



**US Army Corps
of Engineers®**

**Galveston District
Regulatory Division**

**Special Public Notice
for
Dow Chemical Company
Harris Reservoir Expansion Project
Final Environmental Impact Statement (FEIS)
June 20, 2023**

**NOTICE OF AVAILABILITY FOR THE DOW CHEMICAL COMPANY'S HARRIS RESERVOIR
EXPANSION PROJECT, BRAZORIA COUNTY, TEXAS (DEPARTMENT OF THE ARMY
PERMIT NUMBER SWG-2016-01027)**

PURPOSE OF PUBLIC NOTICE: To inform you that the U.S. Army Corps of Engineers Galveston District (Corps) is issuing a notice to advise the public that a Final Environmental Statement (EIS), for which you may be interested, has been completed and is available for review.

FINAL ENVIRONMENTAL IMPACT ASSESSMENT: The notice of availability for the Final EIS was published by the Corps in the *Federal Register* on June 16, 2023. The Final EIS is available for public review beginning on June 16, 2023. The Corps will execute a final decision regarding the proposed action and complete a Record of Decision no sooner than 30 days (July 17, 2023) following publication of the Notice of Availability of the Final EIS. The Final EIS is accessible at the Corps' Project webpage below.

www.swg.usace.army.mil/Missions/Regulatory/Special-Projects-Environmental-Impact-Statements/

BACKGROUND: The Corps received a permit application for a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company (Dow) for the Harris Reservoir Expansion Project (proposed Action). The Corps is the lead federal agency under the National Environmental Policy Act (NEPA) and the President's Council on Environmental Quality regulations and intends to prepare an EIS for the proposed Action. The U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service are cooperating agencies under NEPA. The DA permit application was first publicized by an extended Public Notice issued on March 2, 2018.

The Proposed Action is located north of the existing Dow Chemical Harris Reservoir in the city of Angleton, Brazoria County, Texas (29.267725°N, -95.543750°W). The Proposed Action would include the construction of a 1,929-acre impoundment with a storage capacity of 51,000 acre-feet, an intake and pump station to divert water from the Brazos River, and an outlet and emergency spillway to Oyster Creek. The proposed Action would also include temporary construction staging and laydown areas, floodplain enhancements and stream restoration in Oyster Creek, and off-site compensatory mitigation along Big Slough. The Big Slough mitigation site is an approximately 1,100-acre area located on Dow property seven miles east of Lake Jackson near the Brazoria National Wildlife Refuge.

PUBLIC INVOLVEMENT: The Corps published a notice of intent and initiated the scoping process in the *Federal Register* to notify the public of the intent to prepare a Draft EIS on April 9, 2020. A meeting invitation was emailed to federal and state agencies on April 28, 2020, and a virtual agency scoping meeting was held on May 12, 2020. Notices to interested parties and local, state, and federal elected officials were sent via mail and email on May 27, 2020, providing information about the Proposed Action, announcing the public meeting scheduled for June 17,

2020, and providing a link to the Project website. Additionally, on May 27, 2020, an Affected Party Letter was mailed to 25 affected parties providing information about the proposed Action, the link to the Project website, and an invitation to the June 17, 2020, virtual public meeting. The Corps solicited comments on the proposed Action during the scoping period meetings from the public, federal, state, and local agencies and officials, Native American tribal groups, and other interested parties for the proposed permit activity.

On April 8, 2022, the Corps published a special public notice inviting full public participation on the potential concerns surrounding the Draft EIS. In addition, participation by federal, state, local agencies and other interested organizations was encouraged. Two (2) virtual public meetings were held online on May 3, 2022, to provide information about the proposed Action and to receive public input and comment on the Draft EIS. The Draft EIS was available for a public review period beginning on April 8, 2022, and ending on June 20, 2022.

Comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties regarding the impacts of this proposed activity were considered by the Corps to determine whether to issue, modify, condition or deny a permit for the proposed Action. Comments were considered in the Final EIS analysis pursuant to NEPA.

The Final EIS will be used to inform the Corps' decisions regarding Dow's permit application and may inform the decisions of other agencies that evaluate the Proposed Harris Reservoir Expansion Project as part of their regulatory or permit processes. The information in the Final EIS will help decision makers, public officials, and citizens to understand the potential environmental impacts of the proposed Harris Reservoir Expansion Project and its alternatives before decisions regarding the proposed Project are made.

Comments may be submitted during the entire 30-day review period and will be reviewed and incorporated into the administrative record prior to the Corps' finalization of the procedure. All comments pertaining to this Notice must reach this office on or before July 17, 2023. Electronic (email) comments regarding the Final EIS should be addressed to SWG201601027@usace.army.mil. Emailed comments, including attachments, should be provided in .docx, .jpeg, or .pdf formats. Written comments and requests for additional information should be submitted to:

Regulatory Division, CESWG-RD-P
U.S. Army Corps of Engineers
2000 Fort Point Road
Galveston, Texas 77550
409-766-3108 Phone

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS