



# Public Notice

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

**Galveston District**

Permit Application No: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Comments \_\_\_\_\_

Due: \_\_\_\_\_

SWG-2023-00264

18 July 2023

17 August 2023

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## 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 (CWA).

**APPLICANT:**

CAMERON COUNTY  
1100 East Monroe Street  
Brownsville, Texas 78520-5883  
POC: Mr. Eddie Trevino, Jr.  
Telephone: 956-544-0830  
Email: [etrevino@co.cameron.tx.us](mailto:etrevino@co.cameron.tx.us)

**AGENT:**

MOTT MCDONALD  
802 North Carancahua Street, Suite 300  
Corpus Christi, Texas 78401-0002  
POC: Ms. Chemaine Koester  
Telephone: 361-203-6920  
Email: [chemaine.koester@mottmac.com](mailto:chemaine.koester@mottmac.com)

**LOCATION:** The project site is located along approximately 500 feet of shoreline in the Laguna Madre, within Isla Blanca County Park, at 33174 State Park Road 100, in South Padre Island, Cameron County, Texas 78597. The project can be located on the U.S.G.S. quadrangle map entitled: Port Isabel, Texas.

**LATITUDE & LONGITUDE (NAD 83):**

**Latitude:** 26.96794 North;      **Longitude:** 97.16263 West

**PROJECT DESCRIPTION:** The applicant proposes to construct a shoreline restoration project that involves the following improvements: (1) construction of two native fill templates each measuring approximately 250-foot long, (2) construction of one offshore breakwater measuring 200-foot-long by 80-foot-wide, (3) construction of two shore-attached groins, each approximately 140-foot-long by 80-foot-wide, and (4) construction of two scour protection areas located within gaps between the offshore breakwater and shore-attached groins measuring 100-foot-long by 80-foot-wide, each. Suitable fill material to construct the fill templates would be obtained from the excavation of the Scour Protection Areas, placed at the Native Fill Material Beneficial Placement Areas shown in the attached drawings on six sheets. If the material is not beach quality, it would be hauled off site, and native fill material from approved sand sources located at Isla Blanca County Park or riverine sand from the Olmito Sand Pit may be utilized. The proposed offshore breakwater and groin structures would be constructed using either armor and bedding stone, or an alternative material type/units composed of concrete, steel, mesh, geogrid, geotextile, stone, piles, chains, anchors, oyster shell, or similar. Scour protection installation would include excavation and fill consisting of marine mattress material as a means to prevent scour within the gaps of the structures.

The stated purpose of the project is to protect the shoreline from erosional forces caused by daily wave action, storm-related events and ship wakes from vessels traversing through the Brazos Santiago Pass by utilizing a combination of non-structural (native fill) and structural (breakwater, groins, scour protection) methods.

**AVOIDANCE AND MINIMIZATION:** The applicant has stated that they have avoided and minimized the environmental impacts by avoiding impacts to jurisdictional wetlands and special aquatic sites, including seagrass and oysters. Best Management Practices (BMPs) such as silt curtains and silt fencing would be utilized during excavation and placement of native fill material, placement of material for constructing the offshore breakwater and two shore-attached groins, and placement of scour protection material to minimize impact to adjacent wetlands and special aquatic sites. Immediately before construction, a seagrass survey would be performed by the applicant and final adjustments to the positions of the proposed breakwater and groins would be made to ensure complete avoidance of all existing seagrasses.

**MITIGATION:** No mitigation is being proposed since there would be no permanent impacts to jurisdictional wetlands or aquatic resources (seagrass, oysters, mangroves). The project footprint would only encompass current areas of unvegetated bay bottom.

**CURRENT SITE CONDITIONS:** Currently, the shoreline at the site appears highly eroded and consists of concrete rubble debris, relic timber pilings, and a 75-foot rubble mound structure near a public boat ramp. The project area consists of two primary vegetation communities – estuarine high marsh wetland dominated by shoregrass, sea oxeye daisy, marshhay cordgrass, and saltgrass; Uplands dominated by sea oxeye daisy, eastern prickly pear cactus, sea coastal bluestem, seashore paspalum, and associated species. The wetlands along the project shoreline are of low quality and habitat value due to ongoing erosion. Wetlands extending into the interior of the project area are of higher habitat value and are subject to inundation under high tide events. A seagrass bed consisting of shoalgrass, manatee grass, and stargrass is present near the project area.

**NOTES:** This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. As of the date of this public notice, the Corps has received but not yet verified the wetland delineation. The applicant's plans are enclosed in six 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 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.

**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 has been so extensively impacted by subsidence and erosion that there is no potential for historic properties to exist within the permit area. Therefore, the proposed project has no potential to effect 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, 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 **17 August 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-2023-00264**, and should be submitted to:

Corpus Christi Field Office  
Regulatory Division, CESWG-RDR  
U.S. Army Corps of Engineers  
Galveston District  
5151 Flynn Parkway, Suite 306  
Corpus Christi, Texas 78411-4318  
361-814-5847 Phone  
swg\_public\_notice@usace.army.mil

DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS