



Public Notice

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

Galveston District

Permit Application No: SWG-2025-00151

Date Issued: 27 May 2025

Comments

Due: 27 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 and Section 404 of the Clean Water Act (CWA).

APPLICANT:

Calhoun County
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Seadrift, Texas 77983
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AGENT:

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POC: Katie Hutschenreuter
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LOCATION: The project site is located in San Antonio Bay, at 1593 Swan Point Road, in Seadrift, Calhoun County, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 28.38945556 North; **Longitude:** 096.70963611 West

PROJECT DESCRIPTION: The applicant proposes to discharge fill into the open water of San Antonio Bay to construct 7 acres of marsh and construct 1,100-linear-foot of breakwaters. The project is intended to restore Swan Point by creating and enhancing marsh habitat.

Approximately 27,000 cubic yards (CY) of material will be mechanically dredged from an adjacent 3.6-acre boat ramp channel and discharged in the open water to create 7 acres of marsh site which will be composed of 7 marsh cells with tidal channels between the cells. The boat ramp channel will be dredged to a maximum depth of -6 feet with an initial volume of 12,200 CY to be dredged and the balance of material coming from future maintenance dredging.

Approximately 3,000 CY of stone will be discharged in the open water to construct the 1,100-linear-foot breakwater which will be composed of 9 breakwater segments with 8 artificial reef units placed between the breakwater segments. Each stone breakwater will have a length of 90 feet with a crest elevation of +3-foot NAVD88. Artificial reef units will have a crest elevation of +2-foot NAVD88 and a length of 24 feet.

Temporary access channels, covering up to a total of 19.6 acres, will be mechanically dredged to a maximum depth of -4 feet to allow access from the boat ramp channel and the Federal Navigation Channel to the project site. The dredged material will be temporarily sidecast within the designated open water workspaces. All sidecast material will be backfilled at the completion of construction.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by utilizing silt curtains or similar Best Management Practices (BMP) within the water surrounding the project site to minimize migration of sediment into the water column. Operations requiring sound mitigation are not proposed as part of the project. The applicant has avoided 0.11-acre of tidal wetlands abutting the project boundary on the southern side. No marshes or special aquatic sites will be affected by the proposed project.

MITIGATION: Compensatory mitigation is not proposed.

CURRENT SITE CONDITIONS: The project site is currently an area known as Swan Point within Bill Sanders Memorial Park. The existing park shoreline includes 1,415 linear feet of riprap along the south and west shoreline of the park. There are approximately 0.11-acre of tidal wetlands adjacent to project site along the riprap shoreline. There are numerous docks, bulkheads, and aids to navigation in the vicinity. The area is moderately developed and experiences moderate vessel traffic. The area is void of aquatic vegetation and has an unconsolidated sand and silt clay bottom.

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 contacted TCEQ and initiated the Section 401 CWA process by submitting a prefiling request, on 25 April 2025. 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 state tracts proposed for work under this permit are included in the Texas Historical Commission's list of Sensitive state tracts. However, the scope and magnitude of the project is so minimal that a marine archeological investigation is not needed.

THREATENED AND ENDANGERED SPECIES: Threatened and/or endangered species or their critical habitat may be affected by the proposed work. Consultation with 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 **27 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-2025-00151**, 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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