



Public Notice

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

Galveston District

Permit Application No: SWG-2001-02395

Date Issued: 29 May 2025

Comments

Due: 13 June 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.

APPLICANT: 5700 PIB, LLC
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LOCATION: The project site is located in Galveston Bay adjacent to 5700 Harborside Drive, in Galveston, Galveston County, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 29.3017466° North; **Longitude:** 94.8376734° West

PROJECT DESCRIPTION: The applicant proposes to mechanically and/or hydraulically dredge approximately 600,000 cubic yards of material from a 47-acre area to maintain a depth of -25 feet Mean Lower Low Water (MLLW) for access to the existing Newport Dock. The footprint of the access channel would be widened from the previously authorized maximum width of approximately 200-250 feet to a maximum width of approximately 336 feet at the connection to the GIWW, 363 feet between the cells of Placement Area (PA) 50, 280 feet at the area adjacent to the proposed Texas International Terminal (TXIT) beneficial use dredge material placement area (BUDMPA), which is currently pending evaluation under SWG-2025-00116, and 231 feet at an area near the Newport Dock basin. Dredged material is proposed to be placed into the following dredge material placement areas (DMPAs): Port of Galveston Ship Slips (SWG-2011-00162), Pelican Island Cells A and B, San Jacinto, Port of Texas City (Snake Island), Pierce Marsh (SWG-2015-00313), and the proposed TXIT BUDMPA, currently pending evaluation under SWG-2025-00116. These DMPAs are in addition to the previously authorized placement areas that include the uplands on the Newport Dock site, TXIT PA 5600, Pelican Island Cell C, Pelican Island Disposal Site #3 (Todd Disposal Area), and Pelican Island Disposal Site #4 (Corps).

The purpose of the project is to conduct maintenance dredging to maintain vessel access to the Newport Dock.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by utilizing best management practices (BMPs) to limit adverse temporary impacts to surface waters of the state during dredging operations.

MITIGATION: The applicant has not proposed to mitigate for the proposed impacts because there will be no impacts to special aquatic sites or permanent impacts to aquatic resources.

CURRENT SITE CONDITIONS: The project site is currently in a portion of Galveston Bay between the GIWW and the bay shore of Galveston Island. The project area includes an existing access channel that extends from the GIWW, between the two cells of federal open water PA 50, to the existing Newport Dock facility, which has a bulkheaded shoreline and boat basin. There are no special aquatic sites with the project area. The surrounding area on land is primarily commercial and industrial development. The natural depth of Galveston Bay within the project area is approximately -8 to -10 feet MLLW, with an estimated mean high water level of +1.32 MLLW.

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 proposed project, maintenance dredging, and use of an existing placement area, 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: 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, 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 **13 June 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-2001-02395**, 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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