



Public Notice

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

Galveston District

Permit Application No: SWG-2008-00486

Date Issued: 16 January 2025

Comments

Due: 16 February 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: PORT OF CORPUS CHRISTI AUTHORITY
400 Charles Zahn, Jr. Drive
Corpus Christi, Texas 78401
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Telephone 361.882.5633
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AGENT: TRITON ENVIRONMENTAL SOLUTIONS, LLC
P.O. Box 1755
Rockport, TX 78381
POC: Andi Binion
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LOCATION: The project site is located in the Corpus Christi Ship Channel Inner Harbor in Corpus Christi, Nueces County, Texas.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 27.817246 North; Longitude: -97.453499 West

The applicant proposes to modify Department of the Army (DA) permit SWG-2008-00486 by excavating 166 cubic yards (CY) of material below the mean high-water (MHW) line and discharge 214 CY of fill material below the high tide line associated with the

construction of an emergency response boat ramp armored by two riprap structures. All excavated material will be placed in adjacent uplands and used to build a parking lot and first responder staging area. The proposed boat ramp will be 130 feet long by 20 feet wide. The lower portion of the boat ramp will have a flared section that incrementally extends the width of the boat ramp to 36 feet at its terminus. The proposed boat ramp will occupy 2,930 square feet, or 0.067 acre, extending from +6.0 feet mean lower low water (MLLW) at the ramp top to -8.0 feet MLLW at the slope toe. The rip-rap armoring will be 64 feet long by 10 feet wide, extending between +5.0 feet MLLW and terminating at -2.0 feet MLLW, and occupy 1,280 square feet, or 0.029 acre. The total proposed activity is approximately 4,210 square feet, or 0.096 acre, including 0.033 acre of uplands and 0.063 acre of unvegetated bay bottom below the HTL.

The permittee received authorization on 22 September 2022 to construct a floating dock to accommodate a 70-foot fireboat and Port Police marine units. The project included mechanical and hydraulic dredging of approximately 53,600 CY of new work material to a depth of minus (-) 20 feet mean lower low water (MLLW) in an approximate 3.2-acre area. The authorized construction included a \pm 250-foot by 12-foot foam filled concrete floating dock with four (4) 36-inch-diameter by 80-foot-long steel piles with high density polyethylene (HDPE) sleeves and fenders, a 75-foot-long by 12-foot-wide gangway with a concrete platform, and shoreline stabilization comprised of approximately 322 linear feet of new articulated concrete block revetment or concrete/rubble rip rap.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by designing the project to the smallest footprint necessary to conduct safe vessel launch and retrieval which avoids and minimizes adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable. The project avoids all special aquatic sites and is situated solely within uplands (0.033-acres) and unvegetated CCSC bottom (0.063-acres).

MITIGATION: The applicant has not proposed to mitigate for the proposed impacts to aquatic resources since no wetlands or other special aquatic sites will be impacted by the proposed project.

CURRENT SITE CONDITIONS: The project site is adjacent to the former Tule Lake Turning Basin Lift Bridge. The site contains undeveloped shoreline with steep banks and dirt parking lot. A special aquatic resources survey conducted on 22 December 2021 and 3 January 2022 by Triton Environmental Solutions, LLC (Triton) identified three live oyster reefs in the survey area that total 0.09 acre. This oyster reef is avoided by the proposed boat ramp.

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 4 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 Texas General Land Office issued a CZM consistency determination on 24 June 2024.

The proposed project will trigger review under Section 401 of the Clean Water Act (CWA). The Texas Commission on 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 has not yet reached out to the TCEQ to initiate the Section 401 CWA process. 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>.

Pursuant to 33 USC 408, the proposed project will require Section 408 coordination and review. This is a requirement for activities that seek permission, to temporarily or permanently, alter, occupy, or use a federally authorized United States Army Corps of Engineers civil works project. Changes to the proposed project, from the Section 408 process, may warrant additional coordination.

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 construction and maintenance of the CCSC and industrial development that there is no potential for historic properties to exist within the permit area. Therefore, the proposed project has no potential to affect historic properties.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

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 **2/16/2025**. 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-2008-00486**, and should be submitted through the RRS system or the physical address listed below: <https://rrs.usace.army.mil/rrs/public-notice> OR

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DISTRICT ENGINEER
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