1,075-foot wide channel(Figure 3). Channel improvements would be constructed using a cutter head, hydraulic pipeline dredge, from its existing depth of -40-foot MLT to a depth of -45 feet MLT to be consistent with the rest of the channel. Advanced maintenance and allowable over-depth would remain at the current requirement of 3 feet and 2 feet, respectively, such that the maximum channel depth following periodic maintenance would not exceed -50 feet MLT. Side slopes would be constructed at a slope of 1V:3H (1 foot vertical to 3 foot horizontal) and maintained at 1V:2H, which is consistent with maintenance of the remainder of the existing -45-foot MLT project. Channel dredging to construct the -45-foot MLT project would generate 513,800 cubic yards (cy) of new work material, consisting of primarily firm to stiff clays of high plasticity. The dredged material would be placed in the upland confined Pelican Island Placement Area (PA).

**COMPLIANCE WITH LAWS AND REGULATIONS:** This proposed plan is being coordinated with the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and other Federal, state, and local agencies. Informal consultation procedures have begun with the USFWS and NMFS in compliance with the Endangered Species Act, as amended. Our initial determination is that the proposed action will not have any adverse impacts on threatened or endangered species.

*Essential Fish Habitat:* This notice initiates Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action will 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 NMFS.

*Texas Council on Environmental Quality (TCEQ) Water Quality Certification:* The proposed dredged material placement plan will also be evaluated with regard to the requirements of Section 404(b)(1) of the Clean Water Act. Water quality certification has been requested from the Texas Commission on Environmental Quality (TCEQ).

*Draft General Conformity:* As required by the Clean Air Act, the Environmental Protection Agency (EPA) has promulgated rules to ensure that Federal actions conform to the appropriate State Implementation Plan (SIP). The General Conformity Rule (40 CFR Part 51, Subpart W)

applies to Federal actions, within maintenance or nonattainment areas. Pursuant to Section 176 of the Clean Air Act Amendments of 1990, the USACE has prepared a document entitled, "Draft General Conformity Determination, Galveston Harbor Channel Extension, Post Authorization Change Report, Galveston, Texas" (Appendix E of the DEA). This document is hereby noticed for public comment and will be submitted by the USACE to the TCEQ and EPA concurrently with this DEA. As part of the General Conformity process, the USACE is making this document available to the public for review and comment for a period of 30 days. During this time, the USACE will consult with the TCEQ and the EPA seeking concurrence that emissions from the Tentatively Recommended Plan are conformant with the SIP for the Houston-Galveston-Brazoria ozone nonattainment area. Once written confirmation is received from the TCEQ and the EPA, the USACE will prepare a Final General Conformity Determination for the proposed project. The Tentatively Recommended Plan is expected to increase air emissions in the Houston-Galveston Air Quality Control Region, which is currently classified as a marginal nonattainment area for ozone. An analysis of estimated emissions associated with the proposed project indicates that there may be short-term impacts on air quality in the immediate vicinity of the project area, but no long-term impacts are expected. However, the estimated project emissions of nitrous oxides (NOx) are expected to exceed the conformity threshold of 100 tons per year.

*Other Agency Authorizations:* It is also our preliminary determination that the proposed action is consistent with the Texas Coastal Management Program (TCMP) to the maximum extent practicable. The proposed work was coordinated with the Texas State Historic Preservation Officer (SHPO). The SHPO concurred that the proposed channel deepening portion of the project would have no effect on historic properties and that the proposed upland PA has no potential to effect historic properties.

The following is a list of Federal, State, and local agencies with which these activities are being coordinated:

- U.S. Environmental Protection Agency, Region 6
- U.S. Department of Commerce
- U.S. Department of the Interior
- Eighth Coast Guard District
- Budget and Planning Office, Office of the Governor of Texas
- Texas Historical Commission
- Texas Parks and Wildlife Department
- Texas Commission on Environmental Quality
- Texas General Land Office
- The Texas Office of State-Federal Relations
- Texas Department of Transportation
- Texas Water Development Board
- Port of Galveston

**STATE WATER QUALITY CERTIFICATION:** TCEQ certification is required. The TCEQ is reviewing the proposed project under Section 401 of the Clean Water Act and in accordance with Title 31, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. By virtue of an agreement between the U.S. Army

known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. Any comments concerning this work may be submitted to the Texas Commission on Environmental Quality, Attention: Water Quality Division, MC-150, P.O. Box 13087, Austin, Texas 78711-3087. The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with a description of work is made available for review in the TCEQ's Austin office.

The TCEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting must contain the following information: the name, mailing address, and telephone number of the person making the request; a brief description of the interest of the requester, or of persons represented by the requester; and a brief description of how the project would adversely affect such interest.

**EVALUATION FACTORS:** The decision whether to proceed with the proposed action will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources as well as public and environmental safety and economic concerns.

**ENVIRONMENTAL DOCUMENTATION:** The work described in this notice represents a change to the existing project. A preliminary review of this proposed plan indicates that an Environmental Impact Statement (EIS) is not required. This preliminary determination of EIS requirement will be changed if information brought forth in the coordination process is of a significant nature. Based on this determination, a DEA has been prepared. The DEA assesses potential impacts to the human and natural environment that would result from the proposed project. The document is available online at <http://www.swg.usace.army.mil/BusinessWithUs/PlanningEnvironmentalBranch/DocumentsforPublicReview.aspx>.

**PUBLIC COMMENT:** 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. Comments will be used in preparation of the Final EA pursuant to NEPA. Comments are also used to determine the overall public interest of the proposed activity.

Persons desiring to express their views or provide information to be considered in evaluating the impact of this work and the future maintenance operations are requested to mail their comments to:

District Engineer  
U.S. Army Engineer District, Galveston  
ATTN: CESWG-PE-PR  
P.O. Box 1229  
Galveston, Texas 77553-1229

The comments should make specific reference to Public Notice No. HGNC-13-01. The USACE, Galveston District will accept written public comments on the DEA and the DGCD from May 10, 2013 through June 10, 2013. Comments on the DEA and the DGCD must be postmarked by June 10, 2013.

Any person who has an interest that may be affected by this action may request a public hearing. The request must be submitted in writing within 30 days of the date of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by this activity.

**FOR FURTHER INFORMATION CONTACT:** Questions about the proposed action and the DEA may be referred to Ms. Andrea Catanzaro at (409) 766-6346, or by email at [andrea.catanzaro@usace.army.mil](mailto:andrea.catanzaro@usace.army.mil).



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