



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

August 20, 2012

Environmental Section

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

PUBLIC NOTICE NO. JCAOM-12-01

FEDERAL ASSUMPTION OF MAINTENANCE OF
THE JACINTOPORT CHANNEL AS PART OF
THE HOUSTON SHIP CHANNEL PROJECT
HARRIS COUNTY, TEXAS

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 (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 Federal assumption of maintenance of the Jacintoport Channel as part of the Houston Ship Channel Project in Harris County, Texas.

PROJECT LOCATION

The Jacintoport Channel is located in Channelview, Harris County, Texas, immediately north of and connecting to the Houston Ship Channel (HSC). It is approximately 4,000 feet west of San Jacinto State Park and approximately 17 miles east of downtown Houston. The placement area for the maintenance dredged material from the Jacintoport Channel is the Lost Lake Placement Area, which is located approximately 2 miles northeast of the channel along the HSC and the San Jacinto River.

PROJECT DESCRIPTION

The Federal assumption of maintenance of the Jacintoport Channel was authorized by the United States Congress in Section 5001 of the Water Resources Development Act of 2007, provided that the USACE makes a determination that such maintenance is economically justified and environmentally acceptable. The project would consist of maintaining the channel to its existing authorized depth and dimensions.

NEED FOR WORK

Periodic dredging of the Jacintoport Channel is needed to maintain the channel to its authorized depth to provide for safe and efficient navigation of commercial vessels that call on the port facilities along the channel. The responsibility for maintenance dredging would be transferred from the Port of Houston Authority to the Federal government, which currently maintains the Houston Ship Channel.

PROPOSED WORK

The work consists of maintaining the Jacintoport Channel to its depth of 40 feet below mean low tide (MLT) plus 2 feet of advanced maintenance using hydraulic, cutterhead dredges. The Federal AOM would require an approximate 3 to 5 year dredge cycle (similar to existing practice) in order to maintain the operating depth of 40 feet MLT. Maintenance material would continue to be placed in the existing Lost Lake Placement Area. There would be no changes in the composition of vessels calling on the port, and no associated impacts to transportation costs.

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.

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 (Appendix C in the draft EA). Water quality certification has been requested from the Texas Commission on Environmental Quality (TCEQ).

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 B in the draft EA).

The proposed activity is being coordinated with the State Historic Preservation Officer (SHPO). The District is seeking the SHPO's concurrence with our determination that no additional survey is needed in the area of the proposed project.

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
- Coastal Coordination Council
- The Texas Office of State-Federal Relations
- Texas Department of Transportation
- Texas Water Development Board
- Port of Houston Authority

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/BusinessWithUs/PlanningEnvironmentalBranch/DocumentsforPublicReview.aspx>

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. JCAOM-12-01.

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 Ms. Andrea Catanzaro at (409) 766-6346.



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

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OFFICIAL BUSINESS

ATTN: CESWG-PE-PR