



# Public Notice

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

**Galveston District**

Permit Application No: \_\_\_\_\_ SWG-2024-00549  
Date Issued: \_\_\_\_\_ [19 November 2024](#)  
Comments \_\_\_\_\_  
Due: \_\_\_\_\_ [19 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 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

**APPLICANT:** NUECES COUTY COASTAL PARKS  
15820 Park Road 22  
Corpus Christi, Texas 78418  
POC: Scott Cross  
Telephone 361-949-8121  
Email: [Scott.Cross@nuecescountytexas.gov](mailto:Scott.Cross@nuecescountytexas.gov)

**AGENT:** ANCHOR QEA, INC.  
500 North Water Street, Suite 1010  
Corpus Christi, Texas 78401  
POC: Chemaine Koester  
Telephone 361-450-6939  
Email: [CKoester@anchorqea.com](mailto:CKoester@anchorqea.com)

**LOCATION:** The project is located in adjacent to Packery Channel, at Packery Channel Nature Park, in Corpus Christi, Nueces County, Texas.

**LATITUDE & LONGITUDE (NAD 83):**  
Latitude: 27.628508 North; Longitude: 97.217325 West

**PROJECT DESCRIPTION:** The applicant proposes to construct both a living shoreline

and nearshore breakwaters to provide shoreline protection from erosion, and a pier for park enhancement.

The project would use two types of breakwaters - primary breakwaters and gap protection breakwaters. The project proposes to fill approximately 0.41 acre (3,510 cubic yards [CY]) of unvegetated bay bottom for primary breakwaters. The primary breakwater structures would be constructed parallel to the shoreline and vary in dimensions. The maximum bottom width of the primary breakwaters would be approximately 28.5 feet and have a maximum length of 130 feet. The proposed gap breakwaters would be placed approximately five to ten feet shoreward between the primary breakwaters and fill approximately 0.08 acre (475 CY) of unvegetated bay bottom. The gap breakwaters would vary in dimensions but have a maximum width of approximately 15 feet and a maximum length of 50 feet. The combined footprint of the breakwater structures total 0.49 acre.

The pile-supported, U-shaped pier would consist of two walkways that extend approximately 97.5 feet perpendicular from the existing shoreline, and an approximately 204-foot walkway situated parallel to the existing shoreline. The pier would be supported by 72 12-inch-diameter, pile driven timber piles. All walkways would be approximately 10.7 feet wide and deck spacing would be 0.5-inch gaps. The deck would be at an elevation of +6.5 feet NAVD88. The footprint of the pier is approximately 0.1 acre (4,530 square feet) with approximately 0.09 acre (3,740 square feet) within the mean high water.

The project would develop approximately 0.35 acre (15,110 square feet) of living shoreline by planting marsh vegetation between the proposed breakwaters on the existing shoreline. Smooth cordgrass (*Spartina alterniflora*) would be placed between +0.5 and +2.0 feet NAVD88 and salt-meadow grass (*Spartina patens*) and associated marsh vegetation would be planted between +2.0 and +2.5 NAVD88.

**AVOIDANCE AND MINIMIZATION:** The applicant has stated that they have avoided and minimized the environmental impacts by avoiding all special aquatic sites and will only fill unvegetated bay bottom. Additionally, the applicant will plant approximately 0.35 acre of marsh vegetation between the existing shoreline and proposed breakwaters.

**MITIGATION:** The applicant has not proposed mitigation.

**CURRENT SITE CONDITIONS:** The project site is currently a County Park actively used by the public for water-related activities. The review area contains approximately 0.64 acre of intertidal estuarine emergent wetland, approximately 0.05 acre subtidal estuarine emergent wetlands, and approximately 0.33 acre of submerged aquatic vegetation. Dominant wetland vegetation include salt-meadow cordgrass, smooth cordgrass, gulfdune paspalum (*Paspalum monostachyum*), sea-oxy daisy (*Borrchia frutescens*), seashore dropseed (*Sporobolus virginicus*), American glasswort (*Salicornia virginica*), and black mangrove (*Avicennia germinans*). Dominant upland species include little bluestem (*Schizachyrium scoparium*), Bermuda grass (*Cynodon dactylon*), and Brazilian peppertree (*Schinus terebinthifolia*). Seagrass beds were composed entirely of

shoalgrass (*Halodule wrightii*).

**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 7 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 Clean Water Act (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.

**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 Packery Channel, erosion, and subsidence 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 **19 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-2024-00549**, and should be submitted to:

Corpus Christi Regulatory Field Office  
Regulatory Division, CESWG-RDR  
U.S. Army Corps of Engineers  
Galveston District  
2000 Fort Point Road  
Galveston, Texas 77550  
409-766-3869 Phone  
409-766-6301 Fax  
swg\_public\_notice@usace.army.mil

DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS