



Public Notice

U.S. Army Corps Of Engineers	Permit Application No: _____	SWG-2018-00509
	Date Issued: _____	31 January 2019
	Comments _____	
Galveston District	Due: _____	4 March 2019

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.

APPLICANT: Vacation Homebuilders
185 Cedar Point Drive
Livingston, Texas 77351
POC: Charles V. Schmidt
Telephone: 936-433-1200
Email: corporate@vacationhomebuilders.com

AGENT: Shoretech Marine Consulting LLC
135 Old Groveton Road South
Onalaska, Texas 77360
POC: Dave Thomson
Telephone: 936-662-5100
Email: dave@shoretechmarine.com

LOCATION: The project site is located in Lake Livingston, at 3629 Farm-to-Market Road 356, in Onalaska, Polk County, Texas 77360. The project can be located on the U.S.G.S. quadrangle map titled: Carlisle, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 30.833175° North; Longitude: -95.156696° West

PROJECT DESCRIPTION: The applicant proposes to construct a 180-slip, public marina that would extend into Lake Livingston from uplands. The marina would consist of a 1,445-square-foot main walkway, two interconnecting walkways totaling 420-square-foot, three boathouse roof structures totaling 75,072-square-foot, and a 740-square-foot wavebreak. The first construction sequence would consist of Phases 1-2, encompassing a total of 20 slips. Additional construction phases (involving up to an additional 160 slips) are proposed as future work to be built in 20-slip phases, according to public demand.

AVOIDANCE AND MINIMIZATION: The applicant is not proposing any work that would cause impacts to any special aquatic sites or critical habitat.

MITIGATION: Compensatory mitigation is not required for this proposed project. The activity would not entail any losses to special aquatic sites.

CURRENT SITE CONDITIONS: The proposed project is located wholly within Lake Livingston. The shoreline at the site has been bulkheaded since at least 1995. The project site consists of an open-water area in the littoral of a large reservoir. The substrate within the project boundary is unconsolidated bottom that is devoid of aquatic vegetation. Property in the vicinity of the proposed project is almost entirely developed.

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 7 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: The project site is not located within the Texas Coastal Zone and therefore, does not require certification from the Texas Coastal Management Program.

No water quality certification is required.

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 proposed project is of such limited nature and scope that it has no potential to effect historic properties, even if present within the project area.

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.

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 **4 March 2019**. 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-2018-00509**, and should be submitted to:

North Unit Evaluation
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U.S. Army Corps of Engineers
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409-766-3869 Phone
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS