



Public Notice

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

Galveston District

Permit Application No: SWG-2009-00831

Date Issued: 6 April 2023

Comments

Due: 21 April 2023

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: COUNTY OF NUECES
15829 Park Road 22
Corpus Christi, Texas 78418
POC: Mr. Scott Cross
Telephone: 361-949-8122
Email: scott.cross@nuecesco.com

AGENT: JACOBS ENGINEERING GROUP
555 North Carancahua, Suite 320
Corpus Christi, Texas 78401
POC: Mr. Louis Klusmeyer
Telephone: 361-695-3288
Email: louis.klusmeyer@jacobs.com

LOCATION: The project site is located in the Gulf of Mexico (GOM) at 15820 South Padre Island Drive, in Corpus Christi, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map entitled: Crane Islands, SW, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 27.5817 North; **Longitude:** 97.2183 West

PROJECT DESCRIPTION: The applicant proposes to construct a new public pier in the general footprint of a previously permitted one damaged by Hurricane Harvey and recently removed. The previously permitted pier was demolished and removed under the conditions of its construction permit (No. 14690) in 2022. The pier would extend a total of 1,101 feet from the Mean High Water (MHW) line out into the Gulf of Mexico. The total overwater square footage of the project would be 45,260-square-foot consisting of: a 90-foot-long by 25-foot-wide deck for a bait shop, public bathrooms and access control on the south side of the pier close to the land; a 1,030.7-foot-long (from MHW) by 20-foot-wide walkway, and a 70.5-foot-long diamond-shaped terminal platform that would extend 69.5 feet on each side of the 20-foot walkway area (159 feet at its widest). The proposed pier structure would be constructed of driven concrete piles at the landside concession and public area and steel pipe piling for the stem and diamond head with the total number consisting of 44 (24-inch-square), 62 (24-inch-square), and 22 (48-inch-square) piles. Construction cranes and material would arrive and be supported on barges. A temporary trestle may be constructed with driven steel piles and a temporary deck adjacent to the new pier for construction of the new pier and demolished prior to completion of the project. No dredging or fill is involved. There are no seagrasses or wetlands at the project location. The purpose of the project is to provide public accessibility and recreational opportunities to the general public.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by rebuilding the pier within the footprint of the existing pier that will be removed.

MITIGATION: No mitigation is proposed.

CURRENT SITE CONDITIONS: The project site is currently a beachfront tract on the GOM that has been developed for public recreational use. A paved parking area and pavilion is located on the landward side of the beach dune ridge, as well as an RV park. The dune ridge is part of a belt of dunes 15- to 20-foot-wide on average, and up to 35-foot high that runs along the GOM side of the island. The vegetation stabilizing the dunes consists of drought resistant species such as sea oats, beach panic grass, and beach morning glory. The beach animal community is dominated by rodents such as pocket gophers, kangaroo rats, spotted ground squirrels, grasshopper mice, rice rats and cotton rats. An estimated 600 species of saltwater fish inhabit the coastal waters of the GOM. Sea turtles frequent the GOM nearshore area and utilize the beach area for nesting. Large numbers of waterfowl and shorebirds are common along the beach area, most of which are migratory. Sargassum often washes up on the GOM beaches in large concentrations that contain numerous invertebrates, including small shrimp, crabs and amphipods. These entrapped organisms provide forage opportunities for shorebirds. The lower beach zone where sargassum washes ashore can also be populated with amphipods, polychaetes, and small bivalves, such as coquina clams. Typically, moderate to large sargassum concentrations begin to wash up on the beaches in early spring and persist through early summer. Terrestrial foragers of washed-up sargassum include coyotes, terrestrial crabs, beetles and flies. Sargassum can act as a natural fertilizer to dune vegetation and also trap wind-blown sand, both of which serve to stabilize the beach/dune environment.

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 five 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.

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 is of such limited nature and scope that it has no potential to affect 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 **21 April 2023**. 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-2009-00831**, and should be submitted to:

Corpus Christi Field Office
Regulatory Division, CESWG-RDR
U.S. Army Corps of Engineers
Galveston District
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Corpus Christi, Texas 78411-4318
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS