Public Notice

U.S. Army Corps Of Engineers

Galveston District

Permit Application No: SWG-2007-01025

Date Issued: 29 March 2018

Comments Due: 30 April 2018

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 (CWA).

APPLICANT:
Park Board of Trustees-City of Galveston
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Galveston, Texas 77550
POC: Kelly de Schaun
Telephone: 409-797-5000

AGENT:
Atkins
17220 Katy Freeway, Suite 200
Houston, Texas 77094
POC: Ms. Rhonda Gregg Hirsch
Telephone: 281-529-4194

LOCATION: The project site is located in the Gulf of Mexico (GOM), along the Galveston Seawall, between western terminus of the seawall to San Luis Pass, in Galveston, Galveston County, TX. The site can be located on the U.S.G.S. quadrangle map titled: Galveston, Texas.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 29.2423° North; Longitude: -94.8690° West

PROJECT DESCRIPTION: The applicant proposes to perform beach nourishment activities along approximately 81,454 linear feet of beachfront on Galveston Island, beginning at the western terminus of the Seawall and extending west to the eastern boundary of Galveston Island State Park (approximately 30,603 feet) then from the western edge of Jamaica Beach to the west end of the island (approximately 50,851 feet). Beach quality sand will be obtained from authorized local upland and submerged sand sources, as well as beneficial use of dredged beach quality sand from Federal projects. The project was initially authorized by the Corps on 20 November 2009 (formerly 13194) and allowed the Park Board to dredge to obtain 2,000,000 cubic yards of sand to re-nourish beaches along the Galveston shoreline from the terminal end of the Seawall to the eastern boundary of Galveston Island State Park.

Beach nourishment would occur on an as needed basis over the 5-year permit term. The methods used for removal of sand and subsequent transport and placement within the action area would include: use of a hydraulic dredge to obtain the sand, which would be pumped through a temporary pipeline and placed directly on the beach; use of a hopper dredge to excavate the sand, which would then be pumped through temporary pipelines and transported directly onto the beach nourishment area; or the use of trucks to haul the sand excavated from the upland borrow sites, using a backhoe or other excavation technique. Once on site, the beach quality sand is distributed to fill the appropriate area using other heavy equipment (e.g., bulldozers, backhoes, etc.).

The temporary pipelines used to transport the sand could be either upland, submerged or a combination of upland and submerged pipelines. The upland pipelines would parallel the beach from the western terminus of the seawall to the eastern boundary of Galveston Island State Park where it would terminate. The upland pipeline would then again commence at the western edge of Jamaica Beach and continue to the western limits of Galveston Island. The submerged offshore pipeline will parallel Galveston Island's beach frontage, beginning at East Beach and continuing to the western limits of Galveston Island. The temporary pipeline routes would run near the highest point of the unvegetated beach and near the base of the seawall, and/or be submerged off-shore approximately 1,000 feet to 2,000 feet parallel to the shoreline then routed perpendicular to the beach, to the nourishment location. The discharge point would be relocated as beach nourishment is accomplished.

To determine suitability of previously authorized upland/terrestrial borrow areas, a sand source investigation was conducted. Based on the results of the sand source investigation, there are five previously-authorized terrestrial areas which are no longer viable options for borrow areas and five new open water alternatives, with depths greater than 3 feet below mean low water, have been identified. West Gulf Marine Works has an existing Corps permit to dredge (SWG-1994-02067). GCAD Property ID 293637, Sullivan Land and Cattle Company, and Texas International Terminals were tested by the Park Board and confirmed to have beach quality sand. GCAD Property ID 293637 and Texas International Terminals will obtain their own Corps dredging permits. Likewise, Sullivan Land and Cattle Company will obtain its own Corps jurisdictional determination and any necessary Corps authorizations to proceed with borrow work on their property. Please refer to Table 1 for Authorized and Proposed Sand Source Locations.

In addition to the previously authorized activities and sand source borrow locations, the Park Board requests to expand opportunities to utilize beneficial use beach quality sand from Federal projects along the Houston-Galveston Navigation Channel (HGNC) as they become available.

A temporary, previously-authorized Dredged Material Placement Area (DMPA) would be constructed at Apffel Park, on the east end of Galveston Island. Dredged material from Borrow areas 1, 2, and 3 would be pumped into the site and dried. The material would then be trucked to designated and permitted beach nourishment areas. The DMPA would consist of a temporary containment levee that would allow the sand to dewater before it is used for beach nourishment. The water would then be returned to the Gulf as effluent.

Past nourishment projects in the project area have utilized up to approximately 1,500,000 cubic yards of beach quality sand. Measures which apply to beach quality sand placement during beach nourishment activities are as follows: sand placed on the beach will be of beach quality sand, consistent in grain size, color, and composition as the existing beach and free of hazardous contaminants; sand will be placed and maintained at a gradual slope to minimize scarping; and after initial project construction, all project sites will be restored to pre-construction slope or contours, and all ruts leveled.

Beach nourishment will be broken down and divided into multiple confined cells along the proposed work area. Work will begin in an individual cell and continue until that cell is completed. Beach quality sand would not be placed in multiple cells/areas at the same time. It is anticipated that the beach quality sand will be obtained by hopper, hydraulic, and/or mechanical dredge methodologies depending upon site conditions present at the borrow areas and beach quality sand available for nourishment.

Construction operations consisting of truck hauling of sand for beach nourishment are proposed with the use of upland borrow sources. Beach quality sand is excavated from the upland borrow site, using a backhoe or other excavation technique, and placed in dump trucks to be hauled to the disposal locations. Sand would be placed on-site and distributed to fill the appropriate area using other heavy equipment (e.g., bulldozers, backhoes, etc.).

Table 1. Existing and Proposed Borrow Areas

Sand Source Site	Current Availability
Stewart Beach Parking Borrow Area	Removed.
East Beach Parking Borrow Area	Removed.
Apffel Parking Borrow Area	Removed.
Jamaica Beach/George Sims	Removed.

Pirates Beach/SA 2008 LLC	Removed.
Peppercove in Terramar Beach Subdivision	Authorized.
Sunbird/Sunset Cove Subdivision	Authorized.
Stavanger Subdivision	Authorized.
R R Ryan Investments Inc.	Authorized.
Borrow Area 1	Authorized.
South Jetty/Borrow Area 2	Authorized.
Borrow Area 3	Authorized.
Sullivan Land and Cattle Company	Proposed.
GCAD Property ID 293637	Proposed.
Texas International Terminals	Proposed.
West Gulf Marine Works	Proposed.
Dellanera Feeder Beach	Proposed.

For hydraulic pipeline cutterhead and hopper dredge operations that include the placement of dredged beach quality sand on the beach, a pipeline route is extended from the borrow site to the beach placement location. Prior to the commencement of dredging, shore pipe is mobilized to the beach in segments of varying sizes in length and diameter. The mobilization process usually requires the use of heavy equipment to transport and connect pipe segments from the beach access point to the designated placement area.

The width of disturbance area required to construct the pipeline route varies depending on the size of pipe used for the project. Site context and environmental features are considered for each project so that construction activities are confined to areas with minimal impact to the environment. Once the heavy equipment and pipe is on the beach and the pipes are connected, heavy equipment operation is generally confined to the vicinity of the mean high water line, away from dune vegetation on the upper beach. However, within the active placement/nourishment area, heavy equipment is operating throughout the width of the beach to manage the outflow of sand and construct target elevations for the appropriate beach profile.

The beach building process typically involves the use of bulldozers and sometimes backhoes to distribute the sand as it falls out of suspension at the outflow end of the pipeline. The sand slurry would be defused as it is released from the terminal pipe to reduce the flow velocity onto the beach. Dikes would be constructed on one or two sides of the effluent area to allow for extended settlement time of suspended solids to reduce turbidity levels in the nearshore environment. The construction zone, which includes the active placement/nourishment area and associated heavy equipment used to redistribute sand, generally encompasses a fenced off area of approximately 500-1,000 feet on each side. The contractor would place stakes to mark station locations and elevational requirements for the project template. As sand falls out of suspension, dozers and backhoes are used to distribute sand and construct the desired beach template. Work will begin in an individual cell and continue until that cell is completed. As target elevations for a given project and station are achieved, the designated construction area moves down the beach to the next station. Upon completion of a given section (approximately 500 to 1,000-foot acceptance sections), stakes are removed from the beach. Beach quality sand will not be placed in multiple areas at the same time.

In the event that all cost share funding is not available to participate with the Galveston District in a beneficial use project for Dellanera Beach, the applicant proposes a feeder beach placement area. Material would be pumped in an approximate 42-acre area, extending from the west limits of the Galveston Seawall and continuing west for approximately 1,813 linear feet to the west limits of Dellanera Beach Park. Material would be placed in approximately 8 feet of water.

Throughout the duration of the pumping process, the Contractor would inspect the pipeline route to check and fix pipe leaks. During all aspects of the construction operation, vehicles and heavy equipment including pickup trucks, all-terrain vehicles (ATV's), bulldozers, etc. may traverse the beach; however, no driving or construction activity is allowed within existing dune vegetation or other environmentally sensitive locations identified prior to construction.

The following measures apply to construction access and equipment usage and staging during beach nourishment activities. Beach quality sand and equipment required for the project would be staged in upland areas and transported as needed to the proposed work sites. Construction vehicles would access the beach from public roads closest to the work sites to reduce unnecessary vehicle traffic on the beach. Drive-overs, to facilitate ingress and egress from work sites, would be constructed of beach quality sand at each access point. The number of vehicles transiting from upland areas to the project sites will be kept to a minimum, all vehicles will use the same pathways, and access will be confined to the closest access point to the immediate work area. Construction/nourishment activities would occur from the landward side of the beach nourishment area whenever possible. Use of night lights will be minimized, directed toward the construction activity area, and shielded from view outside of the construction activity area. A full set of plans is attached, in 21 sheets.

AVOIDANCE AND MINIMIZATION: The beach nourishment activities as proposed will not impact wetlands. Project plans will avoid placing beach quality sand on existing beach vegetation, as well as dunes and dune vegetation. Nourishment activities will take place in consecutive confined cells to minimize impacts to foraging bird species and potential nesting turtles, as well as to minimize access issues for beach users. Bio monitors will be on site during all nourishment activities.

MITIGATION: The Park Board does not propose compensation for this project, as this is a shoreline restoration/nourishment activity and provides storm risk management benefits, increased area for beach user recreation, and improved habitat.

CURRENT SITE CONDITIONS: The project site is located on Galveston Island. Galveston Island is a 28-mile-long barrier island located along the northeastern Texas Gulf Coast and is bounded by the GOM to the south and Galveston Bay to the north. The island is bordered at its eastern end by the Galveston Entrance Channel, a natural inlet that has been modified by the construction of jetties, a federally-maintained ship channel, and at its southwest end, by San Luis Pass; a natural tidal inlet. The majority of the island has been declared a developed barrier island under the Coastal Barrier Island Resources Act.

NOTES: This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. There are no wetlands located within the project boundaries. The applicant's plans are enclosed in 21 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.

This project would result in a direct impact of greater than three acres of waters of the state or 1,500 linear feet of streams (or a combination of the two is above the threshold), and as such would not fulfill Tier I criteria for the project. Therefore, Texas Commission on Environmental Quality (TCEQ) certification is required.

Concurrent with Corps processing of this application, the TCEQ is reviewing 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. By virtue of an agreement between the Corps and the TCEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. Any comments concerning this application may be submitted to the Texas Commission on Environmental Quality, 401 Coordinator, MSC-150, P.O. Box 13087, Austin, Texas 78711-3087. The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with a description of work is made available for review in the TCEQ's Austin office. The complete application may be reviewed in the Corps office listed in this public notice. The TCEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requester, or of persons represented by the requester; and a brief description of how the application, if granted, would adversely affect such interest.

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 placement of sand on the beach, temporary placement of a pipeline in the Gulf of Mexico, and/or use of existing authorized borrow areas is of such limited nature and scope that they have no potential to effect historic properties, even if present within the project area.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that known threatened and/or endangered species may be affected by the proposed work. Formal consultation for beach nourishment will be undertaken for, at a minimum, piping plovers, red knots, Kemp's ridley sea turtles and loggerhead sea turtles. Both the United States Fish and Wildlife Service and the National Marine Fisheries Service will review the public notice and may provide additional input.

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 **30 April 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-2007-01025**, and should be submitted to:

Central Evaluation Unit
Regulatory Division, CESWG-RD-E
U.S. Army Corps of Engineers
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Galveston, Texas 77553-1229
409-766-3869 Phone
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DISTRICT ENGINEER
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