



**US Army Corps
of Engineers®**

**Galveston District
Regulatory Division**

**Special Public Notice
Public Meetings for
Harris Reservoir Expansion Project
Environmental Impact Statement (EIS)
April 8, 2022**

NOTICE OF AVAILABILITY AND PUBLIC MEETINGS FOR THE DOW CHEMICAL COMPANY'S HARRIS RESERVOIR EXPANSION PROJECT, BRAZORIA COUNTY, TEXAS (DEPARTMENT OF THE ARMY PERMIT NUMBER SWG-2016-01027)

PURPOSE OF PUBLIC NOTICE: To inform you that the U.S. Army Corps of Engineers Galveston District (Corps) is issuing a notice to advise the public that a Draft Environmental Statement (DEIS), for which you may be interested, has been completed and is available for review. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

SCOPING: The Corps published a notice of intent and initiated the scoping process in the *Federal Register* to notify the public of the intent to prepare a DEIS on April 9, 2020. A meeting invitation was emailed to federal and state agencies on April 28, 2020, and a virtual agency scoping meeting was held on May 12, 2020. Notices to interested parties and local, state, and federal elected officials were sent via mail and email on May 27, 2020, providing information about the Proposed Action, announcing the public meeting scheduled for June 17, 2020, and providing a link to the Project website. Additionally, on May 27, 2020, an Affected Party Letter was mailed to 25 affected parties providing information about the proposed Action, the link to the Project website, and an invitation to the June 17, 2020, virtual public meeting. The Corps solicited comments on the proposed Action during the scoping period meetings from the public, federal, state, and local agencies and officials, Native American tribal groups, and other interested parties for the proposed permit activity.

BACKGROUND: The Corps received a permit application for a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company (Dow) for the Harris Reservoir Expansion Project (proposed Action). The Corps is the lead federal agency under the National Environmental Policy Act (NEPA) and the President's Council on Environmental Quality regulations and intends to prepare an EIS for the proposed Action. The U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service are cooperating agencies under NEPA. The DA permit application was first publicized by an extended Public Notice issued on March 2, 2018.

The Proposed Action is located north of the existing Dow Chemical Harris Reservoir in the city of Angleton, Brazoria County, Texas (29.267725°N, -95.543750°W). The Proposed Action would include the construction of a 1,929-acre impoundment with a storage capacity of 51,000 acre-feet, an intake and pump station to divert water from the Brazos River, and an outlet and emergency spillway to Oyster Creek. The proposed

Action would also include temporary construction staging and laydown areas, floodplain enhancements and stream restoration in Oyster Creek, and off-site compensatory mitigation along Big Slough. The Big Slough mitigation site is an approximately 1,100-acre area located on Dow property seven miles east of Lake Jackson near the Brazoria National Wildlife Refuge.

PUBLIC INVOLVEMENT: The Corps invites full public participation to promote open communication on the potential concerns surrounding the DEIS. In addition, participation by federal, state, local agencies and other interested organizations is encouraged.

Two (2) virtual public meetings will be held online on May 3, 2022, from 11 a.m. – 2 p.m. and from 4 – 7 p.m. The public meetings will be presented online to provide information about the proposed Action and to receive public input and comment on the DEIS. Access information, instructions, an opportunity to subscribe to Project updates, and additional information regarding this proposed Action will be made available prior to the public meetings on the Project website at: www.doweisproject.com.

The notice of availability for the DEIS will be published by the Corps in the *Federal Register* on April 8, 2022. The DEIS will be available for a 45-day public review period beginning on April 8, 2022. The DEIS is accessible at the Project website included above and the Corps' Project webpage below.

www.swg.usace.army.mil/Missions/Regulatory/Special-Projects-Environmental-Impact-Statements.aspx

Each speaker will be given three minutes to speak. Please keep your time to three minutes or less. If you do not need the full three minutes, help us to move the process along by only using the time you need. If you have additional comments that you would like to submit beyond what you are able to address during your time allotted, please submit them in writing. Written comments are just as valid and count the same as verbal comments presented during both public meetings. Questions for Dow related to the proposed Action or the Corps' regulatory and civil works process may be submitted to the website referenced above.

The public meetings will be conducted in English. Those in need of language interpreters should contact the Corps' Public Involvement consultant, Hollaway Environmental + Communications Services, Inc. (713) 868-1043, by April 26, 2022 (7 days prior to the public meetings), to make arrangements. Every effort will be made to address requests.

SOLICITATION OF COMMENTS: The Corps 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. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors.

Comments received will be considered by the Corps to assist in determining whether to issue, modify, condition, or deny a permit for the proposed Action. Comments will be considered in the Final Environmental Impact Statement analysis pursuant to NEPA. All comments must be received or postmarked by Monday, May 23, 2022 (20 calendar days following the public meetings).

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps of Engineers may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

CLOSE OF COMMENT PERIOD: Comments may be submitted during the entire 45-day period and will be reviewed and incorporated into the administrative record prior to the Corps' finalization of the procedure. All comments pertaining to this Notice must reach this office on or before **May 23, 2022**. Electronic (email) comments regarding the DEIS should be addressed to SWG201601027@usace.army.mil. Emailed comments, including attachments, should be provided in .docx, .jpeg, or .pdf formats. Written comments and requests for additional information should be submitted to:

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