Public Notice

U.S. Army Corps Of Engineers

Galveston District

Permit Application No: SWG-2011-00854

Date Issued: 9 September 2021

Comments Due: 11 October 2021

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: The Nature Conservancy
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Corpus Christi, Texas 78468
POC: Ms. Sonia Najera
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AGENT: Mott MacDonald
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POC: Ms. Stephanie Rogers
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LOCATION: The project site is located in Corpus Christi Bay at Shamrock Island, approximately 8.6 miles southwest of Port Aransas, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Port Ingleside, Texas.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 27.75827° North; Longitude: 97.17113° West

PROJECT DESCRIPTION: The applicant proposes to modify an existing authorization for the Shamrock Island Restoration project under permit number SWG-2011-00854 which was granted on 11 June 2015. Activities previously authorized include construction of rubblemound breakwaters, placement of shoreline breach fill within a 0.43-acre area,

construction of an approximate 12.8-acre sand feeder mound, hydraulic dredging from north (59-acre) and south (57-acre) submerged borrow sites, temporary installation of a 150-foot-wide access channel, and temporary installation of a 1.4-acre access corridor. To date, the only previously authorized activities that have been completed are installation of the rubblemound breakwaters and placement of the shoreline breach fill.

The applicant requests an extension of time for completing the previously authorized activities. In addition, the applicant requests a modification to the original permit in order to repair a breach in the shoreline by placing approximately 850 cubic yards (CY) of breakwater fill materials over approximately 461 linear feet of shoreline, placement of 10,000 cubic yards of native sand-fill in approximately 1.0 acre of unvegetated tidal zone, and installation of the feeder berm consisting of 45,000 CY of native sand-fill placed over 12.2 acres of unvegetated bay bottom. Native sand-fill would be dredged from three previously authorized onsite borrow areas. The proposed breach fill under this permit application lies partially in the areas that have been previously restored with native sand, and then were damaged by Hurricane Harvey in 2017. The applicant now proposes to install hardened stabilization, such as an onshore breakwater. Section E on Sheet 7 of the plan drawings shows the proposed geometry for the breakwater and native sand-fill that would close the existing breaches and provide protection to Shamrock Island's interior marsh. The breakwaters would have a maximum bottom width of 9 feet and a maximum crest elevation of (+)6 feet to reduce overtopping under elevated water levels and to account for future sea level rise.

The applicant proposes to construct the breakwaters of material or units composed of concrete, steel, steel mesh, geogrid, geotextile, bedding stone, or gabion stone. Sand fill would be installed behind the breakwaters to restore the lost shoreline areas, forming a natural sandy bank that is continuous between stable sections of shoreline and naturally sloping towards the interior marsh areas.

The previously authorized feeder mound has been amended as part of this application to avoid impacts to seagrasses that have grown in the area since the previous permit was authorized. As shown in Sheet 4 of the permit drawings, the extents of the feeder mound are limited to a 25 feet or greater offset from the delineated sea grass beds. No other changes have been made from the previously authorized plans. The proposed feeder mound remains at 12.2 acres in size and 45,000 CY of native sand-fill with a crest elevation of 1.5 feet.

The previously authorized borrow areas consist of Borrow Area North (BA-N) and Borrow Area South (BA-S). These borrow areas have been reduced in size but still fall within the previously authorized areas. The contractor would access the project site by water through an existing corridor. This corridor intersects the island just north of the breach-fill area and extends to the western shoreline of the island. Construction mats would be utilized in vegetated areas of the access corridor to minimize disturbance. The contractor would utilize the fill areas as access to the south end of the breach-fill area. Access to the feeder berm template would be by water only, with no additional access channel dredging proposed. The contractor would traverse the project area within the deep-water areas seaward of the borrow areas and feeder berm template.

Dredging would be conducted via mechanical or hydraulic means. A pipeline corridor is shown on the permit drawings for use if sediment is hydraulically dredged. The pipeline would be monitored daily for possible leakages or issues, and any misplaced materials would be removed, and the bay bottom within this corridor would be restored to preconstruction conditions.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts with the following statement: "No seagrasses will be impacted the proposed project. Best Management Practices (BMPs) such as silt curtains and/or silt fence will be utilized during placement of fill and breakwater construction to avoid any impacts to adjacent seagrasses and marsh habitat. Construction mats will be utilized in sensitive habitat areas to minimize ground disturbance. Less than 1/10 acre of temporary impacts to sensitive habitat are proposed."

MITIGATION: The proposed project is for habitat restoration and is therefore self-mitigating.

CURRENT SITE CONDITIONS: Shamrock Island is located on the east side of Corpus Christi Bay in Nueces County off the western shoreline of Mustang Island. Shamrock Island Preserve was acquired by the TNC in 1995 and currently serves as a 110-acre bird sanctuary for over nineteen species of birds. Historically, Shamrock Island was formed as a spit that was connected to Mustang Island. In 1970, Hurricane Celia breached the spit, completely separating Shamrock Island from Mustang Island. This separation allowed it to function as a sanctuary by removing access for predators to the island. However, this also separated the island from its historical sediment source, which has led to erosion on the island. Currently, Shamrock Island is composed of a matrix of sand and shell hash ridges and lagoons that provide protected areas for bird roosting.

Numerous restoration projects have been conducted on the island in an attempt to reduce the erosion, create additional habitat, and protect the island from fragmentation. In 1999, a 4,000 linear foot geotextile tube was constructed as an offshore breakwater to protect the northern part of the island. The project also created approximately five acres of wetlands using about 10,000 CY of marsh fill and a 72,000 CY feeder beach on the seaward side of the geotextile tube. In 2006, nine low-crested breakwaters were constructed on the northern part of the island. These breakwaters were 200 feet long and spaced 50 feet apart at the crest and were designed to reduce wave energy enough to create an environment conducive to growing seagrasses. In total, 30 breakwaters have been installed along the most energetic areas just offshore of the Shamrock Island shoreline.

In 2016, three breakwaters were constructed on the southwest end of the island and fill material was placed on the shoreline to prevent breaching. Fill material was also placed on the northwestern shoreline of the island to close an existing breach. Due to the high winds and surge from Hurricane Harvey in 2017, the north breach fill material was washed

back and the crest elevation of the fill was dramatically reduced. In addition, a smaller breach, which had formed south of the north breach, deepened as a result of the hurricane.

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 seven 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 for 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.

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

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 was previously investigated for historic properties and none were identified as documented in the report titled “Cultural Resource Remote-Sensing Survey of Areas Adjacent to Shamrock Island, Corpus Christi Bay, Nueces County, Texas” prepared by Coastal Environments, Inc. and dated April 2015.

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 **11 October 2021**. 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-2011-00854**, and should be submitted to:

Corpus Christi Field Office
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