



Public Notice

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

Galveston District

Permit Application No: _____

[SWG-2017-00295](#)

Date Issued: _____

[11 August 2025](#)

Comments _____

Due: _____

[10 September 2025](#)

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.

APPLICANT: TEXAS PARKS AND WILDLIFE DEPARTMENT
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Corpus Christi, Texas 78418
POC: Margaret Wheat-Walsh
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LOCATION: The project site is located in Redfish Bay at two islands that are part of the Dagger Island Complex, approximately 4.5 miles south of Aransas Pass in Nueces County, Texas. The location occurs within the Redfish Bay State Scientific Area (RBSSA) as designated by the Texas Parks and Wildlife Department and owned by the Texas General Land Office, on state Submerged Tracts 336 and 341.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 27.84462° North; Longitude: 97.15833° West

PROJECT DESCRIPTION: Work considered for this project was originally authorized 26 July 2018 for the discharge of dredge and fill material at two sites within the Dagger Island complex to reduce shoreline erosion, restore lost aquatic resources, and prevent erosional degradation of seagrass beds within the RBSSA. A permit modification was issued 4 January 2020 for a reduction in size of the planned project Site 2 containment area from the originally authorized 28.3 acres to 24.8 acres, and a decrease of project-wide wetland impacts from the originally authorized 42.84 acres to 37.32 acres. To date, graded stone fill material has been placed at Site 1 for the construction of an

approximately 2,912-foot-long nearshore breakwater along the southeast shoreline of the existing island, and graded stone fill material has been placed at Site 2 for the construction of an approximately 3,990-foot-long breakwater and levees. Authorization for this work expired 31 December 2023.

The current permit modification request is for authorization to place the remaining approximately 423,066 cubic yards (CY) of dredged material at Site 2 within an approximately 24.8-acre containment area to construct the previously authorized beneficial use site. Reference data from a nearby ecological reference site, Ransom Point Island, would be utilized to establish appropriate physical conditions, elevations, and contours for the establishment of intertidal shoreline, tidal flats, tidal wetlands, and high marsh resources within the beneficial use site. Once this material has been placed, it would have a settling period of approximately 6 months to 1 year before earth work can be done to level the area and work towards the development of this proposed high marsh. Over a 5-year postconstruction period, the beneficial use site would be monitored for the successful establishment of approximately 4.2 acres of intertidal shoreline, 4.6 acres of tidal flats, 10.1 acres of smooth cordgrass-dominated tidal marsh, 11.2 acres of high marsh, and 3.4 acres of palustrine open water.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by placing fill material within existing containment levees which have been constructed to reduce the impacts to adjacent seagrass beds and oyster habitat. Annual seagrass surveys have been and will continue to be constructed at the locations behind the containment levees to ensure the fill material is not impacting the seagrass beds.

MITIGATION: Since the intent of the proposed project is to restore, enhance, establish and protect existing aquatic resources (i.e. seagrass meadows within the RBSSA), these activities are expected to result in net increases in aquatic resource functions and services. Therefore, compensatory mitigation is not proposed for this activity.

CURRENT SITE CONDITIONS: Since the project's original authorization in 2018, construction of a 2,912 foot long breakwater has been completed on the southeast shoreline of the restoration area. Levees have also been constructed around site 2, otherwise known as the "beneficial use site", to create a 28-acre containment area.

Prior to initiation of this project, Site 1 consisted of an unconsolidated shoreline consisting of intertidal and subtidal waters on the southeast side of Dagger Island. This island had experienced excessive erosional forces, which have decreased its size since the 1950s, and had caused breaching in four locations. Site 2 consisted of an island that had also experienced severe degradation and erosion. Prior to construction, Site 2 primarily consisted of 42.1 acres of estuarine open water and special aquatic sites, including: 31.7 acres of subtidal unvegetated open water; 1.7 acres of submerged aquatic vegetation; 0.3 acre of oyster clusters and shell; 6.2 acres of tidal flat; and 2.2 acres of intertidal emergent marsh. Approximately 1.1 acres of dryland occurs within the project area footprint. Approximately 889 acres of seagrass, composed of five native species, is present on the leeward side of Site 2.

The nearest tide and water level station relevant to the project site is located approximately 14 miles to the north in Rockport, Texas. The elevations at the project site are generally between +1 and -2 feet (NAVD 88). A few deeper water areas (-2 to -5 feet NAVD 88), associated with historic dredging activities, are present in the project sites. The islands within the project area are low-lying; generally ranging above the mean higher high water (MHHW) mark at 2.5 feet (NAVD 88), with few elevation peaks over 3 feet.

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 Clean Water Act (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 for Environmental Quality (TCEQ) 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 contacted TCEQ and initiated the Section 401 CWA process, on 9 July 2025. If you have comments or questions on this proposed project's State water quality certification, please contact 401certs@tceq.texas.gov. You may also find information on the Section 401 process here: <https://www.epa.gov/cwa-401/basic-information-cwa-section-401-certification>.

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 is composed of recently subsided low-lying wetlands with no existing or subsided natural levee landforms and has a low potential for containing cultural deposits that may be eligible for inclusion in the National Register of Historic Places. No cultural resource survey is warranted.

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 of Engineers, 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 of Engineers 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 of Engineers 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 Environmental Impact Statement 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 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.

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 **10 September 2025**. 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-2017-00295**, and should be submitted through the RRS system or the physical address listed below: <https://rrs.usace.army.mil/rrs/public-notices> OR

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