



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

May 26, 2017

AGENCY: Department of the Army; Corps of Engineers

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

ACTION: Notice of Availability

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

COMMENT PERIOD: The USACE will accept written public comments on the FIFR-EIS from May 26, 2017 through June 26, 2017. Comments on the FIFR-EIS must be postmarked by June 26, 2017.

ADDRESSES FOR COMMENT SUBMITTAL: You may send written comments or questions to the USACE, Galveston District, Attn: CESWF-PEC-CC, P.O. Box 1229, Galveston, TX 77553-1229, or you may email comments or questions to SabinePassToGalvestonBay@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 FIFR-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 Recommended Plan. The USACE and the non-Federal sponsor for the study, the Texas General Land Office (GLO), have conducted this study and prepared the FIFR-EIS. Originally, the study was intended to develop recommendations for regional CSRМ 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 CSRМ projects in the Sabine Region (Orange and Jefferson Counties) and Brazoria Region (the Freeport metropolitan area in southern Brazoria County). Orange County, 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 FIFR-EIS also presents a comprehensive assessment of CSRМ problems and opportunities in the Galveston region (Galveston, Harris, and Chambers Counties) and ER opportunities for the entire six-county study area. The comprehensive assessment is a listing of future studies that have high potential for recommending CSRМ and ER projects with Federal interest.

Project Description: The purpose of the Recommended Plan is to reduce the risk of storm surge impacts to residents, industry, and infrastructure in Orange, Jefferson, and Brazoria Counties, Texas. The Recommended Plan is comprised of three 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 3 CSRM Plan (Figure 1) would add approximately 15.4 miles of new levees, at elevations ranging from 12.0 to 17.5 feet North American Vertical Datum (NAVD) 88 and approximately 11.4 miles of new floodwalls and gates at elevations ranging from 13.5 to 16 feet NAVD88. New pump stations, a total of 7, would be constructed to mitigate interior flooding during surge events, and navigable sector gates would be constructed in Adams and Cow Bayous to reduce surge penetration. A mitigation plan is included that fully compensates for all impacts of this plan, and a monitoring and adaptive management plan has been developed to ensure that mitigation outcomes are consistent with performance standards, and corrective actions are taken as needed. The total first cost of project construction and mitigation is estimated to be \$1,926,224,000 and the average annual cost of Operation, Maintenance, Repair, Replacement and Rehabilitation (OMRR&R) (including mitigation monitoring costs) is \$4,565,000.
- The Port Arthur and Vicinity CSRM Plan (Figure 2) would raise approximately 11.3 miles of the existing 27.8 miles of earthen levee to elevations ranging from 14.4 to 17.2 feet NAVD88, and construct or reconstruct about 5.3 miles of floodwall to elevations ranging from about 14.4 to 19.4 feet NAVD88. A separate 1,830 feet of new earthen levee would be constructed in the Port Neches area northwest of the existing northern terminus. Numerous vehicle closure structures would be replaced and erosion protection would be added. Environmental impacts of this plan are negligible and no mitigation is needed. The total first cost of project construction is estimated to be \$729,069,000 and the average annual cost of OMRR&R is \$195,000.

The Freeport and Vicinity CSRM Plan (Figure 3) would raise approximately 13.1 miles of the existing earthen levee system and construct or reconstruct about 5.5 miles of floodwall, improving approximately 43 percent of the existing 43-mile long system. Final elevations would range from 15.8 to 23.8 feet NAVD88. Navigable sector gates would be installed in the Dow Barge Canal to reduce surge penetration in that area. Numerous vehicle closure structures would be replaced and erosion protection would be added. Other project features include raising and reconstructing the Highway 332 crossing, installation of a drainage structure at the head of the Dow Barge Canal, and raising the floodwall at Port Freeport's Berth 5 dock. Environmental impacts of this plan are negligible and no mitigation is needed. The total first cost of project construction is estimated to be \$593,313,000 and the average annual cost of OMRR&R is \$708,000.

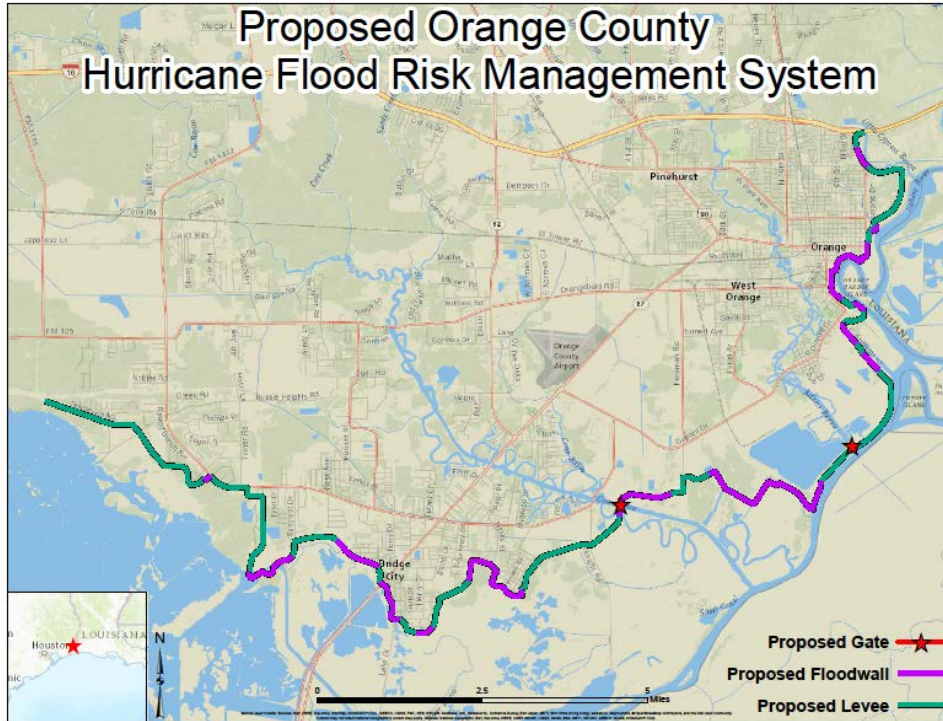


Figure 1: Orange 3 CSRM Plan

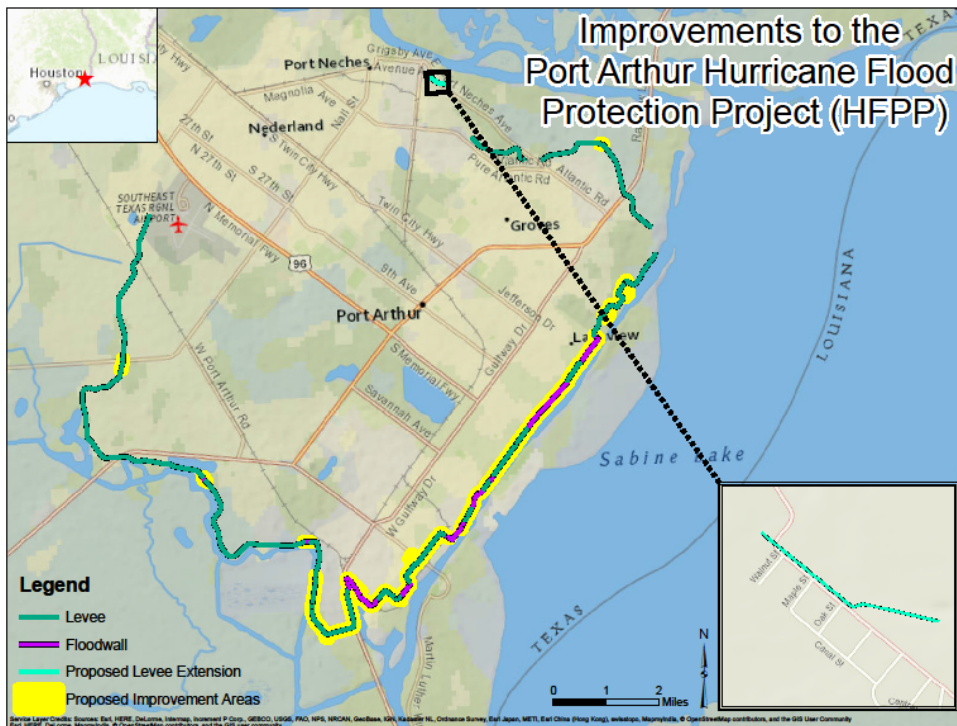


Figure 2: Port Arthur and Vicinity CSRM Plan

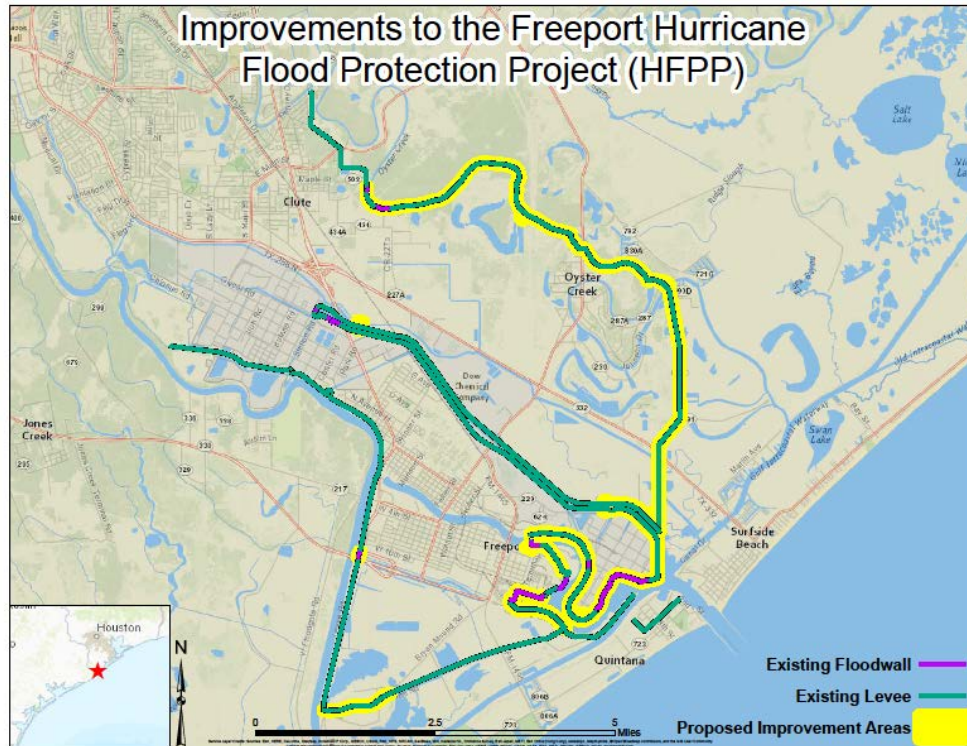


Figure 3: Freeport and Vicinity CSRM Plan

Availability of Final 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 FIFR-EIS for the Sabine Pass to Galveston Bay CSRM and ER Study 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 FIFR-EIS can be viewed at

<http://www.swg.usace.army.mil/Business-With-Us/Planning-Environmental-Branch/Documents-for-Public-Review/>

Compact disc (CD) copies of the FIFR-EIS can be requested at the email 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 Merriman, 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 has obtained §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 FIFR-EIS, describes the effects of the Recommended Plan. The USACE has determined that construction of the Recommended Plan will not violate water quality standards. The alignment for the Orange 3 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 to special aquatic sites and the aquatic ecosystem. Unavoidable, significant impacts will be fully mitigated by the proposed mitigation plan. Construction of the Port Arthur and Vicinity and Freeport and Vicinity CSRM Plans would have negligible impacts. The Recommended Plan is the least environmentally damaging practicable alternative.

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

Threatened and Endangered Species: Interagency consultation procedures under Section 7 of the Endangered Species Act have been completed. A Biological Assessment (BA) was prepared and provided to the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) (Appendix J of the FIFR-EIS). The USACE has determined that the Recommended Plan 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 Recommended Plan 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.

Fish and Wildlife Coordination Act: The Fish and Wildlife Coordination Act (FWCA) provides for consultation with the USFWS and, in Texas, with the Texas Parks and Wildlife Department (TPWD) whenever the waters or channel of a body of water are modified by a department or agency of the U.S. The Recommended Plan was reviewed by the USFWS in compliance with the

Fish and Wildlife Coordination Act and the USFWS provided a final Coordination Act Report (Appendix K). The Services recommendations were followed in developing the Recommended and Mitigation Plans.

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 3 CSR Plan would result in the loss of about 203.0 acres of estuarine emergent marsh over the period of analysis. The Cow and Adam Bayous sector gate structures would constrict flows in these bayous while in their normal open condition, resulting in small functional 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 approximately 453 acres of estuarine emergent marsh and shallow water as described in the mitigation plan. NMFS has determined that USACE has satisfactorily addressed NMFS EFH Conservation Recommendations and no further EFH consultation is required.

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 has executed 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 Recommended Plan. USACE invited the ACHP and Native American tribes to participate as signatories to the Programmatic Agreement, but both groups declined the invitation. The executed Programmatic Agreement is provided in Appendix L.

Other Agency Authorizations: Texas Coastal Zone consistency certification is required by the Texas Coastal Management Plan (TCMP). USACE prepared a Consistency Determination that evaluated the Recommended Plan for consistency with the TCMP and concluded that it was fully consistent to the maximum extent practicable with the enforceable policies of the Texas program. GLO confirmed the USACE consistency determination and recommended no conditions. (Appendix M).

Section 404 of the Clean Water Act regulates dredge-and/or-fill activities in waters of the U.S. In Texas, Section 401 of the CWA (State Water Quality Certification Program) is regulated by the TCEQ. USACE has received Section 401 State Water Quality Certification for the Recommended Plan from TCEQ. Based on the alternatives and environmental consequences analysis presented in the FIFR-EIS, TCEQ concurred that there is a reasonable assurance that construction of the

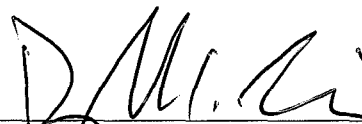
Recommended Plan would not violate water quality standards and is the least environmentally damaging practicable alternative that meets the project purpose.

Public Interest Review Factors: The FIFR-EIS will be reviewed in accordance with Council on Environmental Quality regulations (40 CFR Part 1500-1508), and USACE's regulation ER 200-2-2, and other pertinent laws, regulations and executive orders. The decision whether to recommend construction of this project to Congress 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 proposed project, must be balanced against reasonably foreseeable detriments. All factors which may be relevant to the proposed project will be considered in the final decision. These include, but are not limited to: impacts to wetlands and floodplains, fish and wildlife and their habitats, threatened and endangered species, air, water and sediment quality, changes in hydrology and sediment flow, economics, historic properties, energy needs, hazardous materials, and in general, the welfare of the people.

Solicitation of Comments: USACE responses to comments submitted regarding the DIFR-EIS, released on September 11, 2015, are provided in Appendix F of the FIFR-EIS. For review of the FIFR-EIS, the USACE is soliciting comments from Federal, State, and local agencies and officials, Indian tribes, and the public in order to consider and evaluate the impacts of the Recommended Plan. Comments will be considered in the evaluation of impacts on physical and biological resources, and other public interest factors listed above. Comments will be used to determine the overall public interest of the proposed activity and in preparation of the Record of Decision.

12 May 2017

Date



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