



# Public Notice

**U.S. Army Corps  
Of Engineers**

**Galveston District**

Permit Application No: SWG-2013-00640

Date Issued: 27 August 2024

Comments

Due: 27 September 2024

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## U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

**PURPOSE OF PUBLIC NOTICE:** To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. The U.S. Army Corps of Engineers (Corps) is not the entity proposing or performing the proposed work, nor has the Corps taken a position, in favor or against the proposed work.

**AUTHORITY:** This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA).

**APPLICANT:**

Town of Quintana  
814 Lamar Street  
Quintana, Texas 77541  
POC: Sharri Wright  
Telephone: 979-233-0848  
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**AGENT:**

Mott MacDonald  
110 Wild Basin Road, Suite 100  
Austin, Texas 78746  
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**LOCATION:** The project site is located in the Gulf of Mexico, approximately 0.33-mile southeast of the intersection of County Road (CR) 723 and CR 1495, in Quintana, Brazoria County, Texas.

**LATITUDE & LONGITUDE (NAD 83):**

**Latitude:** 28.913797 North; **Longitude:** 095.332811 West

**PROJECT DESCRIPTION:** The applicant is proposing to discharge 50,000 cubic yards (CY) of beach quality sand along 1,850 feet of Bryan Beach shoreline fronting the Gulf of Mexico for beach nourishment activities. The applicant is proposing to use three previously authorized upland borrow sources as depicted on the drawings; 1) Port of Bay City, 2) Weidemann Ranch, and 3) Krumwiede. Access to the site will be via Bryan Beach Road. The sand material from the upland borrow sites will be transported to the project site by truck or barge via designated routes and offloading sites as depicted on the drawings. The applicant is proposing three possible staging areas totaling approximately 0.4-acre; one site is located within the beach nourishment template and two sites are located outside the beach nourishment template as depicted on the drawings.

**PROJECT HISTORY:** Department of the Army (DA) Permit Number 23536 expired 31 December 2010, and authorized the discharge of 322,600 CY of beach quality sand material along 5,685 feet of Quintana Beach for the purpose of renourishment, dune creation, and restoration. Dune reconstruction included the planting of locally viable dune grass species and the placement of sand fences if necessary. DA Permit Number 23536 also authorized the use of two sand sources: the POBCA Wadsworth site and the Vernor Angleton site. SWG-2013-00640 was issued on 23 December 2015, and authorized the discharge of 50,000 CY of beach quality sand material for the purpose of restoring Bryan Beach to 2005 Contours. This permit expired on 31 December 2020.

**AVOIDANCE AND MINIMIZATION:** The applicant has designed the project to avoid impacts to special aquatic sites including, wetlands, seagrasses, and oyster beds. Best Management Practices such as use of silt curtains and silt fencing will be used during discharge of nourishment material to minimize impacts from turbidity.

**MITIGATION:** The applicant is not proposing mitigation.

**CURRENT SITE CONDITIONS:** The project site consists of a mixture of unvegetated ocean bottom and dry beach bounded by the Gulf of Mexico to the southeast and undeveloped marsh habitat with a pond and canal leading to the Gulf Intracoastal Waterway to the northwest. Minimal residential development with concrete paved streets are present within the marsh habitat located northwest of the project site.

**NOTES:** This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. The applicant's plans are enclosed in 5 sheets.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the CWA.

**OTHER AGENCY AUTHORIZATIONS:**

Consistency with the State of Texas Coastal Management Plan is required. The applicant has stated that the proposed activity complies with Texas' approved Coastal Management Program goals and policies and will be conducted in a manner consistent with said program.

The proposed project will trigger review under Section 401 of the Clean Water Act (CWA). The Texas Commission on Environmental Quality will review this application under Section 401 of the CWA and in accordance with Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. The applicant has not yet reached out to the Texas Commission on Environmental Quality to initiate the Section 401 CWA process.

**NATIONAL REGISTER OF HISTORIC PLACES:** The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

The permit area has been so extensively impacted by erosion and previous beach nourishment projects that there is no potential for historic properties to exist within the permit area. Therefore, the proposed project has no potential to effect historic properties.

**THREATENED AND ENDANGERED SPECIES:** Threatened and/or endangered species or their critical habitat may be affected by the proposed work. Consultation with the U.S. Fish and Wildlife and/or the National Marine Fisheries Service will be initiated to assess the effect on endangered species.

**ESSENTIAL FISH HABITAT:** This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would 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 National Marine Fisheries Service.

**PUBLIC INTEREST REVIEW FACTORS:** This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Programs of the Corps, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit 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 proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

**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 listed above. Comments are used in the preparation of an Environmental Impact Assessment and/or an EIS pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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 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.

**PUBLIC HEARING:** The purpose of a public hearing is to solicit additional information to assist in the evaluation of the proposed project. Prior to the close of the comment period, any person may make a written request for a public hearing, setting forth the particular reasons for the request. The District Engineer will determine if the reasons identified for holding a public hearing are sufficient to warrant that a public hearing be held. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

**CLOSE OF COMMENT PERIOD:** All comments pertaining to this public notice must reach this office on or before **27 September 2024**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections.** Comments and requests for additional information should reference our file number, **SWG-2013-00640**, and should be submitted to:

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Regulatory Division, CESWG-RDE  
U.S. Army Corps of Engineers  
Galveston District  
2000 Fort Point Road  
Galveston, Texas 77550  
409-766-3869 Phone  
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DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS