



Public Notice

U.S. Army Corps Of Engineers	Permit Application No: _____	SWG-2020-00598
	Date Issued: _____	23 March 2021
	Comments _____	
Galveston District	Due: _____	22 April 2021

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 United States (US) 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 404 of the Clean Water Act (CWA).

APPLICANT: Houston Oil Producing Enterprises, Inc.
1106 Berthea
Houston, Texas 77006
POC: John Caldwell
Telephone: 512-497-8125
Email: Cardwell53@me.com

AGENT: Project Consulting Services, Inc.
1800 West Loop South, Suite 900
Houston, Texas 77027
POC: Michael Franks
Telephone: 281-974-6921
Email: mfranks@projectconsulting.com

LOCATION: The project site is located in East Bay Bayou and the Intracoastal Waterway, in Galveston County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: HIGH ISLAND, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 29.563117 North; Longitude: 94.428098 West

PROJECT DESCRIPTION: The applicant proposes to discharge 54 cubic yards of fill material into 0.15 acres of waters of the US, specifically estuarine wetlands, to construct a 0.32-acre well pad for oil and gas exploration and production activities associated with the Cade 1E well.

AVOIDANCE AND MINIMIZATION: The applicant has avoided and minimized impacts to waters of the US by selecting a previously disturbed historic well pad site and building on currently existing infrastructure. The applicant has implemented Best Management Practices (BMPs) such as but not limited to silt fences and blankets and matting during construction to confine sediment to the work site. The applicant will also use an existing road to access the project site further minimizing impacts to waters of the US.

MITIGATION: The applicant proposed to mitigate for the proposed impacts by purchasing the appropriate amount of credits from an approved mitigation bank.

CURRENT SITE CONDITIONS: The project site is an historically disturbed and then abandoned well pad site that gradually slopes easterly toward High Island. Estuarine, intertidal marsh habitats were observed within the Survey Area. Soils are loamy clayey. Hydrophytic vegetation such as *Distichlis spicata*, *Spartina patens*, and *Salicornia bigelovii* dominate this wetland; however, there was a mixture of lesser prevalent upland species as well. Soils exhibited saturation at 16 inches and oxidized rhizospheres as primary sources of hydrology.

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 4 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: The applicant has stated that the project is consistent with the Texas Coastal Management Program (CMP) goals and policies and will be conducted in a manner consistent with said Program. The Texas Railroad Commission will determine if the project is consistent with the goals and policies of the CMP and will review this application under Section 401 of the CWA to determine if the work would comply with State water quality standards.

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 activity being permitted by the Corps is of such limited nature and scope that it has no potential to effect historic properties, even if present within the permit area.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

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 **22 April 2021**. 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-2020-00598** and should be submitted to:

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U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229
409-766-3869 Phone
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DISTRICT ENGINEER
GALVESTON DISTRICT
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