



# Public Notice

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

Permit Application No: SWG-1991-01796  
Date Issued: 29 October 2024  
Comments Due: 12 November 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.

**APPLICANT:** EPIC CRUDE TERMINAL  
18615 TUSCANY STONE, SUITE 300  
SAN ANTONIO, TX 78258  
POC: BRAD BAKER  
Telephone 210-920-2304  
Email: [BRAD.K.BAKER@EPICMID.COM](mailto:BRAD.K.BAKER@EPICMID.COM)

**AGENT:** KEYSTONE CONSULTANTS  
2245 TEXAS DRIVE  
SUGARLAND, TX 77479  
POC: KEVIN ROBERTS  
Telephone: 903-253-6225  
Email: [KROBERTS@KEYSTONECONSULTANTS.NET](mailto:KROBERTS@KEYSTONECONSULTANTS.NET)

**LOCATION:** The project is located in the Inner Harbor of the Corpus Christi Ship Channel (CCSC), within the EPIC Crude Terminal at the intersection of Lantana Street and Up River Road, in Corpus Christi, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Corpus Christi, Texas.

**LATITUDE & LONGITUDE (NAD 83):**  
Latitude: 27.816600 North; Longitude: -97.470351 West

**PROJECT DESCRIPTION:** The applicant proposes to deepen the existing basin from the currently authorized maximum depth of -49ft mean lower low water (MLLW) to a maximum depth of -53ft MLLW and conduct 10-year maintenance dredging to maintain the terminal basin at -53ft MLLW depth. The project will consist of dredging to deepen and maintain the existing dock slip, including the slip's side and end slopes. Approximately 76,560 cubic yards of material will be dredged by mechanical and/or hydraulic dredge methods to deepen the slip to the proposed -53ft MLLW depth. After the deepening has been completed, the proposed 10-year maintenance dredging activity would consist of mechanical/hydraulic dredging, as well as silt blade dredging. Mechanical/hydraulic maintenance dredging will occur once per year and result in the removal of approximately 4,000 cubic yards of dredged material. Silt blade maintenance dredging will occur in between mechanical/hydraulic maintenance dredging events. Silt blade dredging will only be used for minor slip maintenance activities where the majority of the slip is at the appropriate depth, but spot specific maintenance is required to address high spots and/or shoaling along the fender line. Silt blade bottom contouring is a dredging method that involves the redistribution of bottom sediment within the permitted slip limits. Redistribution will be accomplished by spreading the material from one area of the slip to another in order to achieve target depth. In no case will material be redistributed outside the slip limits or into the Federal Channel. Silt blade bottom contouring will primarily be used to evenly contour the bottom elevation of the berthing areas and along the side slopes of the docking facility. The material dredged by mechanical and/or hydraulic dredging will be discharged into one or more of the following Dredge Material Placement Areas (DMPA): Suntide DMPA, Tule Lake DMPA No. 6, South Shore DMPA - Cells A & B, DMPA No. 1, Herbie A. Maurer DMPA, Rincon B West, DMPA 14, DMPA 13, and/or Good Hope DMPA Cell J & I.

**AVOIDANCE AND MINIMIZATION:** Inclusion of silt blade dredging into the maintenance dredging activities is expected to decrease the frequency and duration of mechanical/hydraulic dredging events thereby reducing overall environmental impacts.

**MITIGATION:** The applicant does not propose compensatory mitigation for the project because it would occur within an existing and actively maintained terminal basin and would not result in the loss of waters of the US.

**CURRENT SITE CONDITIONS:** The project site is within the Inner Harbor of the CCSC which is within a heavily industrialized area at the existing EPIC Crude Terminal. On November 4, 2014, a permit was issued authorizing the applicant to dredge the existing dock slip to a maximum of -49ft MLLW and conduct 10-year maintenance dredging.

**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 6 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.

The proposed project will trigger review under Section 401 of the Clean Water Act (CWA). The Texas Commission on Environmental Quality (TECQ) 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](mailto: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 permit area has been so extensively impacted by construction and maintenance of the CCSC and industrial development that there is no potential for historic properties to exist within the permit area. Therefore, the proposed project has no potential to affect historic properties.

**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 **12 November 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-1991-01796**, and should be submitted to:

Corpus Christi Regulatory Field Office  
Regulatory Division, CESWG-RD-R  
U.S. Army Corps of Engineers  
Galveston District  
2000 Fort Point Road  
Galveston, Texas 77550  
409-766-3869 Phone  
409-766-6301 Fax  
swg\_public\_notice@usace.army.mil

DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS