



# Public Notice

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|--|--------------------|-----------------------------|
| <b>U.S. Army Corps<br/>Of Engineers<br/>Galveston District</b> | Permit Application | Programmatic General Permit |
|  | No:                | SWG-2007-00720              |
|  | Date Issued:       | 21 August 2018              |
|  | Comments Due:      | 21 September 2018           |

## U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

**PURPOSE OF PUBLIC NOTICE:** To inform you that the Galveston District is proposing to re-issue a Programmatic General Permit (PGP). It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

**SPONSOR:** U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

### DESCRIPTION:

| PGP No.        | Description   | Agency                  | Location   | Authority  |
|----------------|---|-------------------------|--|--|
| SWG-2007-00720 | Structures and work authorized are limited to single-family and multi-family recreational piers. Authorized structures may include, boat houses/shelters, storage buildings, lifts, hoists, personal watercraft ramps/platforms and dry hydrants. | Trinity River Authority | Lake Livingston in Polk, San Jacinto, Walker and Trinity Counties, Texas | Section 10 of the Rivers and Harbors Act of 1899 |

The proposed PGP, included with this notice, revises language to eliminate the requirement for separate piers and terminal structures and to clarify that maintenance of the structure is authorized. The previous issuance of the PGP and their appropriate conditions and example drawings are available at: <https://www.swg.usace.army.mil/Business-With-Us/Regulatory/Permits/Regional-General-Permits/>.

Regional permits are a type of general permit as defined in 33 CFR 322.2(f) and 33 CFR 323.2(n). They may be issued by a division or district engineer after compliance with the other procedures of this regulation. If the public interest so requires, the issuing authority may condition the regional permit to require a case-by-case reporting and acknowledgment system. Programmatic permits are a type of regional general permit founded on an existing state, local or other Federal agency program and designed to avoid duplication with that program.

In 2008, the Trinity River Authority (TRA) entered in to a Cooperative Agreement with the Corps to administer SWG-2007-00720 as a PGP through their Lake Livingston Project office for projects on TRA-owned submerged land.

A preliminary review of the proposed PGP 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:** No water quality certification is required. The project site is not located within the Texas Coastal Zone and therefore, does not require certification from the Texas Coastal Management Program.

**NATIONAL REGISTER OF HISTORIC PLACES:** The staff archaeologist will review the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information on a case-by-case basis.

**THREATENED AND ENDANGERED SPECIES:** Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by PGP SWG-2007-00720.

**PUBLIC INTEREST REVIEW FACTORS:** These proposed Programmatic General Permits will be reviewed in accordance with 33 CFR 320-330, the Regulatory Programs of the Corps of Engineers (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 the proposed Programmatic General Permits. 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 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:** 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 whether the issues are substantial and should be considered in the permit decision. 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 September 2018**. 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 be submitted to:

Policy Analysis Branch  
Regulatory Division, CESWG-RDP  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229  
409-766-3869 Phone  
409-766-6301 Fax  
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DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS