



Special Public Notice

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

Galveston District

Permit Application No: _____

Date Issued: _____

Comments _____

Due: _____

SWG-1998-01818

(formerly 21520)

15 January 2021

16 February 2021

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

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. This public notice is also for the purpose of notifying you of the final general conformity determination for Air Quality. 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: The Port of Houston Authority
111 East Loop North
Houston, Texas 77029
713-670-2809
POC: Ilana Harris or Trae Camble
lharris@poha.com or tcamble@porthouston.com

LOCATION: The project site is located in Galveston Bay, adjacent to the Bayport Ship Channel, approximately 30 miles southwest of downtown Houston, in the City of Pasadena and the City of Seabrook, Harris County, Texas. The project can be located on the USGS quadrangle maps entitled: League City and Bacliff, Texas.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 29.609198° N; Longitude: 95.013723° W

PROJECT DESCRIPTION: The Port of Houston Authority proposes to modify the previously authorized permit and requests an extension of time to complete previously authorized work.

AIR QUALITY: In accordance with Title 40 Code of Federal Regulations (CFR) Chapter I, Subchapter C, Part 93, Section 93.156(b), the Corps has issued the Final General Conformity Determination (GCD) for the for the Bayport Terminal Project. The TCEQ's Concurrence letter (sheets 21 and 22) and the Final GCD (sheets 1 through 20 of 22) are available for download on the Public Notice webpage.

The proposed project is located in the Houston-Galveston-Brazoria ozone nonattainment area, which is currently classified by the United States Environmental Protection Agency (EPA) as serious for the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS) and marginal for the 2015 eight-hour ozone NAAQS. General conformity requirements apply according to the serious classification. The Corps presented data demonstrating that the proposed action would result in nitrogen oxides (NOX) emissions of 54.09 tons per year (tpy) in 2021, which is above the 50 tpy *de minimis* threshold for general conformity.

BACKGROUND: An interagency coordination notice, dated 26 May 2020, was sent to resource agencies for comments. No adverse comments were received during this review. Subsequently, the General Conformity Determination was coordinated with Texas Commission on Environmental Quality (TCEQ), Air Quality Division.

A public notice for the project and a Final Draft (GCD) was published for this project, dated 21 November 2020, along with the publication in the Houston Chronicle Newspaper.

CLOSE OF COMMENT PERIOD: All comments pertaining to this public notice must reach this office on or before **16 February 2021**. 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-1998-01818**, and should be submitted to:

Policy Analysis Branch
Regulatory Division, CESWG-RDP
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229
409-766-3869 Phone
409-766-3931 Fax
swg_public_notice@usace.army.mil

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS