



# Public Notice

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

**Galveston District**

Permit Application No: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Comments \_\_\_\_\_

Due: \_\_\_\_\_

**SWG-2019-00349**

**30 July 2020**

**14 August 2020**

## 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:** CITY OF PORT ARANSAS  
710 West Avenue A  
Port Aransas, Texas 78373-4128  
POC: Mr. David Parsons  
Telephone: 361-749-4111  
Email: davidparsons@cityofportaransas.org

**AGENT:** PERENNIAL ENVIRONMENTAL SERVICES, LLC  
13100 Northwest Freeway, Suite 150  
Houston, Texas 77040-6343  
POC: Mr. Josh Melnar  
Telephone: 713-462-7121  
Email: jmelnar@perennialenv.com

**LOCATION:** The project site is located at the site of the former Roberts Point Pier location in the Corpus Christi Ship Channel at Roberts Point Park in Port Aransas, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Port Aransas, Texas.

**LATITUDE & LONGITUDE (NAD 83):**  
Latitude: 27.841435° North; Longitude: 97.064432° West

**PROJECT DESCRIPTION:** The applicant proposes to construct a pier consisting of a 100-foot-long by 5-foot-wide approach with a 140- by 11-foot platform (L-head) to replace a pier originally permitted for this location on 18 February 1981 (Permit 15193), and removed in its entirety under a Nationwide Permit 3 verification dated 3 July 2019 due to damage sustained during Hurricane Harvey. The pier would be for public use. The pier would be reconstructed utilizing a slightly smaller footprint than what was detailed in Permit 15193 and an updated design that would better withstand future storm surge events. The proposed pier would be constructed with the following:

- 29 concrete pilings (14-inch by 14-inch by 40-foot)
- 15 concrete pile caps
- 100 Type A panels (5-foot by 4-foot dimensions)
- 26 Type B1 beams (498 linear feet)
- 13 Type B2 beams (249 linear feet)
- 498 feet of guard/handrailing; and
- Various lighting and electrical fixtures

Pier reconstruction activities would initially begin by installing the 29 concrete pilings via a crane-barge with an approximate 40-foot lead. Piles would be driven to a depth of approximately 35 feet below an assumed water line elevation of +65 feet mean high tide (MHT). Once complete, pile caps would be installed followed by type B1 and B2 beams to frame out the approach and pier. Type A panels along with the guard/hand railing and various electrical fixtures would then be installed to complete construction of the project.

**AVOIDANCE AND MINIMIZATION:** The applicant has stated that they have avoided and minimized the environmental impacts. All impacts to waters will be short-term and localized, quickly returning to pre-existing conditions following the completion of project activities. Since the project will not involve excavation or discharge of dredge/fill, any generated turbidity is anticipated to quickly settle or dissipate to ambient levels. Additionally, the project will be conducted in accordance with several of the measures outlined in the 2006 National Marine Fisheries Service (NMFS) Sea Turtle and Smalltooth Sawfish Construction Conditions.

**MITIGATION:** No mitigation is proposed for this project.

**CURRENT SITE CONDITIONS:** The proposed site is situated along the shoreline of the Corpus Christi Ship Channel and is surrounded by developed residential and commercial properties with piers and docks. Other properties along this stretch of the Corpus Christi Ship Channel have installed some type of bulkhead or shoreline protection. No seagrasses or special aquatic sites are present within the proposed project area.

**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.

**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.

No water quality certification is required.

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 Corpus Christi Ship Channel 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 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 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 **14 August 2020**. 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-2019-00349**, and should be submitted to:

Corpus Christi Field Office  
Regulatory Division, CESWG-RD-R  
U.S. Army Corps of Engineers  
5151 Flynn Parkway, Suite 306  
Corpus Christi, Texas 78411-4318  
361-814-5847 Phone  
swg\_public\_notice@usace.army.mil

DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS