



Public Notice

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

Permit Application No: SWG-2015-00145
Date Issued: 1 September 2016
Comments Due: 3 October 2016

**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 404 of the Clean Water Act (CWA).

APPLICANT: Corrigan OSB, LLC
P.O. Box 1110
Alexandria, Louisiana 71309-1110
POC: Terry Secrest
Telephone: 318-483-3807

AGENT: CK Associates
17170 Perkins Road
Baton Rouge, Louisiana 70810-3817
POC: Tre Wharton
Telephone: 225-776-4277

LOCATION: The project site is located in Bear Creek on a 511.78-acre tract, southwest of the intersection of State Highway 287 and State Highway 59, in Corrigan, Polk County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Corrigan, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 30.987337° North;

Longitude: 094.860776° West

PROJECT DESCRIPTION: The applicant proposes to retain 564 cubic yards of earthen fill material and 237,863 cubic yards of riprap that has been discharged into 0.78 acre of Bear Creek for the purpose of constructing a road crossing associated with the construction of an oriented strand board facility incorporating access roads and a transmission line.

AVOIDANCE AND MINIMIZATION: The applicant has stated that their avoidance and minimization they have avoided and minimized environmental impacts to the extent practicable by reducing the impacts of this crossing to 0.78 acres within the stream.

MITIGATION: The applicant proposed to mitigate for the proposed impacts through a proposed onsite permittee responsible mitigation proposal. The submitted proposal consists of enhancements within the riparian buffer of Bear Creek. These enhancements include planting of native hardwood species, control of invasive species, and removal and restoration of old logging roads upstream and downstream of the existing Bear Creek crossing.

CURRENT SITE CONDITIONS: The project area lies within the Western Coastal Plain major land resource area. This land resource area is characterized by steep uplands with many intersecting streams. The headwaters of the Angelina, Calcasieu, and Neches Rivers exist within the western coastal plain. This resource area is also drained by tributaries of the Ouachita and Sabine Rivers. The project area is an existing road crossing which leads to the partially developed plant site surrounded by land dominated by pine forest, pine plantation, and logged areas. Bear Creek, Dry Creek, and other small unnamed tributaries bisect the upland areas on the 511.78-acre project tract. Riparian zones are characterized by mixed pine-hardwood forests and bottomland hardwood forests.

The current project site lies within a 300-foot-wide right-of-way that was cleared for the existing road. The road crossing itself was excavated from the previously existing stream bed. The banks were widened at the crossing and 5 culverts, each 10 feet in diameter were placed within the stream reach. Concrete was poured to secure the culverts in place, and shoreline stabilization measures, were installed.

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 jurisdictional determination was coordinated with the EPA, completed, and was verified by the Corps on 21 July 2016. 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 CWA.

OTHER AGENCY AUTHORIZATIONS: The project site is not located within the Texas Coastal Zone and therefore, does not require certification from the Texas Coastal Management Program.

This project was initiated without a Department of the Army permit and is considered an after-the-fact permit application. After-the-fact permit applications require review under the Tier II criteria. 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:

A historic properties investigation has been conducted within the permit area. No sites determined eligible for or listed on the National Register of Historic Places are within the permit area or affected 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 **3 October 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-2015-00145**, and should be submitted to:

North Evaluation Unit
Regulatory Division, CESWG-RD-E
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229
409-766-3869 Phone
409-766-6301 Fax
swg_public_notice@usace.army.mil

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS