



Public Notice

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

Galveston District

Permit Application No: SWG-2013-00922
Date Issued: 6 March 2025
Comments
Due: 7 April 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 (CWA).

APPLICANT: Port of Corpus Christi Authority
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LOCATION: The project site is located in the Corpus Christi Ship Channel (CCSC) Inner Harbor (IH), in Corpus Christi, Nueces County, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 27.818308 North; **Longitude:** -97.464568 West

PROJECT DESCRIPTION: The applicant proposes to modify Department of the Army (DA) Permit SWG-2013-00922 at Oil Dock (OD) 14 by dredging an additional 140,000 cubic yards (CY) of material to deepen and extend dredging thresholds within the existing dredge prism to new depth of minus (-) 60 feet mean lower low water (MLLW). The proposed activity will align with the CCSC IH authorized -60 feet MLLW. The 10.6-acre dredge prism includes all side slopes that would be dredged at a 3 horizontal to 1 vertical grade (3:1). The additional 140,000 CY of material would be dredged to achieve seamless transition between the basin and adjacent ship channel.

Deepening the OD 14 basin requires structural upgrades for site stability and integrity. The applicant proposes to install an approximate 1,450-foot-long toe wall immediately in front of the existing bulkhead by driving 230 steel sheet piles and 80 (60-inch) steel pipe piles utilizing impact and/or vibratory impact methods dependent on in-situ soil material of the project area. The toe wall installation will occupy a total area of 14,301-square-foot and result in 540 CY of fill below the high tide line (HTL). To reinforce the toe wall, approximately 2,400 CY of cementitious fill will be placed between the toe wall and existing bulkhead. The cementitious fill will be placed in sleeve casings to predetermined target elevations. Sleeve casings will be removed once fill placement activities are completed. All proposed work will be performed via barge within the CCSC IH utilizing marine construction equipment. A designated staging area within the existing upland dock area will be utilized, as necessary, for equipment and materials necessary for the project.

Dredged material would be placed within any of the following designated dredge material placement areas (DMPAs): DMPA No. 1, Herbie Maurer DMPA, Rincon B West, DMPA Cell A-South Shore, DMPA Cell B-South Shore, Causeway Bird Island BUS, Horseshoe BUS, Elbow Corridor BUS, DMPA No. 6-Tule Lake, DMPA No. 8-Suntide, La Quinta DMPA No. 13, La Quinta DMPA No. 14, and Good Hope DMPA, or within an existing authorized beneficial use site (BUS). The designated DMPAs are privately held and located in existing uplands.

Following completion of the proposed project, maintenance dredging would occur approximately biennially over a period of 10 years. Maintenance dredging activities would either be performed by mechanical or hydraulic dredging with material deposited into one or more of the listed DMPAs above or qualifying BUS.

The permittee received authorization on 5 December 2014 for Permit SWG-2013-00922, to dredge a 10.6-acre basin to a total depth of -54 feet MLLW. Hydraulically dredged and mechanically excavated material, comprising approximately 675,000 CY, was to be placed within the following dredge material placement areas (DMPAs): Suntide DMPA, DMPA No. 6, Southshore DMPA Cell C and/or Cell B. Side slopes of the proposed basin were constructed at a 2:1 or 3:1 slope. Authorization also included a 200-foot-long by 100-foot-wide ship dock, 1,365-foot-long linear sheet pile bulkhead with six 13-foot by 9-foot mooring dolphins, two 150-foot-long by 4-foot-wide ship dock catwalks, and two 15-foot-wide by 21-foot-long by 9-foot-high breasting dolphins or two 96-inch steel monopoles along each catwalk for ship stabilization. Approximately 1,420 CY of

articulated concrete block mat and/or riprap revetment encompassing approximately 0.55 acre was authorized for shoreline stabilization. The permit was subsequently modified on 19 November 2019 adding two additional mooring dolphins, one breasting structure, installing an additional 300 linear feet of bulkhead, expanding the dredging slip from 950 feet to 1,140 feet, adding 10 years for maintenance dredging, and installing approximately 430 CY of revetment that would encompass 0.4 acres. The dredge material will be placed within previously identified DMPAs. Approximately 127,000 CY of material would result from the initial dredge event. The current authorization for maintenance dredging expires on 31 December 2029.

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 make the required changes and by implementing standard construction and industrial best management practices.

MITIGATION: No mitigation is proposed for the project impacts to aquatic resources as no wetlands or other special aquatic sites will be impacted.

CURRENT SITE CONDITIONS: The project site is located on the northern shoreline of the CCSC IH at the Tule Lake Turning Basin. The site contains an armored shoreline (i.e., concrete bulkhead) associated with a developed commercial dock facility and open water that has been dredged to facilitate ship docking operations. The current water depth within the project area is approximately -49 feet MLLW. No wetlands or special aquatic sites are present within the project footprint.

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 6 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 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 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 adversely 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, 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 **7 April 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-2013-00922**, 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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