



# Public Notice

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

**Galveston District**

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

SWG-2013-00189

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

7 June 2018

Comments \_\_\_\_\_

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

7 July 2018

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**U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT  
AND  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

**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:** City of Port Aransas  
710 West Avenue A  
Port Aransas, Texas 78373  
Telephone 361-749-4111  
POC: Mr. David Parsons

**AGENT:** HDR Engineering, Inc.  
555 N. Carancahua, Suite 1600  
Corpus Christi, Texas 78401  
Telephone 361-696-3341  
POC: Ms. Christine Magers

**LOCATION:** The project is located in Corpus Christi Bay and adjacent wetlands on the bayside of Mustang Island at the Mustang Beach Airport. The Airport is located on the east side of State Highway (SH) 361 on Piper Boulevard, approximately 2.5 miles southeast of the City of Port Aransas, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map entitled: Port Aransas, Texas.

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

Latitude: 27.814528 North; Longitude: 97.093205 West

**PROJECT DESCRIPTION:** The applicant proposes to: 1) construct a taxiway turnaround on the northwest end of the existing runway; 2) extend the existing runway and parallel taxiway to the southeast; 3) construct an apron north of the extended runway; and, 4) relocate an existing drainage ditch to the north of the proposed runway extension. These activities would result in permanent placement of fill material within approximately 2.11 acres of aquatic resources. The impacted resources would include: approximately 1.1 acres of palustrine emergent wetland, approximately 0.1 acre of estuarine emergent/tidal flat wetland, approximately 0.6 acre of estuarine emergent/scrub-shrub (mangrove) wetland, approximately 0.03 acre of estuarine open water, and approximately 0.28 acre of man-made ditch.

**AVOIDANCE AND MINIMIZATION:** The applicant has stated that they have avoided and minimized the environmental impacts by evaluating three alternatives, including the proposed project, planning phased construction so that each location would be accessed from the existing airport, runway, taxiway, and upland areas to avoid all temporary impacts to aquatic resources, and implementing Texas Commission on Environmental Quality Tier 1 best management practices during construction to comply with State water quality standards.

**MITIGATION:** The applicant proposed to mitigate for the proposed impacts by conducting both on-site and off-site permittee-responsible mitigation. The applicant's draft mitigation plan is enclosed in 12 sheets.

**CURRENT SITE CONDITIONS:** The project site consists of the existing airport runway, parallel taxiway, associated facilities, and some undeveloped areas. A man-made ditch begins on the east side of SH 361, runs east to west, and flows into a tidal water feature. The ditch exhibited an ordinary high water mark (OHWM) of approximately 4 feet and contains surface water to a depth of approximately 2 feet. The tidal water feature is an estuarine open water feature believed to be an abandoned borrow pit created during the construction of the airport in the early 1960s. A trench runs east to west from this estuarine open water feature where it directly connects with and receives tidally influenced waters from Corpus Christi Bay.

A palustrine emergent wetland (Wetland 1) was identified within the eastern portion of the project area, southeast of the existing runway, and north of Piper Boulevard. This wetland consists of more than 85% vegetative cover. Dominant vegetation within this wetland includes sea ox-eye daisy (*Borrchia frutescens*), gulf cordgrass (*Spartina spartinae*), saltwort (*Batis maritima*), and cattail species (*Typha* sp.).

Two estuarine wetlands were also identified within the project area (Wetland 2 and Wetland 3). Both features consist of unvegetated tidal flats and marsh vegetation. Wetland 2 is located in the eastern portion of the project area, north of the existing runway, and abutting the City of Port Aransas Nature Preserve. This emergent wetland feature consists of approximately 60% vegetative cover, with unvegetated tidal flat areas interspersed throughout the central portion. Dominant species within the vegetated areas include shoregrass (*Distichlis littoralis*), glasswort (*Salicornia ambigua*), and Carolina wolfberry (*Lycium carolinianum*). Wetland 3 is located within the western portion of the

project area and along the southern side of the existing runway. This emergent/scrub-shrub wetland feature consists of more than 50% unvegetated ground. Marsh vegetation is present along the outer edges and consists predominantly of black mangrove (*Avicennia germinans*) and saltwort.

No sanctuaries and refuges or other special aquatic sites, such as oyster and seagrass, were identified within the project site.

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 12 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.

This project incorporates the requirements necessary to comply with the Texas Commission on Environmental Quality's (TCEQ) Tier I project criteria. Tier I projects are those which result in a direct impact of three acres or less of waters of the state or 1500 linear feet of streams (or a combination of the two is below the threshold) for which the applicant has incorporated best management practices and other provisions designed to safeguard water quality. The Corps has received a completed checklist and signed statement-fulfilling Tier I criteria for the project. Accordingly, a request for 401 certification is not necessary and there will be no additional TCEQ review.

**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 comprised of low-lying wetlands with no existing or subsided natural levee landforms and has a low potential for containing cultural deposits that may be eligible for inclusion in the National Register of Historic Places. No cultural resources survey is warranted.

**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 **7 July 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 reference our file number, **SWG-2013-00189**, and should be submitted to:

Corpus Christi Field Office  
Regulatory Division, CESWG-RDR  
U.S. Army Corps of Engineers  
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