



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

September 18, 2013

Environmental Section

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

PUBLIC NOTICE NO. VPO-13-01

CHANNEL EVALUATION
GULF INTRACOASTAL WATERWAY
VICINITY OF PORT O'CONNOR
CALHOUN COUNTY, TEXAS

PURPOSE

This public notice is to inform interested parties that the U.S. Army Corps of Engineers, Galveston District (the District) has prepared a draft Environmental Assessment (EA) 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 proposed widening of a section of the Gulf Intracoastal Waterway (GIWW) channel and installation of mooring buoys near Port O'Connor, Texas. The purpose of the proposed project is to address navigation safety issues by providing commercial tows with a place to moor during inclement weather while allowing for the free movement of vessels through the area.

PROJECT LOCATION

The proposed project site is located along the GIWW about 3 miles west of Port O'Connor, Calhoun County, Texas,

PROJECT DESCRIPTION

The proposed project consists of widening an approximate 1.2-mile stretch of the GIWW near Port O'Connor to address safety concerns and accommodate the installation of barge mooring buoys along the south shoreline of the channel. The mooring buoys would replace buoys that were previously located at a mooring facility across the GIWW from the Port O'Connor business district. The previous buoys were removed due to congestion and safety concerns at that location. The project would provide a transitory mooring point for barge traffic during periods when inclement conditions exist due to excessive winds or currents on Matagorda Bay. The

channel widening would provide tows with a place to wait for safer conditions while allowing for the free movement of vessels through the area.

NEED FOR WORK

Barges navigating the GIWW are typically pushed from behind by a “tow boat”. Barge tows are particularly susceptible to winds and currents because most of the steering power is typically at the back of the tow and is limited in the front. During times when winds and/or currents are in excess of that in which tows can safely maneuver, tow operators must temporarily stop and secure their barges until conditions improve. Mooring facilities provide safe places for tow operators to stop and secure their barges during such conditions. Without mooring facilities, tow operators typically will push their barges against the bank of the navigation channel to secure them. This can cause damage to the channel bank and barges may become grounded as tide levels drop.

Until the early 2000s, a mooring facility was located on the south shoreline of the GIWW opposite Port O’Connor. The facility provided moorings for tows transiting the GIWW across Matagorda Bay, which is located immediately to the east of Port O’Connor. However, with increasing development on Port O’Connor’s waterfront along the north side of the GIWW, which resulted in increased use of the area, this area became congested and became an unsafe location for the mooring facility. The mooring buoys at the facility were therefore removed. An alternate facility at a more appropriate location is needed to provide for safe mooring.

PROPOSED WORK

The proposed channel widening and installation of mooring buoys would involve dredging and then installing twelve mooring buoys south of the GIWW channel and immediately north of Blackberry Island. The dredging would increase the bottom width of the channel by 102 feet on its southern side for 6,350 feet between GIWW Stations 649+550 and 655+900. The depth of the dredging would be 14 feet Mean Low Tide (MLT) (the GIWW authorized depth of 12 feet MLT plus an allowed overage of 2 feet MLT). A cutter-suction dredge would be used to perform dredging. The total amount of material to be dredged is approximately 160,000 cubic yards. Dredged material would be placed in an existing dredged material placement area located adjacent to the project site. After construction, the widened channel would be maintained as part of the normal dredging cycle for the GIWW reach.

Widening the channel would impact approximately 2 acres of patchy seagrass within the project footprint. These impacts would be mitigated through the construction of 1,845 feet of breakwater along the bank of the Mad Island Marsh Wildlife Management Area, which is owned and managed by Texas Parks and Wildlife Department in Matagorda County, Texas. The breakwater would be located immediately southwest of the intersection of Culver’s Cut and the GIWW and would serve to protect the shoreline along the wildlife management area from future erosion and would also establish 2 acres of emergent tidal marsh behind the breakwater.

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.

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.

It is also our preliminary determination that the proposed action is consistent with the Texas Coastal Management Program (TCMP) to the maximum extent practicable (Appendix C in the draft EA).

The proposed activity is being coordinated with the State Historic Preservation Officer (SHPO). The SHPO concurred with our determination that the proposed project would have no effect on historic properties.

Water quality certification is being requested from the Texas Commission on Environmental Quality (TCEQ).

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, Planning and Policy Division, Office of the Governor of Texas
- Texas Department of Transportation
- Texas Historical Commission
- Texas Parks and Wildlife Department
- Texas Commission on Environmental Quality
- Texas General Land Office
- Texas Coastal Coordination Council
- Texas Office of State-Federal Relations
- Texas Water Development Board

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 Corps of Engineers and the TCEQ, 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 under such act. Any comments concerning this work may be submitted to the Texas Commission on Environmental Quality, Attention: 401 Coordinator, MC-150, P.O. Box 13087, Capitol Station, Austin, Texas 78711-13087. 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 draft Environmental Assessment (EA) has been prepared. The EA 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>. Select "Public Notices" on the left side of the screen under "Routinely Requested", and then click on the link under "Planning and Environmental Documents for Public Review".

PUBLIC COMMENT

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 within 30 days of the date of this notice 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. VPO-13-01.

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.

Any questions concerning the proposed action may be directed to Mr. Steve Ireland at (409) 766-3131.



Dolan Dunn
Chief, Planning, Environmental
and Regulatory Division
Galveston District