



Public Notice

U.S. Army Corps Of Engineers Galveston District	Permit Application	Re-Issuance of
	No:	Programmatic General
		Permits
	Date Issued:	24 August 2017
	Comments Due:	25 September 2017

U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

PURPOSE OF PUBLIC NOTICE: To inform you that the Galveston District is proposing to re-issue two Programmatic General Permits. 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 (Corps)
P.O. Box 1229
Galveston, Texas 77553-1229

DESCRIPTION:

PGP No.	Description	Agency	Location	Authority
SWG-2006-00517	Installation, operation, and maintenance of structures and equipment necessary for oil and gas drilling, production, and transportation activities	Texas General Land Office	Navigable Waters of the United States in bays and estuaries within the Galveston District, excluding Louisiana	Section 10 & Section 404
SWG-2007-00720	Structures and work authorized are limited to pile supported single-family and multi-family recreational piers including boat houses/shelters, storage buildings, lifts, hoists, personal watercraft ramps/platforms and dry hydrants.	Trinity River Authority	Lake Livingston	Section 10

Previous issuances of these Programmatic General Permits and their appropriate conditions and example drawings are included.

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 Texas General Land Office entered in to a Cooperative Agreement with the Corps to administer SWG-2006-00517 as a Programmatic General Permit through their Energy and Mineral Leasing Program office for projects on state-owned submerged land.

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

A preliminary review of these proposed Programmatic General Permits 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 of Programmatic General Permit SWG-2006-00517 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:

Programmatic General Permit SWG-2006-00517 is subject to Section 404 of the CWA and Texas Coastal Zone consistency certification is required. Therefore, the Texas Railroad Commission will determine if the project is consistent with the goals and policies of the CMP and will review this application under Section 401 of the CWA to determine if the work would comply with State water quality standards.

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 Programmatic General Permit SWG-2007-00720.

Threatened and/or endangered species or their critical habitat may be affected by Programmatic General Permit SWG-2006-00517. Consultation with the U.S. Fish and Wildlife will be initiated to identify permit conditions to minimize 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 for Programmatic General Permit SWG-2006-00517. Our initial determination is that the proposed re-issuance of this Programmatic Regional General Permit 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: These proposed Programmatic General Permits will be reviewed in accordance with 33 CFR 320-330, 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 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 **25 September 2017**. 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
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS