



Public Notice

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

Galveston District

Permit Application No: SWG-2015-00628

Date Issued: 15 November 2016

Comments

Due: 16 December 2016

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 compensatory mitigation bank prospectus will be reviewed pursuant to Section 404 of the Clean Water Act.

SPONSOR: Delta Land Services, LLC
1090 Cinclare Drive
Port Allen, Louisiana 70767
Telephone 225-343-3200
POC: Bill Delaney, Ph.D., PWS

LOCATION: The project site is located in wetlands adjacent Long Island Cove, approximately 3.4 miles southeast of Hardin, in Liberty County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Daisetta, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 30.127434 North;

Longitude: -94.687562 West

PROJECT DESCRIPTION: The Sponsor proposes to establish and operate the proposed 601.1-acre Long Island Cove Mitigation Bank (Bank). The Bank will restore approximately 513.9 wetland acres, 50.8 acres of forested riparian buffer, 2,661.6 linear feet (lf) of perennial stream, and 3,735.9 lf of intermittent stream for compensatory mitigation of unavoidable, permitted impacts to "Waters of the United States. Additionally, 36.4 acres of non-mitigation will be located within the Bank and will consist of 27.8 acres of perimeter buffer, 5.2 acres of pipeline rights-of-way, and 3.4 acres of fire lane/access trails.

AVOIDANCE AND MINIMIZATION: The specific objectives of the project are to restore the physical, chemical, and biological characteristics of the site.

MITIGATION: The applicant proposes to construct a compensatory mitigation bank.

CURRENT SITE CONDITIONS: In recent history, the site habitats have become tallow dominated-palustrine forested wetlands, tallow dominated-palustrine emergent wetlands, tallow dominated-palustrine scrub/shrub wetlands, and an agriculture reservoir with emergent, floating, and submerged vegetation. By 1972, it appears that the forest canopy in the northeast quadrant of the Bank area was partially removed. By 1988, the forest canopy in the northeast quadrant appears to have closed and tallow-scrub/shrub habitat was developing in the southern reservoir. With the cessation of farm activities after 1988, farm and/or pasture land became fallow and was colonized by tallow.

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 wetland delineation has been completed and was verified by the Corps on 17 May 2016. The applicant's Prospectus is enclosed in 93 sheets.

NATIONAL REGISTER OF HISTORIC PLACES: The proposed ground disturbing activities associated with the establishment of this mitigation bank are either of such limited nature and scope or are in areas that have been extensively impacted by levee construction or rice farming that they have no potential to effect historic properties, even if present within the project 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 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 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 **16 December 2016**. 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-2015-00628**, and should be submitted to:

Policy Analysis Branch
Regulatory Division, CESWG-RD-P
U.S. Army Corps of Engineers
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS