



Public Notice

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

Galveston District

Permit Application No: SWG-2024-00575

Date Issued: 12 November 2024

Comments

Due: 13 December 2024

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 404 of the Clean Water Act (CWA).

APPLICANT:

Texas Department of Transportation-Houston District
7600 Washington Avenue
Houston, Texas 77007
POC: Sue Theiss
Telephone: 713-802-5070
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AGENT:

Texas Department of Transportation-Houston District
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Houston, Texas 77007
POC: Susanna Scott
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LOCATION: The project site is located within Dickinson, Magnolia, and Mustang Bayous, unnamed tributaries, and adjacent wetlands, from the intersection of Interstate Highway 45 (I-45) and Farm-to-Market 646 (FM 646), westward approximately 8.5 miles to State Highway 35 (SH 35), and then southward approximately 4.5 miles to FM 2403, bypassing the town of Alvin, in Galveston and Brazoria Counties, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 29.441373 North; **Longitude:** -95.19852 West

PROJECT DESCRIPTION: The applicant proposes to discharge approximately 39,288 cubic yards (CY) of fill material which will in-turn permanently impact 41.26 acres of wetland (palustrine emergent, forested, & scrub shrub), 0.69 acres (1,420 linear feet) of stream (perennial, intermittent, & ephemeral), and 1.17 acres of existing pond spread out over 49 crossings. Grand Parkway Segment B1 is an approximately 14.2-mile alignment, with approximately 9.1 miles on new location. Grand Parkway Segment B1 would be constructed as a four-lane, controlled-access tollway facility consisting of two lanes in each direction within a 400-foot-wide right-of-way (ROW) and auxiliary lanes between on-ramps and off-ramps where appropriate. The purpose of Grand Parkway Segment B1 is to efficiently link suburban communities and major roadways, to enhance mobility, to respond to economic growth, and to provide an additional hurricane evacuation route. Transportation improvements are needed because there are inefficient connections between suburban communities and major radial roadways. The current and future transportation demand exceeds capacity, and many roadways in the proposed SH 99 Segment B1 study area have an increasing strain on transportation infrastructure from population and economic growth.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by minimizing impacts to streams and one stream avoided completely. The amount of stream avoided within the project area is 4,495.60 LF (2.06 ac).

MITIGATION: The applicant proposed to mitigate for the proposed impacts by purchasing 156.64 wetland credits from the Coastal Bottomlands mitigation bank and 7,734 stream credits from the Katy Prairie Stream mitigation bank.

CURRENT SITE CONDITIONS: The project site is currently a mixture of undeveloped tracts of land containing both forested and herbaceous space and immediately abutting rights-of-way to existing roadways. Portions of the project site receive regularly mowing, allowing mainly herbaceous vegetation to grow.

NOTES: This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. Enclosed are the applicant's project plans in 86 sheets, the applicant's mitigation plan in 27 sheets, and the applicant's alternatives analysis in 36 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: The project site is not located within the Texas Coastal Zone and therefore, does not require certification from the Texas Coastal Management 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>.

LEAD FEDERAL AGENCY: The Texas Department of Transportation has been identified as the lead federal agency for complying with Section 7 of the Endangered Species Act, National Historic Preservation Act, and the Magnuson-Stevens Fishery Conservation and Management Act. As such, please direct all comments, questions, or concerns regarding these Acts to the Texas Department of Transportation.

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 December 2024**. 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-2024-00575**, and should be submitted to:

Central Unit
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS