



Public Notice

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

Galveston District

Permit Application No: _____ SWG-2022-00454

Date Issued: _____ 31 January 2023

Comments

Due: _____ 3 March 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 and Section 404 of the Clean Water Act.

APPLICANT: Cameron County, Texas
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Brownsville, Texas 78520
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AGENT: HDR Engineering, Inc.
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LOCATION: The project is located in the City of South Padre Island (SPI) starting at Beach Access Road 4, five miles north of the entrance onto SPI from the Queen Isabella Causeway, and extending approximately 12 miles north along the beach into the Laguna Atascosa National Wildlife Refuge (LANWR). The project area is mapped on the following U.S. Geological Survey Quadrangles: Port Isabel NW and North of Port Isabel SW, Texas.

LATITUDE & LONGITUDE (NAD 83):

- Beach Template
 - South End: 26.156678°N, 97.171763°W
 - North End: 26.331997°N, 97.205130°W
 - Center (approx.): 26.258194°N, 97.189054°W
- Borrow Area A: 26.065931°N, 97.155413°W
- Borrow Area B: 26.066175°N; 97.116923°W
- Borrow Area C: 26.064607°N; 97.166457°W

PROJECT DESCRIPTION: The applicant proposes to place suitable sand for beach nourishment in volumes ranging from 250,000 to 500,000 cubic yards per event along approximately 12 miles of beach totaling approximately 970 acres as beach nourishment activities. Placement of material would be based on available sediment quantity within areas with the most need for nourishment due to ongoing erosion. The construction width includes a 200-foot berm crest at an elevation of +4.0 feet NAVD88, a variable slope to the toe of fill, and a variable fill density. The resulting placement density (volume per linear foot of nourished beach) along the project length would vary due to the varying quantities of material needed to construct the beach and provide nourishment.

The placement of sand material on the beach would primarily occur by dredge pipeline. Sand placement from authorized upland sites would occur via truck hauling. Truck hauling would include the use of sand brought to Access Roads 5 and 6, where it would be stockpiled and transported to the project area by large off-road dump trucks. Front-end loaders would then grade sand placed within the construction corridor to create the authorized beach template.

The dredge pipeline would deliver sand from authorized borrow areas to the project area by hopper dredge with a pump-out station(s) located offshore. The pipeline would bring suitable sand to an Active Construction Area located on the beach using a combination of the following:

1. Contractor routes the pipeline to shore at one location and then adds dredge pipeline on the beach as progress is made towards the Active Construction Area, or
2. Contractor would have multiple landing locations for the pipeline and the pipeline would be routed along the seafloor to a location near the Active Construction Area.

An Active Construction Area is the area on the beach where dredged material is discharged and mechanically moved to construct the beach and dune profile. Heavy equipment operators would create temporary earthen training berms, which would partially contain and direct the slurry exiting the dredge pipe. As this slurry runs along the beach, sediment would settle out within the project template and water would return to the Gulf of Mexico. As sediment builds up in front of the pipe, heavy equipment would grade the sediment to meet the project template. Operation of heavy equipment would primarily be limited to the Active Construction Area. However, equipment and personnel would travel portions of the beach for crew changes and transfer of equipment/supplies

to the working area. Beach construction equipment would be stored near Active Construction Areas above the high tide line.

The temporary dredge pipe located on land would be placed below or above the existing grade to allow vehicular access. Upon removal of the dredge pipe, all disturbed areas would be filled, graded, and compacted to allow vehicle access at project completion.

Sand Borrow Areas

Suitable sand material for beach nourishment would be supplied from beneficial use borrow sources located near the entrance of the Brazos Santiago Pass (Borrow Areas A - C). The Corps conducts regular maintenance dredging of the entrance portion of the Brazos Santiago Pass on an average 2-year cycle and currently coordinates with the City of SPI, Cameron County, and the General Land Office (GLO) to place sand as beach nourishment on Isla Blanca Park (County) and City of SPI shorelines. The applicant is coordinating with the Corps to allow the beneficial use of suitable maintenance material for this project. In addition, the applicant is in coordination with the Port of Brownsville to beneficially use suitable sand material from proposed dredge areas within the Brazos Santiago Pass, which will be part of the proposed Brazos Island Harbor Channel Improvement channel deepening project (BIH Project) authorized under a separate Department of the Army Permit SWG-2016-00038 and to be performed by a private party, for placement on SPI shoreline. Project activities for Borrow Areas A - C include the following:

- Use channel maintenance material from the existing channel configuration maintained by the Corps (Borrow Area A channel maintenance area – approximately 92 acres). Quantities of maintenance dredge material is between 250,000 to 500,000 cubic yards per event.
- Use channel maintenance material from the revised channel configuration (depths) after performance (by others) of the proposed BIH Project. The quantity of beneficial use material dredged from the channel during navigation maintenance projects is expected to be similar in quantities to current maintenance dredge amounts, i.e., 250,000 to 500,000 cubic yards per event (expand Borrow Area A from approximately 92 acres to 119 acres).
- Use suitable material from new work areas as part of the BIH Project (Borrow Areas B and C – approximately 28 acres and 15 acres, respectively).
- Suitable material beneficially used from maintenance and new work within the Brazos Santiago Channel will allow up to 1,500,000 cubic yards of sand to be used as beach fill on SPI beaches (Plan Drawings, Sheets 51-55). The new work areas would only be used during future proposed work.
- Cameron County would not conduct dredging of the Brazos Santiago Pass on their own. The County would receive material from federal dredging of the channel (Corps) and from the already authorized BIH Project (private party).

AVOIDANCE AND MINIMIZATION: The project is one of the Texas General Land Office's (TGLO) Coastal Erosion Planning and Response Act (CEPRA) projects that is recognized as having erosional concerns. As such, no offsite alternatives were considered for beach nourishment. Each onsite alternative includes the placement of suitable sand material along 12 miles or shoreline where, once the project is constructed,

natural processes will move sand from the upper part of the beach into the nearshore area to match the natural equilibrium beach shape. The preferred alternative was determined from modeling storm breaches and feasibility and logistics of the proposed project.

MITIGATION: No compensatory mitigation is proposed.

CURRENT SITE CONDITIONS: The beach profile differs slightly from the starting location (south) to the end location (north) within the project area with differences most notable at the dune line. The southern end of the project area near Beach Access Roads 4 and 5 is slightly wider and consists of one relatively continuous and vegetated dune profile. The dune profile becomes less continuous north of Beach Access Road 5 with the dune slope shifting westward towards State Park Road 100 and gradually decreasing in percent vegetation cover and then becoming unvegetated sand dunes approximately 0.80 mile north of Beach Access Road 5. Beach and dune width, as well as percent vegetation cover along the dunes, then varies for approximately 4 miles before becoming unvegetated sand dunes about 0.40 mile south of the end of State Park Road 100, about halfway in the project area. Hay bales were observed within this reach of beach, from approximately 2.30 miles south of the end of State Park Road 100. Based on location and orientation of the hay bales, they are assumedly for the purpose of dune restoration as part of a separate project and conducted by a different entity.

The first approximate 0.70 mile of the project area beyond State Park Road 100 consists of wide beach with the dune slope located west of an imaginary line if State Park Road 100 were extended northward. Farther northward, dunes within the project area vary between continuous, densely vegetated dunes that extend eastward creating a narrow beach and patchy dunes with short foredunes and multiple dune breaks associated with wide beaches and large areas of unvegetated sand dunes. The most northern 3 miles of the project are within the LANWR.

Borrow Area A is located near the entrance of the Brazos Santiago Pass and currently consists of open water with an unvegetated sandy bottom regularly maintained by hydraulic dredging at a depth of -46 feet MLLW advanced maintenance depth with a -2 foot allowable overdepth. Future plans for Borrow Area A would allow for a dredge depth of -57 feet MLLW required depth with a -2 foot allowable overdepth.

Borrow Area B is located past the seaward end of Borrow Area A and currently consists of open water with an unvegetated sandy bottom regularly maintained by hydraulic dredging at a depth of -53.5 feet MLLW. Future plans for Borrow Area B would allow for a dredge depth of -57 feet MLLW required depth with a -2 foot allowable overdepth.

Borrow Area C is located within the Brownsville Ship Channel inside the entrance of the Brazos Santiago Pass and currently consists of open water with an unvegetated sandy bottom. Both current and proposed new work are/would be regularly maintained by hydraulic dredging at a depth of -55 feet MLLW maintenance depth with a -1 foot allowable overdepth.

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 55 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. 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>.

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 is likely to contain both terrestrial and marine cultural resources that could be eligible for inclusion in the National Register of Historic Places. The applicant will need to conduct both terrestrial and marine investigations for 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 **3 March 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-2022-00454**, and should be submitted to:

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