



Public Notice

U.S. Army Corps Of Engineers	Permit Application No: _____	SWG-2003-00357
	Date Issued: _____	12 November 2024
	Comments _____	
Galveston District	Due: _____	13 December 2024

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 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: Triad Frisco Partners, LLC
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Port Arthur, Texas 77641
POC: Lance DeJohn
Phone: 409-500-7678
Email: lanced@portcity-sabine.com

AGENT: Lanier & Associates
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Beaumont, Texas 77701
POC: Haley Strahan
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LOCATION: The project site is located in the Sabine-Neches Canal, near 7034 South 1st Avenue, in Sabine Pass, Jefferson County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Texas Point, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 29.730556° North; **Longitude:** 093.871389° West

PROJECT DESCRIPTION: The applicant proposes to dredge approximately 305,638 cubic yards from 13.27 acres of the Sabine-Neches Canal and remove approximately 300-linear-foot of existing bulkhead, as well as a 20-foot by 40-foot boat ramp structure, at their North Yard facility. The applicant also proposes to construct a new ship dock including a 500-foot by 40-foot dock platform, a 150-foot by 25-foot approach way on the upstream end, a 95-foot by 25-foot approach way on the downstream end, installation of four mooring dolphins, and two 140-foot pedestrian walkways. Additionally, an articulated concrete block revetment mattress will be installed along 300 feet of shoreline. The applicant proposes to place the dredged material into placement areas 5, 5B, 8, or 9, or the JD Murphree Wildlife Management Area (WMA) Beneficial Use Site. Additionally, the applicant is requesting a 10-year authorization period for maintenance dredging.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by ensuring that the proposed project will not affect any wetlands or tidal streams. Additionally, the project design includes the installation of an articulated concrete block revetment mattress to protect the shoreline, further limiting potential environmental impacts.

MITIGATION: The applicant is not proposing mitigation as there are no impacts to special aquatic sites.

CURRENT SITE CONDITIONS: The current site consists of an industrial facility located along the Sabine-Neches Canal, featuring existing bulkheads, a boat ramp structure, and other infrastructure supporting maritime operations. The surrounding area is heavily developed for commercial and industrial use, with adjacent shorelines armored by bulkheads and riprap. The project site does not include any wetlands or tidal streams, and the existing shoreline shows evidence of erosion and sediment buildup along the waterline. The Sabine-Neches Channel adjacent to the site is an active navigational waterway, regularly maintained for vessel traffic.

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 14 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.

The proposed project will trigger review under Section 401 of the Clean Water Act (CWA). The Texas Commission on Environmental Quality (TCEQ) will review 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. The applicant has not yet reached out to the TCEQ to initiate the Section 401 CWA process. If you have comments or questions on this proposed project's State water quality certification, please contact 401certs@tceq.texas.gov. You may also find information on the Section 401 process here: <https://www.epa.gov/cwa-401/basic-information-cwa-section-401-certification>.

Pursuant to 33 USC 408, the proposed project will require Section 408 coordination and review. This is a requirement for activities that seek permission, to temporarily or permanently, alter, occupy, or use a federally authorized United States Army Corps of Engineers civil works project. Changes to the proposed project, from the Section 408 process, may warrant additional coordination.

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 proposed project, deepening a previously dredged area and use of an existing placement area, is of such limited nature and scope that it has 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.

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 **13 December 2024**. 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-2003-00357**, and should be submitted to:

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Galveston District
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409-766-3869 Phone
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS