

Environmental Impact Statement Scoping Report

Dow Chemical Company Harris Reservoir Expansion Project

Department of the Army Permit Application
SWG-2016-01027



**US Army Corps
of Engineers** ®



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1. Introduction

The National Environmental Policy Act of 1969 (NEPA) requires an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. This process is referred to as scoping and is one of several public involvement aspects of the NEPA Environmental Impact Statement (EIS) process. NEPA is a statutory requirement triggered by major federal actions that could significantly affect the quality of the human environment. NEPA requires the identification and analysis of potential environmental effects before those actions take place and serves as a "full disclosure" law with provisions for public access to and public participation in the federal decision-making process.

Scoping is an opportunity for the U.S. Army Corps of Engineers (Corps) to introduce and explain the interdisciplinary approach to our environmental analysis as well as solicit public and agency comments regarding environmental resources, potential impacts, and alternatives that should be included. The Council on Environmental Quality's (CEQ) implementing regulations for scoping (40 C.F.R. § 1501.7(a)) require THE CORPS to:

- Identify people or organizations who are interested in the proposed action;
- Determine the roles and responsibilities of lead and cooperating agencies by identifying other environmental review and consultation requirements so they can be integrated with the EIS;
- Identify the significant issues to be analyzed in the EIS;
- Identify and eliminate from detailed review those issues that will not be significant or those that have been adequately covered in prior environmental review;
- Identify gaps in data and informational needs; and
- Identify any related Environmental Assessments or EIS's.

The CEQ's implementing regulations for scoping (40 C.F.R. § 1501.7(b)) also recommend, but do not require, the Corps to:

- Set page limits on environmental documents;
- Set time limits;
- Hold an early scoping meeting or meetings.

This Scoping Report has been developed for the Corps to share the types of comments/concerns that were received during the scoping period from the general public and the cooperating agencies. It documents outreach efforts during the scoping period and summarizes the primary issues of concern and suggested alternatives from the public. The Scoping Report will be used to develop alternatives for the EIS and identifies issues that are important to the public and should be considered in the analysis of the EIS.

1.1. Project Background

The Corps received a permit application for a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company (Dow) for the proposed Project. The goal of the project is to utilize Dow's existing run-of-river water rights from the Brazos River to improve reliability for the existing Brazoria and Harris reservoir system during extended drought conditions.

The project includes the construction of an off-channel impoundment reservoir with a nominal storage capacity of 50,000-acre-feet that would be located directly upstream and adjacent to the existing Harris Reservoir. The proposed reservoir would cover approximately 2,000 acres and would include a pumped intake station on the Brazos River and a gravity outfall to Oyster Creek through the construction of a new bypass channel.

The proposed reservoir would operate with the existing Harris and Brazoria reservoirs in a manner similar to current operations. During periods of drought, the proposed reservoir would be exhausted first, followed by the existing Harris Reservoir, and then the Brazoria Reservoir. As with current operations, emergency releases would occur due to severe weather, such as tropical storms and hurricanes exhibiting wind speeds that could potentially overtop the embankments.

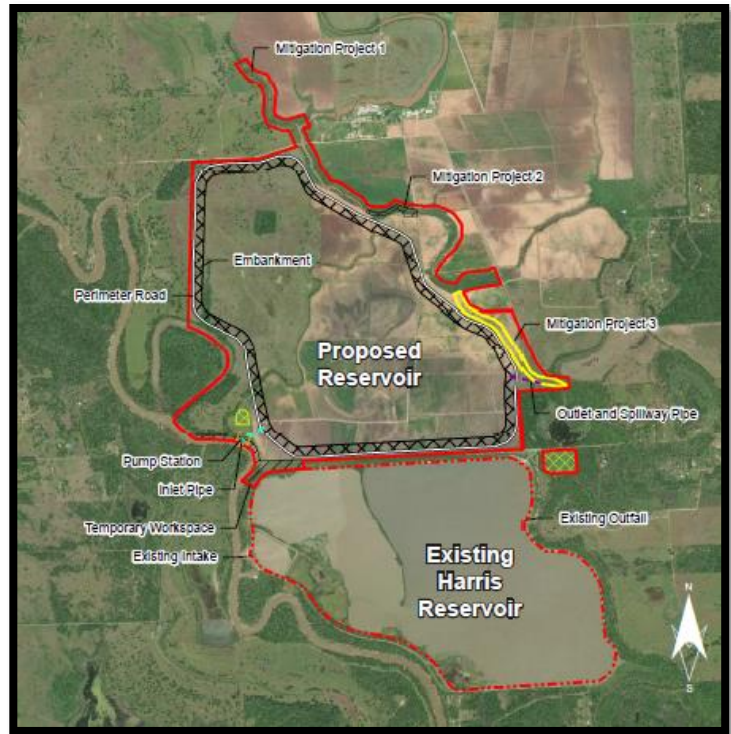


Figure 1 - Proposed Project Area.

The proposed Project includes plans for the mitigating of impacts via restoration projects, all on Oyster Creek. These three projects (referred to as Mitigation Projects 1, 2, and 3) to enhance the flood capacity and to provide restoration and enhancements of the plant habitats and communities along the river bank (riparian area). The proposed stream restoration includes creating flat or shallowly sloped areas above the bankfull height to slow high velocity flows during storm events (bankfull benching), 100-foot buffer preservation, and buffer re-establishment up to 200 feet.

- Mitigation Project 1 is located on a 3,600-linear-foot unnamed tributary to Oyster Creek.
- Mitigation Project 2 is located on a 12,860-linear-foot segment of Oyster Creek.
- Mitigation Project 3, located on an 11,200-linear-foot segment of Oyster Creek, would serve as a receiving channel conveying overflows from Oyster Creek during high flows by providing additional hydraulic conveyance capacity in the floodplain, and would provide additional flood storage capacity by receiving backwater from Oyster Creek at the downstream end of Project 3 during flood events.



Figure 2 – Example Proposed Project improvements

1.2. Purpose and Need for Proposed Project

The Corps is required to restate the purpose and need for the project from the public interest perspective. The Corps, after coordinating with the cooperating agencies, developed the following overall purpose to identify and screen alternatives to the applicant's proposed Project:

To utilize Dow's existing run-of-river water rights from the Brazos River to improve reliability during extended drought conditions for the existing water supply system that serves Dow's Texas Operations in Freeport as well as other industrial, community and potable water users that rely on Dow's water supply. Based on modeling, Dow estimates that a total of 78,000 acre-feet of water storage capacity is necessary to provide Texas Commission on Environmental Quality's recommended 180 days of drought resilience. The current combined storage capacity in the existing Brazoria and Harris reservoirs is approximately 29,000 acre-feet. Therefore, Dow will need to develop the Harris Reservoir Expansion Reservoir to provide an additional storage capacity of at least 49,000 to provide a reliable water supply during drought.

2. Scoping Process

2.1. Transition to Virtual Meetings

On March 24, 2020, the Corps issued a memorandum: *Interim Army Procedures for National Environmental Policy Act (NEPA)* in response to the coronavirus (COVID-19) pandemic. The memorandum established interim Army NEPA procedures in consideration of the COVID-19 public health emergency. These interim NEPA procedures apply to all Army NEPA proponents responsible for NEPA compliance. The memorandum directed the following actions related to public meetings and the NEPA process:

- NEPA public meetings will be transitioned to virtual meetings, postponed, or cancelled, as deemed appropriate by the Army NEPA proponent.
- Alternative means of public engagement will be implemented and documented in public participation plans. Virtual meetings may be conducted using online meeting / collaboration tools, teleconference, social media, or email, as appropriate.
- NEPA public and Federal Register notices will inform the public about these alternative participation procedures and how to obtain NEPA materials on the project web site or through the mail. Public notices will provide a contact phone number, email, website address, and mailing address.
- Project information, including, but not limited to, scoping materials, draft NEPA documents, and comment forms will be available on project websites. This includes materials normally presented at public meetings.
- Project information, including, but not limited to, scoping materials, draft NEPA documents, and comment forms will be sent through the mail as either hard copies or as printable compact discs (as requested). Mailed materials will include requested materials normally presented at public meetings and materials on the project website.
- Army NEPA proponents will ensure cooperating agencies are aware of these NEPA alternative participation procedures.

In response to this memorandum, the Corps determined that the scoping meeting for the proposed Project would be moved to a virtual platform in accordance with the above interim procedures.

2.2. Public Notification of Scoping

2.2.1. *Notice of Intent*

The Corps published a Notice of Intent (NOI) and initiated the scoping process on the Federal Register to notify the public of the intent to prepare a draft EIS (DEIS) on April 9, 2020. The NOI also provided information about the proposed Project and invited the public to attend and provide comments and information to better enable the Corps to make a reasonable decision on factors that affect the public interest. A copy of the NOI is included in **Appendix A**.

2.2.2. *Mailed Notices*

A total of 27 notices to interested parties and local, state, and federal elected officials were sent via mail on May 27, 2020, announcing the public meeting scheduled for June 17, 2020. The notices provided information about the proposed Project and invited the public to attend and provide comments and information to better enable the Corps to make a reasonable decision on factors that affect the public interest. A copy of the mailed notices and the stakeholder mailing list are included in **Appendix A**.

2.2.3. *Newspaper Notice*

A public notice announcing the virtual public scoping meeting on June 17, 2020, was published in English and Spanish as a legal advertisement in the following publications in May and June 2020.

- Houston Chronicle – May 27, 2020
- The Weekly Bulletin of Brazoria County – May 27, 2020
- La Voz (Spanish) – June 7, 2020

The public notice also included information about the proposed Project and information about how to access the virtual public scoping meeting. Copies of the public notices in English and Spanish are included in **Appendix A**.

2.2.4. *Email Notices*

A total of 59 notices were sent to interested parties and local, state, and federal elected officials via email on May 27, 2020, announcing the virtual public scoping meeting scheduled for June 17, 2020. The notices provided information about the proposed Project, provided a link to the project website and invited the public to attend and provide comments and information to better enable the Corps to make a reasonable decision on factors that affect the public interest. A copy of the email notices and the mailing list are included in **Appendix A**.

2.2.5. *Affected Party Letter*

An Affected Party Letter was mailed out to 25 affected parties on May 27, 2020, to provide information about the proposed Project, provide a link to the project website and invite the affected parties to attend and provide comments and information to better enable the Corps to make a reasonable decision on factors that affect the public interest. A copy of the Affected Party Letter is included in **Appendix A**.

2.2.6. *Website*

A third-party website (publicinput.com/Dow-Reservoir-EIS) was established in May 2020 for the virtual public scoping meeting process. The website provides overview information about the

proposed Project, the virtual public scoping meeting notice, meeting date, time, and access information. Available information materials such as Frequently Asked Questions, Project Factsheets, and informational videos about the proposed Project and the EIS process were also included on the website and are included in **Appendix B**. Additionally, the website provides information on the multiple ways of submitting comments for participants, including an online comment portal and the project phone line to submit voice and text message comments. Images of the website are included in **Appendix C**.

3. Public Scoping Meeting Summary

A virtual public scoping meeting, hosted by the Corps, Galveston District, for the proposed Project EIS was held online via Cisco WebEx Events on Wednesday, June 17, 2020.

The purpose of this virtual public scoping meeting was to provide the public with information about the proposed Project and to solicit comments and information to better enable the Corps to make a reasonable decision on factors affecting the public interest.

In consideration of the inability to hold a traditional meeting in-person and to comply with *U.S. Army Corps of Engineers Stakeholder Engagement, Collaboration, and Coordination Engineering Pamphlet 1105-2-57* and to accommodate public participation and access to the greatest extent practicable, the following measures were taken:

- The public comment period was extended from 30 to 90 days.
- A virtual meeting was noticed to stakeholders via email, regular mail and advertised in three local newspapers.
- Non-traditional means to submit comments were established, including:
 - Voicemail commenting through a project phone line (855-925-2801)
 - Text message commenting through a project phone line (855-925-2801)
 - An online comment portal on a third-party project website (<https://www.publicinput.com/Dow-Reservoir-EIS>)

Prior to the scoping meeting, attendees were prompted to register and were asked for their first name, last name, phone number, email address, if they were an elected official, and if they planned to provide a verbal comment during the commenting period. A total of 50 people attended the virtual public scoping meeting.

The public meetings began with opening remarks from Col. Timothy Vail of the Corps Galveston District. Following opening remarks, the meeting proceeded with a presentation of the proposed Project led by Mr. Greg Bong, a representative from Dow, and this presentation was followed by presentations about the EIS scoping process, the purpose and need of the proposed Project, and known environmental concerns led by Mr. Jayson Hudson, a representative of the Corps. Electronic links to view the opening remarks and presentations from Dow and the Corps are included in **Appendix D**.

Following the formal presentation portion of the virtual public scoping meeting, attendees were invited to provide verbal comments. Attendees wishing to provide comments were required to sign up either by indicating their intent to provide a verbal comment during online meeting registration or by using the virtual “Raise Hand” feature available on the Cisco WebEx Events platform during the meeting. Attendees were called to speak in the order in which they registered. Each speaker was provided with three minutes to speak and was asked to state and spell their first and last name before speaking. Verbal comments were recorded through the Cisco WebEx Events platform and provided to a court reporter for transcription following the virtual public

scoping meeting. Each meeting adjourned following the verbal commenting period. In addition to verbal comments, attendees were invited to submit comments through email, the project website, text message, or voice message.

4. Comments Received

4.1. Comment Collection Methods

All comments received during the 90-day comment period, and those received after the comment period to the extent practicable, were reviewed and considered. The comment deadline for the study was Thursday July 2, 2019. Comments were received via the following channels:

- Verbal comments were received during the formal public commenting portion of the virtual public scoping meeting.
- Comment forms were mailed to Mr. Jayson Hudson U.S. Army Corps of Engineers, Galveston District, Regulatory Branch P.O. Box 1229, Galveston, Texas 77553-1229.
- Electronic comments were received via the project email addresses at Dow-Reservoir-EIS@publicinput.com and SWG201601027@usace.army.mil.
- Text message comments were received by texting “DOW” or 369 to 855-925-2801.
- Voice message comments were received via phone at 855-925-2801 (dial 8816).

4.2. Comment Tabulation

A total of 48 comments were received from all the available channels. A database of comments submitted is available in **Appendix E**. Verbal comments were recorded in the public meeting transcript from the virtual public scoping meeting, available in **Appendix F**. Below is the breakdown of how many comments were collected through the commenting period from each of the available channels:

- Verbal comments (4)
- Comments submitted through email/website comment portal (28)
- Comments submitted through mail (11)
- Comments submitted through text (1)
- Comments submitted through voice message (4)

4.3. Comment Summary

The following list indicates the subjects identified in the 48 public comments received during the virtual scoping meeting (tally of associated comments):

- Comments addressing *public involvement* for the proposed Project (38)
 - Comments addressed the public not having access to studies, assessments, reports, and analysis available for their review.
 - Comments addressed interest in future project updates, meetings, documents, and requests to be notified when information becomes available.
- Comments addressing *environmental* concerns (mitigation, air/water quality, erosion, etc.) with the proposed Project (37)
 - Comments addressed concern for the water quality due to changes in sediment transport.
 - Comments addressed the possibility for areas to flood due to increased erosion.
 - Comments addressed the need for mitigation plans to address the impact to streams and wetland functions.

- Comments addressing *alternatives* to the proposed Project (22)
 - Comments expressed alternatives to increase drought reliability, water conservation, desalination, and enhance reclaimed water use.
 - Comments recommended to deepen and modify the current Harris and Brazoria reservoirs.
- Comments addressing *flooding* concerns with the proposed Project (16)
 - Comments addressed concern about a possible increase in flooding in areas that recently flooded due to the building of the reservoir.
 - Comments addressed concerns over removing “absorption capabilities” during heavy rainfall, storms and hurricanes.
 - Comments addressed concerns for the flooding upstream and downstream of the proposed reservoir.
- Comments addressing *property acquisition* concerns with the proposed Project (9)
 - Comment requesting if property acquisition will be required as a result of building the reservoir.
- Comments indicating *general opposition* for the proposed Project (6)
 - Comments indicated opposition to the project due to the damage the proposed Project will cause to properties surrounding the reservoir.
- Comments addressing the *purpose and need* for the proposed Project (6)
 - Comments addressed the lack of documentation
 - Comments addressed the purpose and need of the project in 2018 and 2020.
- Comments requesting for *additional studies* to be completed for the proposed Project (3)
 - Comments request the need to make studies and reports available to the public online.

5. Alternatives

The Corps evaluated information obtained from scoping and with federal and state agencies as well as the public as well as data collection and analysis of environmental, socioeconomic, and engineering factors as part of development of alternatives to the proposed Project. The Corps prioritized minimization of impacts, both individually and cumulatively, to aquatic resources during both construction and operations in its development of alternatives. Using these concepts and considering avoidance and minimization to reduce impacts, the following seven Project alternatives were identified.

1. **No Action Alternative:** Under the No Action Alternative, no additional water storage would be constructed and that the proposed activity would not take place and Dow would continue to operate their water supply system as is currently done. The No Action alternative would include Dow’s current water conservation and water reclamation projects.
2. **The Harris Reservoir Expansion Project Alternative:** This alternative includes construction of an off-channel reservoir located on approximately 2,000 acres directly north of the existing Harris Reservoir to add approximately 50,000 acre-feet of additional storage capacity and estimated annual yield of approximately 80,000 acre-feet. This location is in the floodplain for the Brazos River and Oyster Creek and adjacent to Dow’s existing infrastructure.
3. **The Harris Expansion Project – Alternate Embankment Configuration:** This alternative includes alternate site layout for the construction of an off-channel reservoir located on approximately 2,000 acres directly north of the existing Harris Reservoir to add approximately 50,000 acre-feet of additional storage capacity and estimated annual yield

of approximately 80,000 acre-feet. Alternative site layouts, or on-site alternatives, may reduce impacts to the Brazos River and Oyster Creek.

4. **The Off-Channel Reservoir–West Bank Brazos River Alternate Location:** This alternative will be located on the west bank of the Brazos River. This alternative would include consideration of an area outside the Oyster Creek Floodplain to construct a 50,000 AF reservoir and would allow Dow to use their existing Brazos River water rights but is not adjacent to Dow’s existing infrastructure.
5. **The Allens Creek Reservoir Alternative:** This alternative is a proposed water supply storage reservoir planned for construction near the City of Wallis in Austin County. The off-channel reservoir is near the Brazos River on Allens Creek, a tributary of the Brazos, composed of diversions from the mainstem of the Brazos River which would be pumped to the impoundment formed by a dam on Allens Creek. The reservoir will have a storage capacity of up to 145,533 acre-feet and an approximate annual yield of 99,650 acre-feet. The maximum permitted diversion rate is 2,200 cubic feet per second (cfs) or approximately 1,400 MGD. The water right for Allens Creek Reservoir are owned by the Brazos River Authority and the City of Houston.
6. **The Seawater Desalination Alternative:** This alternative would include diversion of seawater using an intake facility, a reverse osmosis plant, an outfall to discharge brine concentrate, as well as water conveyance facilities.
7. **The Brackish Water Desalination Alternative:** This alternative would include diversion of brackish water from the Brazos River using an intake facility, a reverse osmosis plant, an outfall to discharge brine concentrate, as well as water conveyance facilities.

The Corps conducted a multi-step process to screen the range of alternatives to determine which alternatives are reasonable, practicable, and meet the Project purpose. The Project alternatives were analyzed using the following screening criteria to identify a range of reasonable alternatives: satisfaction of the overall Project purpose; practicable based on Clean Water Act Section 404(b)(1) Guidelines (technology, logistics, cost); and consideration of potential aquatic resources impacts. The alternatives screening analysis is summarized in **Table 1**.

Table 1. Comparison Summary of Alternatives

Alternative	Carried Forward (Yes/No)			
	Purpose and Need	Practicability - Technology	Practicability - Logistics	Practicability - Cost*
<i>No Action</i>	No	Yes	Yes	Yes
<i>Harris Reservoir Expansion</i>	Yes	Yes	Yes	Yes
<i>Harris Expansion Alternate Embankment Configuration</i>	Yes	Yes	Yes	Yes
<i>Harris Expansion Project –West Bank Brazos River Location Alternate</i>	Yes	Yes	Yes	Yes
<i>Allen’s Creek Reservoir</i>	No	Yes	No	Yes
<i>Seawater Desalination</i>	No	Yes	Yes	No
<i>Brackish Water Desalination</i>	Yes	Yes	Yes	Yes

Alternative	Carried Forward (Yes/No)		
	Purpose and Need	Practicability - Technology	Practicability - Logistics
<i>*It is not a particular applicant's financial standing that is the primary consideration for determining practicability in regards to cost, but rather characteristics of the project and what constitutes a reasonable expense for these projects that are most relevant to practicability determinations.</i>			

Based on this analysis, the Corps determined that the No Action Alternative and four action alternatives will be carried forward for detailed analysis in the EIS. Both the Seawater Desalination alternative and Allens Creek Reservoir alternatives were eliminated because they do not allow Dow to use their existing run-of-river water rights from the Brazos River. In addition, the Allens Creek Reservoir site is owned by the Brazos River Authority and the City of Houston and is not reasonably available to Dow.

6. Next Steps in the NEPA Process

The next step in the NEPA process for the proposed Project is consideration of scoping comments related to resource issues and identification of any additional data and analyses that may be required to conduct an analysis of environmental consequences on resources to develop the DEIS. Once the DEIS is completed, the Corps will issue a Notice of Availability (NOA) indicating that the DEIS is available for public review and comment. The DEIS will summarize the results of multiple technical reports or studies that will be relied upon to determine effects of the proposed Project (e.g. biological assessment, hydrologic and hydraulic analysis, etc.). These technical reports and studies will be appended to the DEIS for review by the public. All individuals who have already expressed interest in the proposed Project either during the Public Notice period for the DA permit application in 2018 or during the scoping, will be notified either via email, regular mail or both that the DEIS is available for public review. The DEIS and appendices will be available to the public during the comment period on the Corps project website:

<https://www.swg.usace.army.mil/Business-With-Us/Regulatory/Special-Projects-Environmental-Impact-Statements/>

During the public comment period for the DEIS, the Corps will hold a public meeting to provide the public with an opportunity to provide verbal comments on the DEIS. The public meeting on the DEIS will be held in-person or virtually similar to the Scoping Meeting on June 17, 2020. If COVID-19 pandemic considerations are in effect at the time of the public meeting, a virtual meeting will be conducted in compliance with Interim Army Procedures for NEPA (March 24, 2020), similar to the Project Scoping Meeting held on June 17, 2020. The NOA will include information on the public meeting and how it is to be conducted.

After the conclusion of the comment period for the DEIS, the Corps will prepare the final EIS (FEIS). Similar to the DEIS, the Corps will issue an NOA indicating that the FEIS is available for public review. It will be posted on the same Corps project website as the DEIS. Following publication of the FEIS, the Corps will decide on the DA permit for the proposed Project. The proposed timeline for these next steps is located on the Permitting Dashboard for Federal Infrastructure Projects:

<https://www.permits.performance.gov/permitting-project/dow-chemical-companys-harris-reservoir-expansion-eis>

Appendix A

Public Notices

Affected Party Letter



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
P. O. BOX 1229
GALVESTON, TEXAS 77553-1229

May 27, 2020

Regulatory Division

SUBJECT: Public Scoping Workshop for Dow Chemical Company's Harris Reservoir Expansion Project, Brazoria County, Texas
(Department of the Army (DA) Permit SWG-2016-01027)

Affected Party
ADDRESS
CITY, STATE ZIP

Dear **Mr. Ms. AFFECTED PARTY NAME:**

This is to notify you of the upcoming Public Scoping Meeting for the proposed Harris Reservoir Expansion Project (proposed Project) on June 17, 2020. In accordance with the March 24, 2020, U.S. Army Corps of Engineers (Corps) Interim Army Procedures for National Environmental Policy Act (NEPA) which relates to COVID-19, all public meetings will be conducted virtually. For the proposed Project, the public involvement process will be conducted using PublicInput.com.

The Corps Galveston District invites all affected federal, state, and local agencies, affected Native American Tribes, other interested parties, and the general public to participate in the NEPA process during development of the environmental impact statement (EIS) for the proposed Project. The purpose of the public scoping process is to provide information to the public, narrow the scope of analysis to significant environmental issues, serve as a mechanism to solicit agency and public input on alternatives and issues of concern, and ensure full and open participation in scoping for the draft EIS.

Dow Chemical Company (Dow) requested a DA permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act for the proposed Project. The proposed Project site is located between the Brazos River and Oyster Creek approximately 8 miles northwest of the City of Angleton in Brazoria County, Texas. The proposed project evaluated in the draft EIS is for the discharge of dredged or fill material into waters of the United States, and the construction of structures and/or work that may affect navigable waters.

A virtual scoping meeting will be held online at 4:00 p.m. on June 17, 2020. The public meeting will be presented online to provide information about the proposed Project and to receive public input and comment on the draft EIS. Access information, instructions, an opportunity to subscribe to project updates, and additional information regarding this project will be made available prior to the virtual meeting at <https://www.publicinput.com/Dow-Reservoir-EIS>.

The Corps invites full public participation to promote open communication on the potential concerns surrounding the draft EIS. In addition, participation by Federal, State,

local agencies and other interested organizations is encouraged. Both oral and written statements will be accepted at the meeting through several channels including a virtual comment portal, telephone, and text message. Materials and visual depictions of the proposed Project and associated impacts will be available.

Each speaker will be given 3 minutes. Please keep your time to 3 minutes or less. If you do not need the full 3 minutes, help us to move the process along by only using the time you need. If you have additional comments that you would like to submit beyond what you are able to address during your time allotted, please submit them in writing. Written comments are just as valid and count the same as verbal comments presented during the Public Scoping Meeting. Questions for Dow related to the proposed Project or the Corps' regulatory and Civil Works process may be submitted to the website referenced above via email, via voice message at the toll-free number 855-925-2801 (dial 8816), or by texting "DOW" or 369 to 855-925-2801.

The public meeting will be conducted in English. Those in need of language interpreters should contact the Corps' Public Involvement consultant, Hollaway Environmental + Communications Services, Inc. (713) 868-1043, by June 10, to make arrangements. Every effort will be made to address requests.

Any comments received at the virtual public meeting will be considered by the Corps to assist in determining whether to issue, modify, condition, or deny a permit for the Project. Comments will be considered in the draft EIS analysis pursuant to NEPA and used to help determine the overall public interest of the proposed Project. All comments must be received or postmarked by Thursday, July 2, 2020, (15 calendar days following the public meeting).

Written comments regarding the proposed EIS scope should be addressed to Mr. Jayson Hudson, USACE, Galveston District, Regulatory Branch, P.O. Box 1229, Galveston, Texas 77553-1229. Individuals who would like to electronically provide comments should contact Mr. Hudson by electronic mail at: SWG201601027@usace.army.mil. Emailed comments, including attachments, should be provided in .doc, .docx, .pdf or .txt formats.

For information about this project, to be included on the mailing list for future updates and meeting announcements, or to receive a copy of the draft EIS when it is issued, contact Mr. Jayson Hudson, at the Corps at (409) 766-3108, the email address SWG201601027@usace.army.mil, or the address provided above.

Sincerely,

Jayson Hudson
Regulatory Project Manager
Policy Analysis Branch

Notice of Intent

internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comment that may be made available to the public, notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT: Arminda Pappas, 202-606-6659, or by email at apappas@cns.gov.

SUPPLEMENTARY INFORMATION:

Title of Collection: Application Instructions for AmeriCorps State and National Competitive New and Continuation.

OMB Control Number: 3045-0047.

Type of Review: Renewal.

Respondents/Affected Public: Organizations and State, Local or Tribal Governments.

Total Estimated Number of Annual Responses: 450.

Total Estimated Number of Annual Burden Hours: 18,000.

Abstract: The application instructions conform to the Corporation for National and Community Service's online grant application system, eGrants, which applicants must use to respond to CNCS Notices of Funding Opportunities. CNCS also seeks to continue using the currently approved information collection until the revised information collection is approved by OMB. The currently approved information collection is due to expire on June 30, 2020.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of

collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information. All written comments will be available for public inspection on regulations.gov.

Dated: March 31, 2020.

Arminda Pappas,

Grant Review Manager.

[FR Doc. 2020-07217 Filed 4-6-20; 8:45 am]

BILLING CODE 6050-28-P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare an Environmental Impact Statement and Public Scoping Meeting for Dow Chemical Company's Harris Reservoir Expansion Project, Brazoria County, Texas (Department of the Army Permit SWG-2016-01027)

AGENCY: U.S. Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers (Corps), Galveston District, has received a permit application for a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company (Dow) (SWG-2016-01027) for the Harris Reservoir Expansion Project (proposed Project). The proposed Project site is located between the Brazos River and Oyster Creek approximately 8 miles northwest of the City of Angleton in Brazoria County, Texas. The primary federal involvement associated with the proposed action (proposed Project) is the discharge of dredged or fill material into waters of the United States (U.S.), and the construction of structures and/or work that may affect navigable waters. Federal authorizations for the Project would constitute a major federal action. Based on the potential impacts, both individually and cumulatively, the Corps intends to prepare an environmental impact statement (EIS) in compliance with the National Environmental Policy Act (NEPA) to render a final decision on the permit applications. The Corps' decision will be to issue, issue with modification, or deny DA permits for the proposed action. The EIS will assess the potential

social, economic, and environmental impacts of the construction and operation of the proposed project, and is intended to be sufficient in scope to address federal, state, and local requirements; environmental and socioeconomic issues concerning the proposed action; and permit reviews.

ADDRESSES: Written comments regarding the proposed EIS scope should be addressed to Mr. Jayson Hudson, USACE, Galveston District, Regulatory Branch, P.O. Box 1229, Galveston, Texas 77553-1229. Individuals who would like to electronically provide comments should contact Mr. Hudson by electronic mail at SWG201601027@usace.army.mil. Emailed comments, including attachments, should be provided in .doc, .docx, .pdf or .txt formats.

FOR FURTHER INFORMATION CONTACT: For information about this project, to be included on the mailing list for future updates and meeting announcements, or to receive a copy of the Draft EIS when it is issued, contact Mr. Jayson Hudson, at the Corps at (409) 766-3108, email address SWG201601027@usace.army.mil, or the address provided above.

SUPPLEMENTARY INFORMATION: The Corps Galveston District intends to prepare an EIS for the proposed Harris Reservoir Expansion Project located in Brazoria County, Texas. The proposed Project would include the construction of a 1,929-acre impoundment with a nominal storage capacity of 50,000 acre-feet, an intake and pump station to divert Dow's existing surface water rights from the Brazos River, an outlet to Oyster Creek, and an emergency spillway. The Project would also include floodplain enhancements on Oyster Creek, stream restoration, and temporary construction staging and laydown areas. As part of the Department of the Army permit application process, a public notice was issued on March 2, 2018. The purpose of the public notice was to initiate an early public scoping process to solicit comments and information from the public as well as state and federal agencies to better enable us to make a reasonable decision on factors affecting the public interest. All comments received to date, including those provided for review during the public notice comment period, will be considered by the Galveston District during EIS preparation.

1. *Scoping Process/Public Involvement:* The Corps invites all affected federal, state, and local agencies, affected Native American Tribes, other interested parties, and the

general public to participate in the NEPA process during development of the EIS. The purpose of the public scoping process is to provide information to the public, narrow the scope of analysis to significant environmental issues, serve as a mechanism to solicit agency and public input on alternatives and issues of concern, and ensure full and open participation in scoping for the Draft EIS. To ensure that all of the issues related to this proposed project are addressed, the Corps will conduct public scoping meeting(s) in which agencies, organizations, and members of the general public are invited to present comments or suggestions with regard to the range of actions, alternatives, and potential impacts to be considered in the EIS. The scoping meeting will begin with an informal open house including a presentation of the proposed action and a description of the NEPA process. These will be held in person, or virtually, as determined by the Agency. Comments will be accepted for 14 days following the scoping meeting. Displays and other forms of information about the proposed action will be available, and the Corps and Dow personnel will be present at the informal session to discuss the proposed project and the EIS Process. The Corps invites comments on the proposed scope and content of the EIS from all interested parties. Verbal transcribers will be available at the scoping meeting to accept verbal comments. A time limit will be imposed on verbal comments. Written comments may be submitted prior, during, or up to 14 days after the scoping meeting. The specific dates, times, and locations of the meetings will be published in press releases, special public notices and on the Corps' project website: <https://www.swg.usace.army.mil/Business-With-Us/Regulatory/Special-Projects-Environmental-Impact-Statements/>.

2. *Project Background:* The proposed Project would consist of the following:

Component 1: Construction of an approximately 50,000-acre-foot off-channel impoundment reservoir would be located directly upstream and adjacent to the existing Harris Reservoir, referred to as the Harris Reservoir Expansion. The proposed reservoir would cover approximately 2,000 acres and would include a pumped intake station on the Brazos River and gravity outfall to Oyster Creek via a new bypass channel that would be constructed. The proposed reservoir would operate with the existing Harris and Brazoria Reservoirs in a manner similar to current operations. During periods of drought, the proposed reservoir would be exhausted first, followed by the

existing Harris Reservoir, and then the Brazoria Reservoir. As with current operations, emergency releases would occur because of severe weather, such as tropical storms and hurricanes with wind speeds that can overtop the embankments.

Component 2: As part of the proposed Project, Oyster Creek restoration is planned under three projects (referred to as Projects 1, 2, and 3) to enhance the flood capacity and to provide riparian restoration and enhancements. Stream restoration projects comprise bankfull benching, 100-foot buffer preservation, and buffer re-establishment out to 200 feet. Project 1 is located on a 3,600-linear-foot unnamed tributary to Oyster Creek, and Project 2 is located on a 12,860-linear-foot segment of Oyster Creek. Project 3, located on an 11,200-linear-foot segment of Oyster Creek, would serve as a receiving channel conveying overflows from Oyster Creek during high flows by providing additional hydraulic conveyance capacity in the floodplain, and would provide additional flood storage capacity by receiving backwater from Oyster Creek at the downstream end of Project 3 during flood events.

Planning: In response to public concerns on potential impacts to floodplains and hydrology raised during the 2018 Public Notice scoping period, Dow prepared the following studies:

(i) A geomorphic assessment of Oyster Creek that applied Rosgen Stream Classification Levels I, II, and III. The assessment was used to develop the proposed Oyster Creek enhancement prescriptions.

(ii) A Level I and II stream condition assessment to determine the functions and values for wetlands and waters of the U.S. that would be affected as a result of reservoir and associated facility placement.

(iii) A hydrology and hydraulic modeling report using HEC-HMS, Riverware™, and HEC-RAS models. HEC-HMS provides hydrologic modeling, Riverware™ provides reservoir operational modeling, and HEC-RAS provides hydraulic modeling. The modeling and analysis focused on drought conditions during the life of the proposed Project.

(iv) Planning-level floodplain analysis and modeling for areas downstream of the proposed Project to confirm the floodplain storage changes that would occur if the proposed Project is implemented.

(v) An updated interim hydrogeomorphic functional assessment to determine the functional capacities of wetlands and waters of the U.S. within the proposed Project site.

(vi) Other planning studies, including a Phase I Environmental Site Assessment.

Mitigation: Since the Public Notice was issued, additional wetland delineation work was conducted in September 2019 that included preparation of a functional assessment and stream assessment referred to above. The Corps verified that wetland delineation on October 10, 2019. A conceptual mitigation plan was submitted with the Section 404 Permit application in 2018 to address compensation of unavoidable impacts to waters of the U.S. The conceptual mitigation plan will be revised based on the verified wetland delineation and results of the functional assessment and stream assessments and as part of the EIS development.

3. *Location:* The project site is located between the Brazos River and Oyster Creek approximately eight miles northwest of the City of Angleton and abuts the Brazos River. The project can be located on the U.S.G.S. quadrangle map titled: OTEY, Texas.

4. *Purpose and Need:* The purpose of the proposed Project is to utilize Dow's existing run-of-river water rights from the Brazos River to improve reliability during extended drought conditions for the existing water supply system that serves Dow's Texas Operations in Freeport as well as other industrial, community and potable water users that rely on Dow's water supply. Based on modeling, Dow estimates that a total of 78,000 acre-feet of water storage capacity is necessary to provide Texas Commission on Environmental Quality's recommended 180 days of drought resilience. The current combined storage capacity in the existing Brazoria and Harris reservoirs is approximately 29,000 acre-feet. Therefore, Dow will need to develop the Harris Reservoir Expansion Reservoir to provide an additional storage capacity of at least 49,000 to provide a reliable water supply during drought.

5. *Alternatives:* An evaluation of alternatives to Dow's preferred alternative initially being considered includes a No Action alternative; alternatives that would avoid, minimize, and compensate for impacts to the environment within the proposed Project footprint; alternatives that would avoid, minimize, and compensate for impacts to the environment outside the footprint; alternatives using alternative practices; and other reasonable alternatives that will be developed through the Project scoping process, which may also meet the identified purpose and need.

6. *Public Involvement*: The purpose of the public scoping process is used to determine relevant issues that will influence the scope of the environmental analysis and EIS alternatives. General concerns in the following categories have been identified to date: Waters of the U.S. including wetlands, water quality, sedimentation and erosion, hydrology and flood hazards, water rights, wildlife and aquatic species, migratory birds, threatened and endangered species, invasive species, air quality, environmental justice, socioeconomic environment, archaeological and cultural resources, navigation and recreational resources, hazardous waste and materials, public health and safety, downstream and off-site impacts, and cumulative impacts. All parties who express interest will be given an opportunity to participate in the process.

7. *Coordination*: The proposed action is being coordinated with a number of federal, state, regional, and local agencies, including the U.S. Environmental Protection Agency (a cooperating agency under NEPA), U.S. Fish and Wildlife Service, U.S. National Marine Fisheries Service, Texas Commission on Environmental Quality, Texas General Land Office, and Texas Parks and Wildlife Department.

8. *Availability of Draft EIS and Scoping*: The draft EIS is estimated to be available for public review and comment no sooner than the spring of 2021. At that time a 45-day public review period will be provided for individuals and agencies to review and comment on the DEIS.

Pete G. Perez,

Director, Programs Directorate.

[FR Doc. 2020-07315 Filed 4-6-20; 8:45 am]

BILLING CODE 3720-58-P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

[Department of the Army Permit Number SWG-2019-00067]

[Intent To Prepare an Environmental Impact Statement and Public Scoping Meeting for the Port of Corpus Christi Channel Deepening Project, Nueces and Aransas Counties, Texas]

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers, Galveston District (Corps),

has received a permit application for a Department of the Army (DA) Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection, Research and Sanctuaries Act from the Port of Corpus Christi Authority (PCCA) (SWG-2019-00067) for the deepening of the Corpus Christi Ship Channel (CCSC). The primary Federal involvement associated with the proposed action is the discharge of dredged or fill material into waters of the United States, the construction of structures and/or work that may affect navigable waters, and ocean disposal of dredged material. Federal authorizations for the proposed project would constitute a "major federal action." Based on the potential impacts, both individually and cumulatively, the Corps intends to prepare an Environmental Impact Statement (EIS) in compliance with the National Environmental Policy Act (NEPA) to render a final decision on the permit application. The Corps' decision will be to issue, issue with modification, or deny DA permits for the proposed action. The EIS will assess the potential social, economic, and environmental impacts of the proposed project and is intended to be sufficient in scope to address Federal, State and local requirements, environmental and socioeconomic issues concerning the proposed action, and permit reviews.

ADDRESSES: Written comments regarding the proposed EIS scope should be addressed to Mr. Jayson Hudson, USACE, Galveston District, Regulatory Branch, P.O. Box 1229, Galveston, Texas 77553-1229. Individuals who would like to electronically provide comments should contact Mr. Hudson by electronic mail at: SWG201900067@usace.army.mil. Emailed comments, including attachments, should be provided in .doc, .docx, .pdf or .txt formats.

FOR FURTHER INFORMATION CONTACT: For information about this project, to be included on the mailing list for future updates and meeting announcements, or to receive a copy of the Draft EIS when it is issued, contact Mr. Jayson Hudson, at the Corps at (409) 766-3108, the email address SWG201900067@usace.army.mil, or the address provided above.

SUPPLEMENTARY INFORMATION: The Corps Galveston District intends to prepare an EIS for the proposed Port of Corpus Christi Deepening project. The proposed project is needed to accommodate transit of fully laden very large crude carriers (VLCCs) that draft approximately 70 feet. The deepening

activities would be completed within the footprint of the authorized CCSC channel width. The proposed project does not include widening the channel; however, some minor incidental widening of the channel is expected to meet side slope requirements and to maintain the stability of the channel. As part of the Department of the Army permit application process, a public notice was published on August 1, 2019. The purpose of the public notice was to initiate an early public scoping process to solicit comments and information from the public as well as state and federal agencies to better enable us to make a reasonable decision on factors affecting the public interest. All comments received to date, including those provided for review during the public notice comment period, will be considered by the Galveston District during EIS preparation.

1. *Scoping Process/Public Involvement*: The Corps invites all affected federal, state, and local agencies, affected Native American Tribes, other interested parties, and the general public to participate in the NEPA process during development of the EIS. The purpose of the public scoping process is to provide information to the public, narrow the scope of analysis to significant environmental issues, serve as a mechanism to solicit agency and public input on alternatives and issues of concern, and ensure full and open participation in scoping for the Draft EIS. To ensure that all of the issues related to this proposed project are addressed, the Corps will conduct public scoping meeting(s) in which agencies, organizations, and members of the general public are invited to present comments or suggestions with regard to the range of actions, alternatives, and potential impacts to be considered in the EIS. The scoping meeting will begin with an informal open house including a presentation of the proposed action and a description of the NEPA process. These will be held in person, or virtually, as determined by the Agency. Comments will be accepted for 14 days following the scoping meeting. Displays and other forms of information about the proposed action will be available, and the Corps and PCCA personnel will be present at the informal session to discuss the proposed project and the EIS Process. The Corps invites comments on the proposed scope and content of the EIS from all interested parties. Verbal transcribers will be available at the scoping meeting to accept verbal comments. A time limit will be imposed on verbal comments. Written comments

Public Notice

English



**US Army Corps
of Engineers®**
Galveston District
Regulatory Division

**Special Public Notice
Public Scoping Meeting for
Harris Reservoir Expansion Project
Environmental Impact Statement
5-27-2020**

**NOTICE OF PUBLIC SCOPING MEETING FOR DOW CHEMICAL COMPANY'S
HARRIS RESERVOIR EXPANSION PROJECT, BRAZORIA COUNTY, TEXAS
(DEPARTMENT OF THE ARMY PERMIT NUMBER SWG-2016-01027)**

PURPOSE OF PUBLIC NOTICE: To inform you that the U.S. Army Corps of Engineers, Galveston District (Corps) has scheduled a Public Scoping Meeting on June 17, 2020 for an Environmental Impact Statement (EIS), for 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.

BACKGROUND: The U.S. Army Corps of Engineers, Galveston District (Corps) received a permit application for a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company (Dow) for the Harris Reservoir Expansion Project (proposed Project). The Corps is the lead Federal agency under National Environmental Policy Act (NEPA) and the President's Council on Environmental Quality regulations and intends to prepare an environmental impact statement (EIS) for the proposed Project. The U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service are cooperating agencies under NEPA and the Texas Commission on Environmental Quality, Texas Parks and Wildlife Department and the Texas Historical Commission are participating for the preparation of the EIS. The DA permit application was first advertised by an extended Public Notice issued March 2, 2018.

The proposed Project is located adjacent to the existing Dow Chemical Harris Reservoir in the city of Angleton, Brazoria County, Texas (Latitude 29.2709860466716 ° North, Longitude -95.543090603221 ° West). The proposed Project would include the construction of a 1,929-acre impoundment with a nominal storage capacity of 50,000 acre-feet, an intake and pump station to divert Dow's existing surface water rights from the Brazos River, an outlet to Oyster Creek, and an emergency spillway. The Project would also include floodplain enhancements on Oyster Creek, stream restoration, and temporary construction staging and laydown areas. Dow proposed the Project.

SCOPING PROCESS/PUBLIC INVOLVEMENT: A virtual scoping meeting will be held **online at 4:00 p.m. on June 17, 2020**. The public meeting will be presented online to provide information about the proposed Project and to receive public input and comment on the draft EIS. Access information, instructions, an opportunity to subscribe to project updates, and additional information regarding this project will be made available prior to the virtual meeting at **<https://www.publicinput.com/Dow-Reservoir-EIS>**.

The Corps invites full public participation to promote open communication on the potential concerns surrounding the draft EIS. In addition, participation by Federal, State, local agencies and other interested organizations is encouraged. Both oral and written statements will be accepted at the meeting through several channels including a virtual comment portal, telephone, and text message. Materials and visual depictions of the proposed Project and associated impacts will be available.

Each speaker will be given 3 minutes. Please keep your time to 3 minutes or less. If you do not need the full 3 minutes, help us to move the process along by only using the time you need. If you have additional comments that you'd like to submit beyond what you're able to address during your time allotted, please submit them in writing. Written comments are just as valid and count the same as verbal comments presented during the Public Scoping Meeting. Questions for Dow related to the proposed Project or the Corps' regulatory and Civil Works process may be submitted to the website referenced above or via email, text message or phone call to the toll-free number 855-925-2801. For text message comments, please text "DOW" or 369 to 855-925-2801.

The public meeting will be conducted in English. Those in need of language interpreters should contact the Corps' Public Involvement consultant, Hollaway Environmental + Communications Services, Inc. (713) 868-1043, by June 10, to make arrangements. Every effort will be made to address requests.

Any comments received at the virtual public meeting will be considered by the Corps to assist in determining whether to issue, modify, condition, or deny a permit for the Project. Comments will be considered in the draft EIS analysis pursuant to NEPA and used to help determine the overall public interest of the proposed Project. All comments must be received or postmarked by Thursday, July 2, 2020, (15 calendar days following the public meeting).

ADDRESSES: Written comments regarding the proposed EIS scope should be addressed to Mr. Jayson Hudson, USACE, Galveston District, Regulatory Branch, P.O. Box 1229, Galveston, Texas 77553-1229. Individuals who would like to electronically provide comments should contact Mr. Hudson by electronic mail at: SWG201601027@usace.army.mil. Emailed comments, including attachments, should be provided in .doc, .docx, .pdf or .txt formats.

FOR FURTHER INFORMATION CONTACT: For information about this project, to be included on the mailing list for future updates and meeting announcements, or to receive a copy of the Draft EIS when it is issued, contact Mr. Jayson Hudson, at the Corps at (409) 766-3108, the email address SWG201601027@usace.army.mil, or the address provided above.

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS

Public Notice

Spanish



**US Army Corps
of Engineers®**

**Aviso de Reunión
Estudio Conceptual Público para el
Proyecto de Expansión del Embalse de Harris de
Dow Chemical Company
Declaración de Impacto Ambiental
5-27-2020**

**Distrito de Galveston
Programa Regulatorio**

**AVISO DE REUNIÓN DE ESTUDIO CONCEPTUAL PÚBLICO PARA EL PROYECTO
DE EXPANSIÓN DEL EMBALSE HARRIS DE DOW CHEMICAL COMPANY,
CONDADO DE BRAZORIA, TEXAS
(NÚMERO DE PERMISO DEL DEPARTAMENTO DEL EJÉRCITO SWG-2016-01027)**

PROPOSITO DE AVISO PÚBLICO: Para informarle que el Cuerpo de Ingenieros del Ejército de los EE. UU. del Distrito de Galveston ha programado una reunión de estudio conceptual público el 17 de junio de 2020 para una Declaración de Impacto Ambiental (EIS), por cuales podría estar interesado. También es para solicitar sus comentarios e información para permitirnos tomar una decisión razonable sobre los factores que afectan el interés público.

ANTECEDENTES: El Cuerpo de Ingenieros del Ejército de los EE. UU. (Cuerpo) del Distrito de Galveston recibió una solicitud de permiso para un permiso del Departamento del Ejército de los EE. UU. (DA) de conformidad con la Sección 10 de la Ley de Ríos y Puertos de 1899 (33 Código de Estados Unidos 403) y la Sección 404 de la Ley de Agua Limpia (33 Código de Estados Unidos 1344) de Dow Chemical Company (Dow) (SWG – 2016–01027) para el Proyecto de Expansión del Embalse Harris (proyecto propuesto). El Cuerpo de Ingenieros es la principal agencia federal para la preparación de este DEIS de conformidad con los requisitos de la Ley Nacional de Política Ambiental (NEPA) y las regulaciones del Consejo del Presidente sobre Calidad Ambiental para implementar NEPA. La Agencia de Protección Ambiental de los EE. UU. (Una agencia que coopera bajo NEPA), el Servicio de Pesca y Vida Silvestre de los EE. UU., el Servicio Nacional de Pesca Marina de EE. UU., la Comisión de Calidad Ambiental de Texas, la Oficina General de Tierras de Texas y el Departamento de Parques y Vida Silvestre de Texas están cooperando para la preparación del EIS. Esta solicitud se anunció por primera vez mediante un Aviso público emitido el 2 de marzo de 2018.

El proyecto propuesto se ubica en el Embalse Harris de Dow Chemical en Angleton, Condado de Brazoria, Texas (Latitud 29.2709860466716° Norte, Longitud - 95.543090603221° Oeste). El proyecto incluiría la construcción de un embalse de 1,929 acres con una capacidad de almacenamiento nominal de 50,000 acres-pie, una estación de admisión y bombeo para desviar los derechos de agua superficial existentes de la empresa Dow desde el río Brazos, una salida a Oyster Creek y un vertedero de emergencia. El proyecto también incluiría mejoras en las llanuras aluviales en Oyster Creek, restauración de arroyos y áreas temporales de estadiaje y tendido durante la construcción.

ESTUDIO CONCEPTUAL/PARTICIPACIÓN PÚBLICA: Una reunión virtual de alcance se llevará a cabo en línea a las **4:00 p.m. el 17 de junio de 2020**. La reunión pública se presentará en línea como un evento informal de puertas abiertas para proporcionar información sobre el proyecto propuesto y recibir opiniones y comentarios del público sobre el DEIS. La información de acceso, las instrucciones, la oportunidad de suscribirse a futuras actualizaciones del proyecto y la información adicional sobre este proyecto estarán disponibles antes de la reunión virtual en **www.publicinput.com/Dow-Reservoir-EIS**.

El Cuerpo de Ingenieros invita a la participación pública plena para promover una comunicación abierta sobre las preocupaciones potenciales con respecto al EIS. Además, se alienta la participación de agencias federales, estatales, locales y otras organizaciones interesadas. En la reunión se aceptarán declaraciones verbales y escritas a través de varios canales, incluyendo un portal virtual de comentarios, teléfono y mensaje de texto. Se realizará una reunión virtual. Estarán disponibles presentaciones del proyecto propuesto y los impactos asociados. Estarán presentes representantes de la empresa Dow para responder preguntas relacionadas con el proyecto y también estarán disponibles representantes del Cuerpo de Ingenieros para responder preguntas relacionadas con los procesos de Regulación y Obras Civiles del Cuerpo de Ingenieros. Materiales y representaciones visuales del proyecto propuesto y los impactos asociados estarán disponibles.

Cada persona recibirá 3 minutos. Por favor, mantenga su tiempo a 3 minutos o menos. Si no necesita los 3 minutos completos, ayúdenos a mover el proceso utilizando sólo el tiempo que necesita. Si tiene comentarios adicionales que te gustaría enviar más allá de lo que puedes abordar durante el tiempo asignado, envíalos por escrito. Los comentarios escritos son igual de válidos y cuentan lo mismo que los comentarios verbales presentados durante la reunión pública de alcance. Las preguntas para Dow relacionadas con el proyecto propuesto o el proceso reglamentario y proceso de Obras Civiles del Cuerpo de Ingenieros pueden enviarse al sitio web al que se hace referencia anteriormente o por correo electrónico, mensaje de texto o llamada telefónica al número gratuito 855-925-2801 (dial 8816). Para comentarios de mensajes de texto, por favor envíe un mensaje de texto "DOW" o 369 a 855-925-2801.

La audiencia pública se llevará a cabo en inglés. Las personas que necesiten intérpretes de idiomas deben comunicarse con el consultor de Participación Pública del Cuerpo de Ingenieros, Hollaway Environmental + Communications (713) 868-1043, a más tardar el 10 de junio de 2020 para hacer los arreglos. Se hará todo lo posible para atender las solicitudes.

Cualquier comentario recibido en la reunión pública virtual será considerado por el Cuerpo de Ingenieros para ayudar a determinar si se debe emitir, modificar, condicionar o negar un permiso para el proyecto. De conformidad con NEPA, los comentarios se considerarán en el EIS final y se utilizarán para ayudar a determinar el interés público general del proyecto propuesto. Todos los comentarios deben ser recibidos o tener estampado el matasello postal a más tardar el jueves 2 de julio de 2020 (15 días de

calendario después de la reunión pública).

DIRECCIONES: Las observaciones escritas sobre el alcance propuesto de la EIS deben ser enviadas a Sr. Jayson Hudson, USACE, Galveston District, Regulatory Branch, P.O. Box 1229, Galveston, Texas 77553-1229. Las personas que deseen proporcionar comentarios electrónicamente deben ponerse en contacto con el Sr. Hudson por correo electrónico a SWG201601027@usace.army.mil. Comentarios enviados por correo electrónico, deberán de estar adjuntos en formatos de .doc, .docx, .pdf or .txt.

PARA MÁS INFORMACIÓN: Para obtener información sobre este proyecto, para ser incluido en la lista de correo para futuras actualizaciones y anuncios de reuniones, o para recibir una copia del Borrador de la Declaración de Impacto Ambiental (DEIS) cuando se emita, por favor de contactar a Sr. Jayson Hudson, en el Cuerpo de Ingenieros al (409) 766-3108, o a la dirección de correo electrónico SWG201601027@usace.army.mil, o a la dirección proporcionada anteriormente.

DISTRITO DE GALVESTON
CUERPO DE INGENIEROS DEL EJÉRCITO DE LOS EE. UU.

The Weekly Bulletin of Brazoria County
Public Notice

**Special Public Notice
Public Scoping Meeting for
Harris Reservoir Expansion
Project
Environmental Impact Statement
5-27-2020
US Army Corps of Engineers
Galveston District
Regulatory Division**

**NOTICE OF PUBLIC SCOPING
MEETING FOR DOW CHEMICAL
COMPANY'S
HARRIS RESERVOIR EXPAN-
SION PROJECT, BRAZORIA
COUNTY, TEXAS (DEPARTMENT
OF THE ARMY PERMIT NUMBER
SWG-2016-01027)**

PURPOSE OF PUBLIC NOTICE:

To inform you that the U.S. Army Corps of Engineers Galveston District (Corps) has scheduled a public Scoping Meeting on June 17, 2020, at 4:00 p.m. on June 17, 2020. The public meeting will be presented online to provide information about the proposed project and to receive public input and comment on the draft EIS. Access information, instructions, an opportunity to subscribe to project updates, and additional information regarding this project will be made available prior to the virtual meeting at <https://www.publicinput.com/>

BACKGROUND: The U.S. Army Corps of Engineers Galveston District (Corps) received a permit application for a U.S. Department of the Army (DA) permit pursuant to Section 401 of the Clean Water Act from Dow Chemical Company (Dow) for the Harris Reservoir Expansion Project proposed Project). The Corps is the lead Federal Agency under the National Environmental Policy Act (NEPA) and the Resident's Council on Environmental Quality regulations and intends to prepare an environmental impact statement (EIS) for the proposed project. The U.S. Fish and Wildlife Service are cooperating agencies under NEPA and the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service are cooperating agencies under NEPA and the U.S. Environmental Protection Agency and the Texas Historical Commission are participating for the preparation of the EIS. The DA permit application as first advertised an extended Public Notice issued March

The proposed Project is located

adjacent to the existing Dow Chemical Harris Reservoir in the City of Angleton, Brazoria County, Texas. The proposed Project would include the construction of a 50-acre impoundment with a nominal storage capacity of 50,000 acre-feet, an intake and pump station to divert flows from existing surface water rights from the Harris Reservoir outlet to Star Creek, and an emergency spillway. The project would also include floodplain enhancements on Oyster Creek, stream restoration, and temporary construction staging and laydown areas. Dow proposed the Project.

SCOPING PROCESS/PUBLIC

INVOLVEMENT: virtual scoping meeting will be held **online at 4:00 p.m. on June 17, 2020.** The public meeting will be presented online to provide information about the proposed project and to receive public input and comment on the draft EIS. Access information, instructions, an opportunity to subscribe to project updates, and additional information regarding this project will be made available prior to the virtual meeting at <https://www.publicinput.com/>

Dow-Reservoir-EIS. The Corps invites all public participation to promote open communication on the potential concerns surrounding the draft EIS. In addition, participation by Federal, State, local agencies and other interested organizations is encouraged. Both oral and written statements will be accepted at the meeting through several channels including a virtual comment portal, telephone, and text message. Materials and visual depictions of the proposed Project and associated impacts will be available.

Participants will be given minutes to speak or to write comments. If you do not need to write comments, you may use the time you need. If you have additional comments that you'd like to submit beyond what you're able to address during your time allotted, please submit them in writing. Written comments are just as valid and count the same as verbal comments presented during the Public Scoping Meeting. Questions for Dow related to the proposed Project

or the Corps regulator and Civil Works process may be submitted to the site referenced above or via email, text message or phone call to the toll free number. For text message comments, please text to the Corps.

The public meeting will be conducted in English. Those in need of language interpreters should contact the Corps. The Corps will provide a list of communication services. The Corps will provide a list of communication services. The Corps will provide a list of communication services.

Comments received at the virtual public meeting will be considered by the Corps to assist in determining whether to issue, modify, condition, or deny a permit for the Project. Comments will be considered in the draft EIS analysis pursuant to NEPA and used to help determine the overall public interest of the proposed Project. Comments must be received or postmarked by Thursday, July 2, 2020, at the virtual public meeting.

ADDRESSES: Written comments regarding the proposed EIS scope should be addressed to Mr. Jayson Hudson, Senior Galveston District Regulator, 1813 N. Velasco, Angleton, Texas 77520. Individuals would like to electronically provide comments should contact Mr. Hudson by electronic mail at jayson.hudson@usace.army.mil. Emailed comments, including attachments should be provided in .doc, .docx, .pdf or .txt formats.

FOR FURTHER INFORMATION

CONTACT: For information about this project, to be included on the mailing list for future updates and meeting announcements or to receive a copy of the Draft EIS when it is issued, contact Mr. Jayson Hudson, at the Corps at jayson.hudson@usace.army.mil or the address provided above.

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS

Columbia Christian Senior Citizens Center Menu

629 E. Bernard, West Columbia, TX, (979) 345-5955

Menu subject to change. No dine-in currently. Take-out or delivery only.

Wednesday, May 27: Southern-fried chicken, creamed potatoes, green beans, carrot raisin salad, biscuits, dessert.

Thursday, May 28: Meatloaf, rice, grav peas, carrots, peas & cottage cheese, garlic toast, dessert.

Friday, May 29: Hamburger, corn on the cob, beans & weinies, lettuce

& tomatoes, potato salad, hamburger bun, dessert.

Monday, June 1: Beef Stroganoff, spiced apples, pears, cottage cheese, garlic toast, dessert.

Tuesday, June 2: Baked chicken, dressing, green beans, carrot, potato, green beans, carrot, low salt, low sugar raisin salad, roll, birthday cake.

Meals on wheels available - call before 9:30 a.m.; Low salt/low sugar meals available - call before 8 a.m. Take-out meals need to be called in by 10:30 a.m. for pick-up at 11 a.m.

From the writings of the Rev. Billy Graham

God works through preachers and teachers

Q: My youth pastor told me that preachers can help us understand the Bible. Is that true? - S.Y.

A: When preachers present the Gospel of Jesus Christ with authority, the Word of God, God takes that message and drives it supernaturally into the human heart. It isn't the eloquence of the preacher, or even a skill to communicate, but it is by the truth of God's Word that His Holy Spirit draws people to Christ and opens their understanding to Biblical truth.

When Jesus was ready to return to heaven, He said to His disciples, "It is to our advantage that I go away; for if I do not go away, the Helper [the Holy Spirit] will not come to you; but if I depart, I will send Him to you. And when He has come, He will convict the world of sin and of righteousness... He will guide you into all truth, for on that day a promise! The coming of the Holy Spirit was based upon the Word of the Lord Jesus Christ.

Jesus didn't say that He would send the Holy Spirit to some believers and not to others, or did He say that we had to belong to some special organization. When Jesus makes a promise,

He does not break or forget it. We may doubt the promises of friends or a friend, but we have never seen given a promise by Jesus that has not been a certainty.

God works through preachers and teachers who faithfully proclaim the truth of His Word, but it is our responsibility to seek out those who speak from the pages of Scripture. When this happens, the door is open to the Holy Spirit to do His work in our lives and make it abundantly clear.

Tribune Media Services

(Send your queries to "My Answer," c/o Billy Graham, Billy Graham Evangelistic Association, 1 Billy Graham Parkway, Charlotte, N.C., 28201; call 1-(877) 2-GRAHAM, or visit the Web site for the Billy Graham Evangelistic Association: www.billygraham.org.)

**Stewart's
FOOD STORE**

102 Hwy. 332, Brazoria

(979) 798-2600

205 E. Ashley Wilson, Sweeny

(979) 548-2621



KWIK KAR LUBE & TUNE
Family Owned & Operated

Mon-Fri 8a.m.-6pm

Sat. 8am-2pm

1104 N. Velasco, Angleton

(979) 848-9700

**LAKE HARDWARE
& LUMBER CO**

Angleton: 1813 N. Velasco

(979) 849-8321

Clute: 705 Dixie Dr.

(979) 388-8800

The Weekly Bulletin of Brazoria County

Public Notice Affidavit

STATE OF TEXAS

§

COUNTY OF BRAZORIA

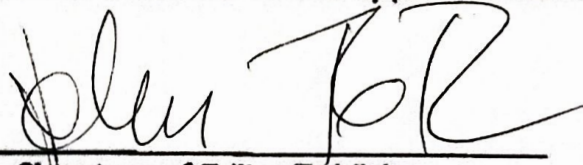
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AFFIDAVIT BY PUBLISHER

BEFORE ME, the undersigned authority, on this day personally appeared John

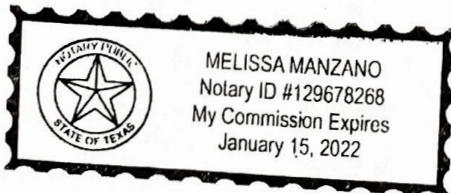
Toth, who after being by me duly sworn says upon his oath the following:

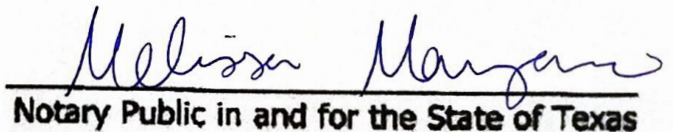
1. That he is the editor/publisher of The Bulletin , a newspaper published in Brazoria County, Texas.
2. That he published a true copy of the above notice in said paper for two consecutive issues in its issues of May 26, 2020 and , 20 .
3. That attached hereto is a printed copy of said notice as published is in ten point black face type.
4. That said newspaper is a newspaper of general circulation published in a city or town in which the place of business of the applicant named in said notice is located.



Signature of Editor/Publisher

SUBSCRIBED AND SWORN TO BEFORE ME , 27 day of May , 2020




Notary Public in and for the State of Texas

Houston Chronicle

Public Notice



Legal Notices

To place legal notices
email legals@chron.com or call 713.224.6868.

BIDS
R. PROPOSALS

BIDS
R. PROPOSALS

BIDS
R. PROPOSALS

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICES

The Houston Housing Authority ("HHA") is soliciting sealed proposals for its Project Based Voucher Program in accordance with the requirements and the terms and conditions specified in Request for Proposal (RFP) 20-31.

Interested parties who wish to respond to this solicitation must submit the required documents in a sealed envelope by 10 A.M. Central Daylight Time (CDT) June 12, 2020 to the Houston Housing Authority Attn: Kevin M. Coleman, MS, C.P.M., Subject: RFP 20-31 Project Based Voucher DO NOT OPEN 2640 Fountain View Drive Houston, Texas 77037.

RFP 20-31 can be obtained by going to the doing business with HHA section of HHA's website at www.housingforhouston.com or by sending an e-mail to HHA's Procurement Dept. at Purchasing@housingforhouston.com with RFP 20-31 in the subject line.

A Fair and Equal Employment Opportunity Agency. For assistance: Individuals with disabilities may contact the 504/ADA Administrator at 713-260-0528, TTY 713-260-0574 or 504ADA@housingforhouston.com

(May 18, 2020)
Houston Community College
Invitation for Bid (IFB)
System Administration Parking Garage Structural Repairs
No. 20-32
Sealed bids will be received at the Loading Dock/Mailroom (3100 Main @ Rosalie Street, Houston, Texas 77002) until 2:00PM (local time) on Thursday, June 18, 2020.
Online Pre-Bid Webinar Conference (Non-Mandatory) will be held by the Procurement Operations Department, Tuesday, June 2, 2020 at 10:00 am (local time).
HVAC Replacements for Coleman College No. 20-35
Online Pre-Bid webinar Conference (Non-Mandatory) will be held by the Procurement Operations Department, Tuesday, June 2, 2020 at 2:00 pm (local time).
Documents can be obtained at: www.hccs.edu/about-hcc/procurement/

NOTICE TO BIDDERS
The Metropolitan Transit Authority of Harris County, Texas (METRO) is planning to issue the procurement documents listed in this advertisement.
IFB No. 4020000133: Purchase and Delivery of Blower Fans for METRO's Rail Vehicles. Solicitation will be available on or about 5/25/2020.
IFB No. 4020000155: Purchase and Delivery of Engine Component Machining Services. Solicitation will be available on or about 5/25/2020.
Prospective bidders/proposers can view and download these solicitations by visiting METRO's website at <https://www.ridemetroapp.org/procurement/>. If you are unable to download the documents or are having difficulty, please contact METRO Plan and Bid Room at (713) 739-4881.

San Leon MUD is requesting proposals for grant administration for upcoming CDBG program(s). Complete specifications for the contract may be obtained at www.smlmud.org or from San Leon MUD 443 24th Street, San Leon, Texas 77503. All bids are due by 7/1/20 at 4:30 PM. Contract will be awarded to the lowest responsible bidder. San Leon MUD reserves the right to reject any and/or all bids. Contact: Andrew Miller at (281) 339-1586

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR AN AIR QUALITY PERMIT

PERMIT NUMBER: 87923
APPLICATION AND PRELIMINARY DECISION: Vopak Logistics Services USA Inc., 2799 Independence Pkwy S, Deer Park, TX 77536, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to Air Quality Permit Number 87923, which would authorize modification of a Deer Park Facility located at 2799 Independence Parkway S, Deer Park, Harris County, Texas 77536. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This application was submitted to the TCEQ on September 11, 2019. The existing facility will emit the following contaminants: carbon monoxide, hazardous air pollutants, nitrogen oxides, organic compounds, inorganic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide.

The executive director has completed the technical review of the application and prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision to issue the permit because it meets all rules and regulations. The permit application, executive director's preliminary decision, and draft permit will be available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and at the following weblink: <https://www.vopak.com/terminals/vopak-terminal-deer-park-houston>, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Houston Regional Office, 5425 Polk St Ste H, Houston, Texas.

PUBLIC COMMENT/PUBLIC MEETING: You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comment or to ask questions about the application. The TCEQ will hold a public meeting if the executive director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing. You may submit additional written public comments within 30 days of the date of newspaper publication of this notice in the manner set forth in the AGENCY CONTACTS AND INFORMATION paragraph below.

RESPONSE TO COMMENTS AND EXECUTIVE DIRECTOR ACTION: After the deadline for public comments, the executive director will consider the comments and prepare a response to all relevant and material or significant public comments. Because no timely hearing requests have been received, after preparing the response to comments, the executive director may then issue final approval of the application. The response to comments, along with the executive director's decision on the application will be mailed to everyone who submitted public comments or is on a mailing list for this application, and will be posted electronically to the Commissioners' Integrated Database (CID).

NOTICE OF PUBLIC SCOPING MEETING FOR DOW CHEMICAL COMPANY'S HARRIS RESERVOIR EXPANSION PROJECT, BRAZORIA COUNTY, TEXAS (DEPARTMENT OF THE ARMY PERMIT NUMBER SWG-2016-01027)

PURPOSE OF PUBLIC NOTICE: To inform you that the U.S. Army Corps of Engineers, Galveston District (Corps) has scheduled a Public Scoping Meeting on June 17, 2020 for an Environmental Impact Statement (EIS) for 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.

BACKGROUND: The U.S. Army Corps of Engineers, Galveston District (Corps) received a permit application from a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company (Dow) for the Harris Reservoir Expansion Project (proposed Project). The Corps is the lead Federal agency under National Environmental Policy Act (NEPA) and the President's Council on Environmental Quality regulations and intends to prepare an environmental impact statement (EIS) for the proposed Project. The U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service are cooperating agencies under NEPA and the Texas Commission on Environmental Quality, Texas Parks and Wildlife Department and the Texas Historical Commission are participating for the preparation of the EIS. The DA permit application was first advertised by an extended Public Notice issued March 2, 2018.

The proposed project is located adjacent to the existing Dow Chemical Harris Reservoir in the city of Angleton, Brazoria County, Texas (Latitude 29.2709860466716° North, Longitude -95.543090603221° West). The proposed Project would include the construction of a 929-acre Impoundment with a nominal storage capacity of 50,000 acre-feet, an intake and pump station to divert Dow's existing surface water rights from the Brazos River, an outlet to Oyster Creek, and an emergency spillway. The Project would also include floodplain enhancements on Oyster Creek, stream restoration, and temporary construction staging and laydown areas. Dow proposed the Project.

SCOPING PROCESS/PUBLIC INVOLVEMENT: A virtual scoping meeting will be held online at 4:00 p.m. on June 17, 2020. The public meeting will be presented online to provide information about the proposed Project and to receive public input and comment on the draft EIS. Access information, instructions, an opportunity to subscribe to project updates, and additional information regarding this project will be made available prior to the virtual meeting at <https://www.publicinput.com/Dow-Reservoir-EIS/>.

The Corps invites full public participation to promote open communication on the potential concerns surrounding the draft EIS. In addition, participation by Federal, State, local agencies and other interested organizations is encouraged. Both oral and written statements will be accepted at the meeting through several channels including a virtual comment portal, telephone, and text message. Materials and visual depictions of the proposed Project and associated impacts will be available.

Each speaker will be given 3 minutes. Please keep your time to 3 minutes or less. If you do not need the full 3 minutes, help us to move the process along by only using the time you need. If you have additional comments that you'd like to submit beyond what you're able to address during your time allotted, please submit them in writing. Written comments are just as valid and count the same as verbal comments presented during the Public Scoping Meeting. Questions for Dow related to the proposed Project or the Corps' regulatory and Civil Works process may be submitted to the website referenced above or via email, text message or phone call to the toll-free number 855-925-2801 (dial 8816). For text message comments, please text "DOW" or 369 to 855-925-2801.

The public meeting will be conducted in English. Those in need of language interpreters should contact the Corps' Public Involvement consultant, Hollaway Environmental + Communications Services, Inc. (713) 868-1043, by June 10, to make arrangements. Every effort will be made to address requests.

Any comments received at the virtual public meeting will be considered by the Corps to assist in determining whether to issue, modify, condition, or deny a permit for the Project. Comments will be considered in the draft EIS analysis pursuant to NEPA and used to help determine the overall public interest of the proposed Project. All comments must be received or postmarked by Thursday, July 2, 2020, (15 calendar days following the public meeting).

ADDRESSES: Written comments regarding the proposed EIS scope should be addressed to Mr. Jayson Hudson, USACE, Galveston District, Regulatory Branch, P.O. Box 1229, Galveston, Texas 77553-1229. Individuals who would like to electronically provide comments should contact Mr. Hudson by electronic mail at: SWG201601027@usace.army.mil. Emailed comments, including attachments, should be provided in .doc, .docx, .pdf or .txt formats.

FOR FURTHER INFORMATION CONTACT: For information about this project, to be included on the mailing list for future updates and meeting announcements, or to receive a copy of the Draft EIS when it is issued, contact Mr. Jayson Hudson, at the Corps at (409) 766-3108, the email address SWG201601027@usace.army.mil, or the address provided above.

LEGAL NOTICES

LEGAL NOTICES

LEGAL NOTICES

NOTICE OF SALE
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT No. 459
(A political subdivision located within Harris County, Texas and the City of Baytown, Texas)
\$4,750,000
Individual Tax Exempt Contract 2020

@chron.com or calling 713.224.6868

Houston Chronicle
Public Notice Affidavit



AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, the Newspaper Representative at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and generally circulated in the Counties of: HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, and MATAGORDA and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

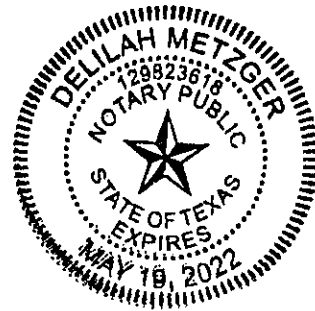
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Product	Date	Class	Page
Houston Chronicle	May 27 2020	Legal Notices	B 7

Victoria Bond AIR Clerk

NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this 27th Day of May A.D. 2020



Delilah Metzger

Notary Public in and for the State of Texas

La Voz (Spanish)

Legals/Public Notices | **Legals/Public Notices** | **Legals/Public Notices** | **Legals/Public Notices**

AVISO DE REUNIÓN DE ESTUDIO CONCEPTUAL PÚBLICO PARA EL PROYECTO DE EXPANSIÓN DEL EMBALSE HARRIS DE DOW CHEMICAL COMPANY, CONDADO DE BRAZORIA, TEXAS (NÚMERO DE PERMISO DEL DEPARTAMENTO DEL EJÉRCITO SWG-2016-01027)

PROPOSITO DE AVISO PÚBLICO: Para informarle que el Cuerpo de Ingenieros del Ejército de los EE. UU. del Distrito de Galveston ha programado una reunión de estudio conceptual público el 17 de junio de 2020 para una Declaración de Impacto Ambiental (EIS), por cuales podría estar interesado. También es para solicitar sus comentarios e información para permitirnos tomar una decisión razonable sobre los factores que afectan el interés público.

ANTECEDENTES: El Cuerpo de Ingenieros del Ejército de los EE. UU. (Cuerpo) del Distrito de Galveston recibió una solicitud de permiso para un permiso del Departamento del Ejército de los EE. UU. (DA) de conformidad con la Sección 10 de la Ley de Ríos y Puertos de 1899 (33 Código de Estados Unidos 403) y la Sección 404 de la Ley de Agua Limpia (33 Código de Estados Unidos 1344) de Dow Chemical Company (Dow) (SWG -2016-01027) para el Proyecto de Expansión del Embalse Harris (proyecto propuesto). El Cuerpo de Ingenieros es la principal agencia federal para la preparación de este DEIS de conformidad con los requisitos de la Ley Nacional de Política Ambiental (NEPA) y las regulaciones del Consejo del Presidente sobre Calidad Ambiental para implementar NEPA. La Agencia de Protección Ambiental de los EE. UU. (Una agencia que coopera bajo NEPA), el Servicio de Pesca y Vida Silvestre de los EE. UU., el Servicio Nacional de Pesca Marina de EE. UU., la Comisión de Calidad Ambiental de Texas, la Oficina General de Tierras de Texas y el Departamento de Parques y Vida Silvestre de Texas están cooperando para la preparación del EIS. Esta solicitud se anunció por primera vez mediante un Aviso público emitido el 2 de Marzo de 2018.

El proyecto propuesto se ubica en el Embalse Harris de Dow Chemical en Angleton, Condado de Brazoria, Texas (Latitud 29.2708960466716° Norte, Longitud -95.543090603221° Oeste). El proyecto incluiría la construcción de un embalse de 1.929 acres con una capacidad de almacenamiento nominal de 50,000 acres-pie, una estación de admisión y bombeo para desviar los derechos de agua superficial existentes de la empresa Dow desde el río Brazos, una salida a Oyster Creek y un vertedero de emergencia. El proyecto también incluiría mejoras en las llanuras aluviales en Oyster Creek, restauración de arroyos y áreas temporales de estadiaje y tendido durante la construcción.

ESTUDIO CONCEPTUAL/PARTICIPACIÓN PÚBLICA: Una reunión virtual de alcance se llevará a cabo en línea a las 4:00 p.m. el 17 de junio de 2020. La reunión pública se presentará en línea como un evento informal de puertas abiertas para proporcionar información sobre el proyecto propuesto y recibir opiniones y comentarios del público sobre el DEIS. La información de acceso, las instrucciones, la oportunidad de suscribirse a futuras actualizaciones del proyecto y la información adicional sobre este proyecto estarán disponibles antes de la reunión virtual en www.pubicinput.com/Dow-Reservoir-EIS.

El Cuerpo de Ingenieros invita a la participación pública plena para promover una comunicación abierta sobre las preocupaciones potenciales con respecto al EIS. Además, se alienta la participación de agencias federales, estatales, locales y otras organizaciones interesadas. En la reunión se aceptarán declaraciones verbales y escritas a través de varios canales, incluyendo un portal virtual de comentarios, teléfono y mensaje de texto. Se realizará una reunión virtual. Estarán disponibles presentaciones del proyecto propuesto y los impactos asociados. Estarán presentes representantes de la empresa Dow para responder preguntas relacionadas con el proyecto y también estarán disponibles representantes del Cuerpo de Ingenieros para responder preguntas relacionadas con los procesos de Regulación y Obras Civiles del Cuerpo de Ingenieros. Materiales y representaciones visuales del proyecto propuesto y los impactos asociados estarán disponibles.

Cada persona recibirá 3 minutos. Por favor, mantenga su tiempo a 3 minutos o menos. Si no necesita los 3 minutos completos, ayúdenos a mover el proceso utilizando sólo el tiempo que necesita. Si tiene comentarios adicionales que le gustaría enviar más allá de lo que puede abordar durante el tiempo asignado, envíelos por escrito. Los comentarios escritos son igual de válidos y cuentan lo mismo que los comentarios verbales presentados durante la reunión pública de alcance. Las preguntas para Dow relacionadas con el proyecto propuesto o el proceso regulatorio y proceso de Obras Civiles del Cuerpo de Ingenieros pueden enviarse al sitio web al que se hace referencia anteriormente o por correo electrónico, mensaje de texto o llamada telefónica al número gratuito 855-925-2801 (dial 8816). Para comentarios de mensajes de texto, por favor envíe un mensaje de texto "DOW" o 369 a 855-925-2801.

La audiencia pública se llevará a cabo en inglés. Las personas que necesiten intérpretes de idiomas deben comunicarse con el consultor de Participación Pública del Cuerpo de Ingenieros, Holloway Environmental Communications (713) 868-1043, a más tardar el 10 de junio de 2020 para hacer los arreglos. Se hará todo lo posible para atender las solicitudes.

Cualquier comentario recibido en la reunión pública virtual será considerado por el Cuerpo de Ingenieros para ayudar a determinar si se debe emitir, modificar, condicionar o negar un permiso para el proyecto. De conformidad con NEPA, los comentarios se considerarán en el EIS final y se utilizarán para ayudar a determinar el interés público general del proyecto propuesto. Todos los comentarios deben ser recibidos o tener estampado el matasello postal a más tardar el jueves 2 de julio de 2020 (15 días de calendario después de la reunión pública).

DIRECCIONES: Las observaciones escritas sobre el alcance propuesto de la EIS deben ser enviadas a Sr. Jayson Hudson, USACE, Galveston District, Regulatory Branch, P.O. Box 1229, Galveston, Texas 77553-1229. Las personas que deseen proporcionar comentarios electrónicamente deben ponerse en contacto con el Sr. Hudson por correo electrónico a SWG201601027@usace.army.mil. Comentarios enviados por correo electrónico, deberán de estar adjuntos en formatos de .doc, .docx, .pdf or .txt.

PARA MÁS INFORMACIÓN: Para obtener información sobre este proyecto, para ser incluido en la lista de correo para futuras actualizaciones y anuncios de reuniones, o para recibir una copia del Borrador de la Declaración de Impacto Ambiental (DEIS) cuando se emita, por favor de contactar a Sr. Jayson Hudson, en el Cuerpo de Ingenieros al (409) 766-3108, o a la dirección de correo electrónico SWG201601027@usace.army.mil, o a la dirección proporcionada anteriormente.

**DISTRITO DE GALVESTON
CUERPO DE INGENIEROS DEL EJÉRCITO DE LOS EE. UU.**

**COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS
Aviso Revisado de un Permiso Federal para Preliminar**

Permiso Preliminar Núm.: 02234

Solicitud y Permiso Preliminar. Rohm and Haas Texas Incorporated, PO Box 1000, Deer Park, TX 77536-1000, ha solicitado una solicitud ante la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) para la renovación del Permiso Federal de Operación (en adelante denominado el Permiso) Núm. 02234, Solicit. Núm. 29745 para autorizar la operación de P-North, una Instalación de Fabricación de Productos Químicos Orgánicos Básicos. El área a la cual se refiere la solicitud está ubicada en 1900 Tidal Rd in Deer Park, Harris County, Texas 77536-2416. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.7263888&lng=-95.102774&zoom=13&type=r>. Esta solicitud fue recibida por la TCEQ el 13 de noviembre, 2019.

El Director Ejecutivo de la TCEQ ha concluido la revisión técnica de la solicitud y ha preparado un permiso preliminar, el cual, si es aprobado, establecerá las condiciones de base de la instalación exacta, consulte la solicitud. El director ejecutivo ha tomado la decisión preliminar de otorgar este permiso porque cumple con todas las reglas y regulaciones. La solicitud del permiso, la decisión preliminar del director ejecutivo, y el permiso preliminar estarán disponibles para ser revisados y copiados en la Oficina de la TCEQ, 12100 Park 25 Circle, Building F, First Floor, Austin, Texas 78753, y la Oficina Regional de la TCEQ en Houston, 5425 Polk St., Ste. H, Houston, Texas 77023-1452, y la Biblioteca Pública de Deer Park, 3009 Center St., Deer Park, Texas 77536-5063, empezando el primer día de la publicación de este aviso. El permiso preliminar y la declaración de base están disponibles en el sitio de la TCEQ.

El propósito de un Permiso Federal de Operación es mejorar el acatamiento general con las normas que gobiernan el control de la contaminación atmosférica, claramente definiendo todos los requisitos aplicables como están definidos en el Título 30 del Código Administrativo de Texas § 122.10, (30 TAC § 122.10, por sus siglas en inglés). El permiso preliminar, si es aprobado, codificará las condiciones bajo las cuales el área debe operar. El permiso no autorizará construcción nueva. El director ejecutivo ha concluido la revisión técnica de la solicitud y ha hecho una decisión preliminar para preparar el permiso preliminar para la revisión y comentario público. El director ejecutivo de la TCEQ recomienda la expedición de este permiso preliminar. La solicitud de permiso, la declaración de base y el permiso preliminar estarán disponibles para ser revisados y copiados en la Oficina Central de la TCEQ, 12100 Park 25 Circle, Building F, First Floor, Austin, Texas 78753, y la Oficina Regional de la TCEQ en Houston, 5425 Polk St., Ste. H, Houston, Texas 77023-1452, y la Biblioteca Pública de Deer Park, 3009 Center St., Deer Park, Texas 77536-5063, empezando el primer día de la publicación de este aviso. El permiso preliminar y la declaración de base están disponibles en el sitio de la TCEQ.

www.tceq.texas.gov/goto/vnotice

En la oficina central y la oficina regional también pueden revisar y copiar documentos pertinentes para el permiso preliminar, así como los permisos para la Evaluación de Nuevas Fuentes que han sido incorporados por referencia. Cualquier persona que tenga dificultades obteniendo estos materiales debido a restricciones para viajar pueden comunicarse con la sala de archivos de la Oficina Central al teléfono (512) 239-2900.

Comentarios/Notificación Pública y Audiencia. Cualquier persona puede entregar comentarios públicos sobre el permiso preliminar. Comentarios relacionados a la exactitud, lo completo, y lo apropiado de las condiciones del permiso pueden resultar en cambios al permiso preliminar.

Una persona que podría ser afectada por la emisión de contaminantes atmosféricos del área del sitio del permiso puede solicitar una audiencia de aviso y comentarios. El propósito de la audiencia de notificación y comentarios es proporcionar la oportunidad para entregar comentarios sobre el permiso preliminar. El permiso puede ser cambiado en base a si los comentarios relacionados con el permiso permiten el cumplimiento con el Título 30 del Código Administrativo de Texas, Capítulo 122 (ejemplos pueden incluir que el permiso no tiene todos los requisitos aplicables que correspondan a que no se cumplieron los procedimientos de aviso público). La TCEQ puede otorgar una audiencia de aviso y comentarios con respecto a esta solicitud si una petición por escrito es presentada dentro de los treinta días después de la publicación del anuncio en el diario. La solicitud de audiencia debe incluir la base de la solicitud, incluyendo una descripción de como la persona puede ser afectada por la emisión de contaminantes atmosféricos del área de la solicitud. La solicitud también debería especificar las condiciones del permiso borrador que son inapropiados o que no cumplen con el permiso preliminar para expedir o denegar el permiso es inapropiado. Todos los asuntos razonablemente verificables deben ser planteados y todos los argumentos razonablemente disponibles deben ser entregados a no más tardar al final del periodo de comentarios públicos. Si se concede una audiencia de aviso y comentario, todos los individuos que presentaron comentarios por escrito o una solicitud de audiencia recibirán confirmación por escrito de la audiencia. Esta confirmación indicará la fecha, hora y lugar de la audiencia.

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AVISO DE UN PERMISO FEDERAL PARA OPERACION PRELIMINAR
Permiso Preliminar Numero: 45072

SOLICITUD Y PERMISO PRELIMINAR. Texas Cement Products, Inc. (Textrite) 4000 Pinemont Drive, Houston, Texas 77018 ha presentado una solicitud ante la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) para la renovación del Permiso Federal de Operación (en adelante denominado el Permiso) número 45072, Solicit. Núm. 45072, para autorizar la continuación de la operación de fabricación de lechada y mortero de capa delgada para losetas en la planta de Textrite. El área a la cual se refiere la solicitud está ubicada en 4000 Pinemont Drive, en la ciudad de Houston, Condado de Harris, Texas 77018. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.841111&lng=-95.443888&zoom=13&type=r>. El sitio está autorizado para emitir los contaminantes de aire seguidos: materia particulada, incluso materia particulada con diámetros de 10 micras o menos, y de 2.5 micras o menos.

Esta solicitud fue recibida por la TCEQ el 14 de Febrero, del 2020. El permiso preliminar, si es aprobado, codificará las condiciones de base de las cuales el área debe operar. El director ejecutivo ha concluido la revisión técnica de la solicitud y ha hecho una decisión preliminar para preparar el permiso preliminar para la revisión y comentario público. El director ejecutivo de la TCEQ recomienda la expedición de este permiso preliminar. La solicitud de permiso, la declaración de base y el permiso preliminar estarán disponibles para ser revisados y copiados en la Oficina Central de la TCEQ, 12100 Park 25 Circle, Building E, First Floor (primer Piso), Austin, Texas 78753, y en la oficina de la region de Houston ubicada en 5425 Polk ave, Houston, Texas 77023, y en el sitio web de Textrite: www.textrite.com, empezando el primer día de la publicación de este aviso. El director ejecutivo ha determinado que la solicitud está administrativamente completa y realizara una revisión técnica de la solicitud. La información en la solicitud indica que la renovación de este permiso no dará lugar a un aumento de las emisiones permitidas y no dará lugar a la emisión de un contaminante del aire que no haya emitido previamente. La TCEQ puede actuar en esta solicitud sin buscar más comentarios públicos o brindar una oportunidad para una audiencia de caso impugnado si se cumplen ciertos criterios.

COMENTARIO PÚBLICO Puede enviar comentarios públicos o una solicitud para una audiencia de caso impugnado a la Oficina del Secretario Principal a la dirección que figura a continuación. La TCEQ considerará todos los comentarios públicos al desarrollar una decisión final sobre la solicitud. La fecha límite para enviar comentarios públicos es 15 días después de la publicación del aviso en el periódico. Después de la fecha límite para comentarios públicos, el director ejecutivo preparara una respuesta a todos los comentarios públicos relevantes y materiales, o significativos. Cuestiones como el valor de las propiedades, el ruido, la seguridad del tráfico y la zonificación están fuera de la jurisdicción de TCEQ para abordar en el proceso de permisos.

Después de que se complete la revisión técnica, el director ejecutivo considerará los comentarios y preparará una respuesta a todos los comentarios públicos relevantes y materiales o significativos. Si solo se reciben comentarios, la respuesta a los comentarios, junto con la decisión del director ejecutivo sobre la solicitud, se enviara por correo a todas las personas que presentaron comentarios públicos o que están en la lista de correo de esta solicitud, a menos que la solicitud se remita directamente a una audiencia de caso impugnado.

OPORTUNIDAD PARA UNA AUDIENCIA DE CASO CONTESTADO Puede solicitar una audiencia de caso impugnado. El solicitante o el director ejecutivo también pueden solicitar que la solicitud se remita directamente a una audiencia de caso impugnado después de una revisión técnica de la solicitud. Una audiencia de caso impugnado es un procedimiento legal similar a un juicio civil en un tribunal de distrito estatal. A menos que se presente una solicitud por escrito para una audiencia de caso impugnado dentro de los 15 días a partir de la publicación del aviso en el periódico, no se otorgará la solicitud. Si no se recibe una solicitud de audiencia dentro de este periodo de 15 días, no se brindará más oportunidad de audiencia. De acuerdo con la Ley de Aire Limpio de Texas § 382.056 (o), una audiencia de caso impugnado solo se puede otorgar si el historial de cumplimiento del solicitante se encuentra en la clasificación mas baja según los requisitos de historial de cumplimiento aplicables y si la solicitud de audiencia se basa en cuestiones de hecho disputadas que son relevantes y material para la decisión de la Comisión sobre la solicitud. Además, la Comisión solo puede otorgar una audiencia sobre los asuntos presentados durante el periodo de comentarios públicos y no retirados.

Una persona que pueda verse afectada por las emisiones de contaminantes del aire de la instalación tiene derecho a solicitar una audiencia. Si solicita una audiencia de caso impugnado, debe presentar lo siguiente: (1) su nombre (o para un grupo de personas, un representante legal); (2) el número de teléfono durante el día; (2) nombre del solicitante y número de permiso; (3) la declaración «[yo / nosotros] solicito una audiencia de caso impugnado»; (4) una descripción específica de como se verá afectado negativamente por la aplicación y las emisiones al aire de la instalación de una manera no común para el público en general; (5) la ubicación y la distancia de su propiedad en relación con la instalación; (6) una descripción de como una persona puede ser afectada por la instalación; y (7) una lista de todas las cuestiones de hecho en disputa que envíe durante el periodo de comentarios. Si la solicitud la realiza un grupo o asociación, uno o mas miembros que tienen derecho a solicitar una audiencia deben ser identificados por su nombre y dirección física. También deben identificarse los intereses que el grupo o asociación busca proteger. También puede enviar los ajustes propuestos a la solicitud y permiso que satisficarian sus inquietudes. Las solicitudes para una audiencia de caso impugnado deben presentarse por escrito dentro de los 15 días posteriores a este aviso a la Oficina del Secretario Principal a la dirección que figura a continuación.

Si alguna solicitud para una audiencia de caso impugnado se presenta a tiempo, el Director Ejecutivo remitirá la solicitud y cualquier solicitud de audiencia de caso impugnado a los Comisionados para su consideración en una reunión programada de la Comisión. A menos que la solicitud se remita directamente a una audiencia de caso impugnado, el director ejecutivo enviara por correo la respuesta a los comentarios junto con la notificación de la reunión de la Comisión a todos los que presentaron comentarios o están en la lista de correo de esta solicitud. La Comisión solo puede conceder una solicitud para una audiencia de caso impugnado sobre asuntos que el solicitante presento en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia se limitará a cuestiones de hecho en disputa o preguntas mixtas de hecho y de ley relacionadas con inquietudes relevantes y materiales sobre la calidad del aire presentadas durante el periodo de comentarios. Cuestiones como el valor de las propiedades, el ruido, la seguridad del tráfico y la zonificación están fuera de la jurisdicción de la Comisión para abordar en este procedimiento.

LISTA PARA ENVIO DE CORREO. Aparte de entregar comentarios públicos, usted puede solicitar ser incluido en una lista para envío de correo con respecto a esta solicitud al enviar su petición a la Oficina del Secretario Oficial (Office of Chief Clerk) a la dirección mencionada. Los que se encuentran en la lista para envío de correo recibirán copias de avisos públicos futuros (si hay) para esta solicitud enviados por correo por el Secretario Oficial.

CONTACTOS E INFORMACION DE LA AGENCIA Los comentarios públicos y las solicitudes deben presentarse electrónicamente en www14.tceq.texas.gov/epic/eComment/, o por escrito a la Comisión de Calidad Ambiental de Texas (TCEQ), Oficina del Secretario Principal, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Tenga en cuenta que cualquier información de contacto que proporcione, incluido su nombre, número de teléfono, dirección de correo electrónico y dirección física, formara parte del registro público de la agencia. Para obtener más información sobre esta solicitud de permiso o el proceso de autorización, llame al número gratuito del Programa de Educación Pública al 1-800-687-4040. Si desea información en español, puede llamar al 1-800-687-4040.

Puede obtener más información sobre Texas Cement Products, Inc., 4000 Pinemont Drive, Houston, Texas 77018-1104 llamando al Señor George Manrique al teléfono 713.682.8411.
Fecha de Expedición: Mayo 20, 2020

Comisión de Calidad Ambiental de Texas
AVISO DE UN PERMISO FEDERAL PARA OPERACION PRELIMINAR
Permiso Preliminar Numero: 01293

SOLICITUD Y PERMISO PRELIMINAR Total Petrochemicals & Refining USA, Inc., P.O. Box 888, Deer Park, TX 77536-0888, ha presentado una solicitud ante la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) para la renovación del Permiso Federal de Operación (en adelante denominado el Permiso) número 01293, Solicit. Núm. 29740, para autorizar la operación de la Planta de Polioropileno de La Porte, una planta de Fabricación de Materiales de Plástico y Resinas. El área a la cual se refiere la solicitud está ubicada en 1818 Independence Parkway South en La Porte, Condado de Harris, Texas 77571-9803. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.702111&lng=-95.089444&zoom=13&type=r>. Esta solicitud fue recibida por la TCEQ el 20 de noviembre de 2020.

El propósito de un Permiso Federal de Operación es mejorar el acatamiento general con las normas que gobiernan el control de la contaminación atmosférica, claramente definiendo todos los requisitos aplicables como están definidos en el Título 30 del Código Administrativo de Texas § 122.10 (30 TAC § 122.10, por sus siglas en inglés). El permiso preliminar, si es aprobado, codificará las condiciones bajo las cuales el área debe operar. El permiso no autorizará construcción nueva. El director ejecutivo ha concluido la revisión técnica de la solicitud y ha hecho una decisión preliminar para preparar el permiso preliminar para la revisión y comentario público. El director ejecutivo de la TCEQ recomienda la expedición de este permiso preliminar. La solicitud de permiso, la declaración de base y el permiso preliminar estarán disponibles para ser revisados y copiados en la Oficina Central de la TCEQ, 12100 Park 25 Circle, Building E, Primer Piso, Austin, Texas 78753, y en la Oficina Regional de Houston, 5425 Polk St Ste H, Houston, Texas 77023-1452, y en el City of La Porte City Hall, 604 W Fairmont Parkway, La Porte, Texas 77571, empezando el primer día de la publicación de este aviso. El permiso preliminar y la declaración de base están disponibles en el sitio de la TCEQ.

www.tceq.texas.gov/goto/vnotice

En la oficina central y la oficina regional también pueden revisar y copiar documentos pertinentes para el permiso preliminar, así como los permisos para la Evaluación de Nuevas Fuentes que han sido incorporados por referencia. Cualquier persona que tenga dificultades obteniendo estos materiales debido a restricciones para viajar pueden comunicarse con la sala de archivos de la Oficina Central al teléfono (512) 239-2900.

COMENTARIOS/NOTIFICACION PUBLICA Y AUDIENCIA. Cualquier persona puede entregar comentarios públicos sobre el permiso preliminar. Comentarios relacionados a la exactitud, lo completo, y lo apropiado de las condiciones del permiso pueden resultar en cambios al permiso preliminar.

Una persona que podría ser afectada por la emisión de contaminantes atmosféricos del área del sitio del permiso puede solicitar una audiencia de aviso y comentarios. El propósito de la audiencia de notificación y comentarios es proporcionar la oportunidad para entregar comentarios sobre el permiso preliminar. El permiso puede ser cambiado en base a si los comentarios relacionados con el permiso permiten el cumplimiento con el Título 30 del Código Administrativo de Texas, Capítulo 122 (ejemplos pueden incluir que el permiso no tiene todos los requisitos aplicables que correspondan a que no se cumplieron los procedimientos de aviso público). La TCEQ puede otorgar una audiencia de aviso y comentarios con respecto a esta solicitud si una petición por escrito es presentada dentro de los treinta días después de la publicación del anuncio en el diario. La solicitud de audiencia debe incluir la base de la solicitud, incluyendo una descripción de como la persona puede ser afectada por la emisión de contaminantes atmosféricos del área de la solicitud. La solicitud también debería especificar las condiciones del permiso borrador que son inapropiados o que no cumplen con el permiso preliminar para expedir o denegar el permiso es inapropiado. Todos los asuntos razonablemente verificables deben ser planteados y todos los argumentos razonablemente disponibles deben ser entregados a no más tardar al final del periodo de comentarios públicos. Si se concede una audiencia de aviso y comentario, todos los individuos que presentaron comentarios por escrito o una solicitud de audiencia recibirán confirmación por escrito de la audiencia. Esta confirmación indicará la fecha, hora y lugar de la audiencia.

Comentarios públicos por escrito y/o peticiones para una audiencia de aviso y comentarios deberían ser presentados a la Comisión de Calidad Ambiental (TCEQ), Oficina del Secretario Oficial (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087, o por internet al www14.tceq.texas.gov/epic/eComment/, dentro de treinta días después de la fecha de publicación en el periódico de este aviso. Si se comunica electrónicamente con la TCEQ, favor de notar que su correo electrónico, tal como su dirección de correo doméstico, formaran parte del archivo público de la agencia.

Un aviso de la acción final propuesta que incluye una respuesta a los comentarios y denotando cualquier cambio al permiso preliminar, será enviado a todas las personas que hayan presentado comentarios públicos. Una solicitud de audiencia o que hayan solicitado ser incluidos en la lista de correo. Este envío de correo también proveerá instrucciones para hacer peticiones públicas a la Agencia de Protección Ambiental (EPA, por sus siglas en inglés), para solicitar que la EPA considere los comentarios de la solicitud preliminar para expedir o denegar la solicitud, la EPA solamente podrá objetar a la expedición de un permiso que no cumple con los requisitos aplicables o los requisitos del 30 TAC Capítulo 122.

LISTA PARA ENVIO DE CORREO. Aparte de entregar comentarios públicos, usted puede solicitar ser incluido en una lista para envío de correo con respecto a esta solicitud al enviar su petición a la Oficina del Secretario Oficial (Office of Chief Clerk) a la dirección antes mencionada. Los que se encuentran en la lista para envío de correo recibirán copias de avisos públicos futuros (si hay) para esta solicitud enviados por correo por el Secretario Oficial.

INFORMACION. Para más información con respecto a esta solicitud de permiso o el proceso de permisos, favor de contactar a la Texas Commission on Environmental Quality (Comisión de Calidad Ambiental de Texas), Programa de Educación del Público (Public Education Program), MC-108, P.O. Box 13087, Austin, Texas 78711-3087 o llamar sin cargo al 1-800-687-4040. Puede obtener más información sobre Total Petrochemicals & Refining USA, Inc., llamando a Mr. Ben Dickson, P.E. al (281) 476-3874.
Fecha de Expedición: 26 de mayo de 2020

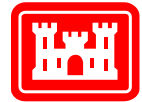
Comisión de Calidad Ambiental del Estado de Texas
AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA

PERMISO NO. W00014897001
SOLICITUD. Holy Trinity Episcopal School of Greater Houston, Inc., 11810 Lockwood Road, Houston, Texas 77044, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para modificar el Permiso No. W00014897001 (EPA I.D. No. TX 0125326) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales al agua superficial en un volumen que excede un flujo promedio diario de 60,000 galones por día. La planta está ubicada en 11810 Lockwood Road, Houston en el Condado de Harris, Texas. La ruta de descarga es del sitio de la planta a zanja de drenaje privado; de allí a una serie de zanjas del Distrito de Control de Inundaciones del Condado de Harris; desde allí a los pantanos verdes sobre la marea. La TCEQ recibió esta solicitud el March 6, 2020. La solicitud para el permiso está disponible para su revisión en línea en <https://hwy.tylenengineering.com/tceq-amendment-permit-application/>. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. [https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=d55bac44afbc468bddd3601](https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=d55bac44afbc468bddd360181682501&marker=-95.206844%29.891666&level=12)

Appendix B

Meeting Materials

Fact Sheet



**US Army Corps
of Engineers®**
Galveston District

DOW CHEMICAL HARRIS RESERVOIR EXPANSION PROJECT

June 2020



Existing Harris Reservoir

Thank you for your interest in the Dow Chemical Harris Reservoir Expansion EIS Project. This newsletter is intended to give you information about the U.S. Army Corps of Engineers' (Corps) Environmental Impact Statement (EIS) that is being prepared to support the proposed Project. We look forward to receiving your feedback.

Purpose And Need

The Corps has determined that the proposed Project is needed to utilize Dow's existing run-of-river water rights from the Brazos River to improve reliability for the existing Brazoria and Harris reservoir system during extended drought conditions. This system serves Dow's Texas Operations in Freeport as well as other industrial, community and potable water users that rely on Dow's water supply. An estimated 78,000 acre-feet of water storage capacity is necessary to provide the Texas Commission on Environmental Quality's recommended 180 days of drought resilience.

The current combined storage capacity of the existing Brazoria and Harris reservoirs is approximately 29,000 acre-feet. Therefore, the Harris Reservoir Expansion is needed to provide additional storage capacity of at least 49,000 acre-feet to provide a reliable water supply during a drought.

Join Us for the Virtual Public Scoping Meeting for the Project on June 17, 2020 at 4 p.m. CST

The Corps has scheduled a Public Scoping Meeting for the Dow Chemical Harris Reservoir Expansion Project EIS. **This virtual scoping meeting will be held online at 4 p.m. CST on June 17, 2020.**

More information about accessing the Scoping meeting is available at www.publicinput.com/Dow-Reservoir-EIS

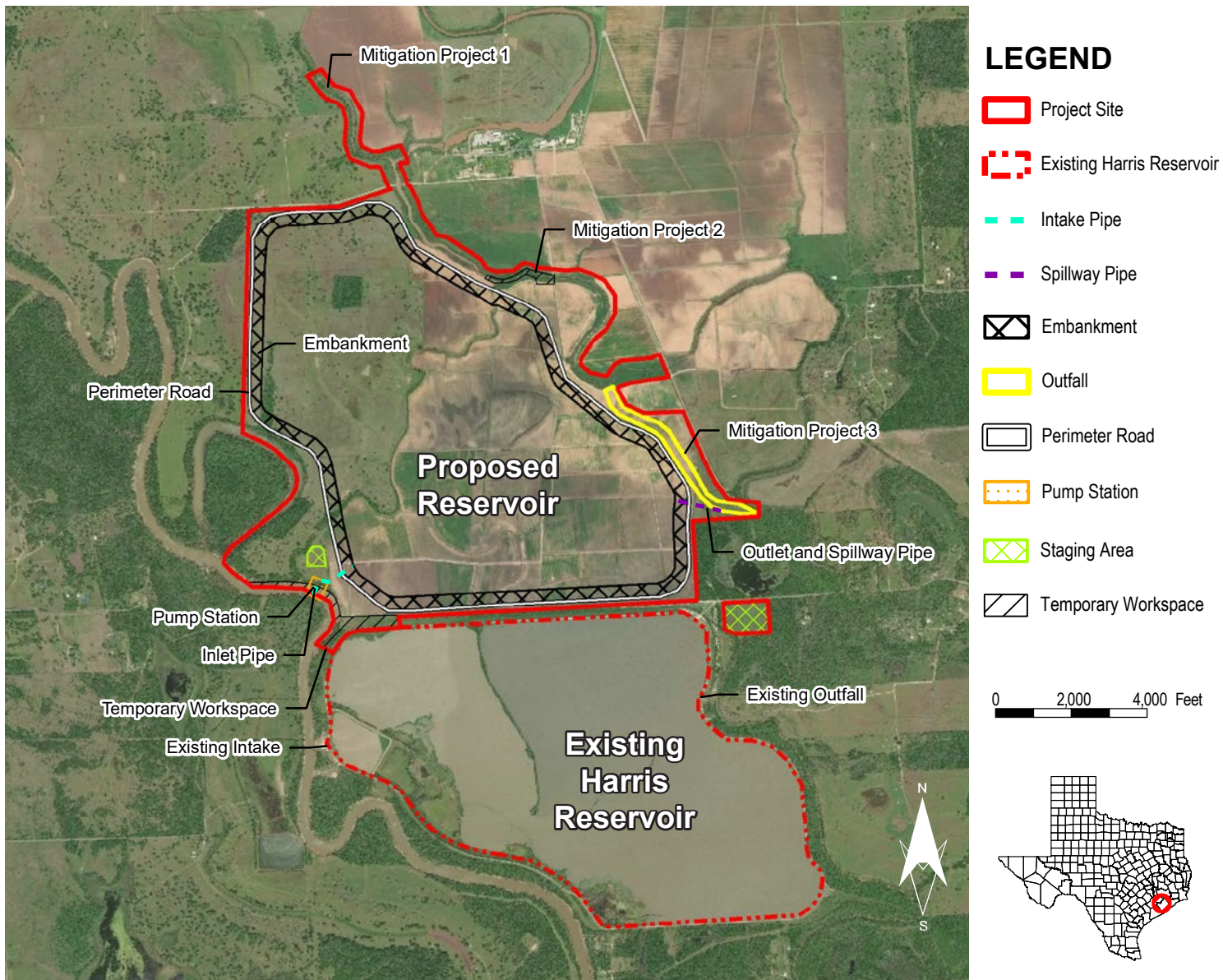
The public meeting will be presented online on this project website to provide information about the proposed Project and to receive public input and comment on the draft EIS. Access information, instructions, an opportunity to subscribe to project updates, and additional information regarding this project is available on this project website.

How to Provide Comments

There are multiple ways to provide comments:

1. Submit written comments online at www.publicinput.com/Dow-Reservoir-EIS
2. Email Dow-Reservoir-EIS@publicinput.com
3. Text "DOW" or 369 to 855-925-2801 to submit a text message
4. Call 855-925-2801 (dial 8816) to leave a voice message

All comments will be considered equally.



Project Location and Description

The proposed Project is located between the Brazos River and Oyster Creek approximately eight miles northwest of the City of Angleton. The proposed Project includes the construction of an on-channel impoundment reservoir with a total storage capacity of 50,000 acre-feet that would be located directly upstream and adjacent to the existing Harris Reservoir. The proposed reservoir would cover approximately 2,000 acres and would include a pumped intake station on the Brazos River and a gravity outfall to Oyster Creek through the construction of a new bypass channel. The proposed reservoir would operate with the existing Harris and Brazoria reservoirs in a manner similar to current operations. During periods of drought, the proposed reservoir would be augmented by the existing Harris Reservoir, and then the Brazoria Reservoir. As with current operations, emergency releases would occur due to severe weather, such as tropical storms and hurricanes exhibiting wind speeds that could potentially overtop the embankments.

The proposed Project includes plans for Oyster Creek restoration under three projects (referred to as Restoration Projects 1, 2, and 3) to enhance flood capacity and to provide restoration and enhancements of the plant habitats and communities along the river bank (riparian area). The proposed stream restoration includes creating flat or shallowly sloped areas above the channel to slow velocities during storm events, enhancing root preservation and re-establishment up to 200 feet.

- Project 1 is located on a 3,600-linear-foot unnamed tributary to Oyster Creek.
- Project 2 is located on a 12,860-linear-foot segment of Oyster Creek.
- Project 3, located on an 11,200-linear-foot segment of Oyster Creek, would serve as a receiving channel conveying overflows during storms providing additional hydraulic conveyance capacity in the floodplain and would provide additional flood storage capacity by receiving backwater from Oyster Creek at the downstream end of the project during flood events.



Existing Harris Reservoir Outfall

What is an Environmental Impact Statement?

An Environmental Impact Statement, or an EIS, is an analysis prepared under the National Environmental Policy Act (NEPA) and includes a public participation component. A federal agency must prepare an EIS if it is proposing a major federal action that has a significant effect on the quality of the natural and human environment in order to comply with NEPA. NEPA established our country's national environmental policy in 1969 so that the environmental review process seeks to facilitate better informed decisions and involve citizens. The Corps will seek to involve the many stakeholders throughout the EIS process for Dow's proposed Harris Reservoir Expansion project.

The EIS will assess the affected environment (existing conditions) and analyze the potential environmental impacts to resources. Resources for this EIS include soils, water quality, wetlands, wildlife, threatened and endangered species, and cultural resources. The Project area is mostly agricultural land and pasture with smaller areas of forested habitat and wetlands. The Corps has verified that there are acres of palustrine wetlands and 74.1 acres of waterbodies within the Project area. Potential habitat for the threatened whooping crane, Texas fawn foot, and other sensitive bird, reptile, and mussel species may be present.

Who is Involved in the EIS Process?

The Corps is lead agency under NEPA in the preparation of the EIS and the U.S. Environmental Protection Agency, or EPA, and the U.S. Fish and Wildlife Service are cooperating agencies under NEPA for this EIS. The Corps has engaged a third-party contractor to assist in the preparation of the EIS that includes subject matter experts ranging from hydrologists and biologists to social scientists. In addition, the Texas Commission on Environmental Quality, Texas Parks and Wildlife Department and the Texas Historical Commission are participating agencies.

Corps Permitting

The Corps received a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company for the proposed Project (SWG-2016-01027) and issued a public notice on March 2, 2018. The purpose of the public notice was to initiate an early public scoping process to solicit comments and information from the public as well as state and federal agencies to better enable us to make a reasonable decision on factors affecting the public interest. All comments received in response to the public notice will be included in the scope of the EIS.

The EIS Process



U.S. Army Corps of Engineers
(the Lead Agency)



DOW
Dow Chemical
(The Applicant)



You
The Public and Local Stakeholders

1

I am doing a project and Federal dollars or permits are involved.

My agency needs to prepare an Environmental Impact Statement (EIS).

2

I'm going to prepare an EIS, and I need your help!

Possible Noticing Methods

News EIS is Coming!

EIS is Coming!

EIS is Coming!

3

Scoping Meeting

Please consider the following:

We Are Here

4 **Potential Effects**

Socioeconomic

Natural Environment

Air and Water Quality

Historic and Cultural

5

My comments on the DEIS are:

6 Here are the proposed Alternatives.

Draft EIS

No Action Alternative

Preferred Alternative

Alternative 2

Alternative 3

My comments on the DEIS are:

7

My comments on the DEIS are:

8 Here are the proposed Alternatives.

Final EIS

No Action Alternative

Preferred Alternative

Alternative 2

Alternative 3

I see that you included my comments in the summary.

9 Here is the Record of Decision. You'll need to follow the conditions of the USACE Permit.

USACE Permit ROD

Get Involved

You may participate in this process by providing comments for the Project team's consideration. Public involvement is essential in assessing the environmental consequences of the proposed Project and improving the quality of environmental decision making. The Corps is using this meeting to receive citizens' ideas on the potential issues and impacts of the Project on the natural and human environment. These ideas will be addressed in the environmental impacts analysis to help determine the scope of the EIS. In addition to these ideas, the Corps specifically seeks the public's input on the problems, opportunities, and potential alternatives that the reservoir expansion improvements may address. All comments received in response to the public notice will be included in the scope of the EIS.

The Corps encourages full public participation to promote open communication on the issues surrounding the EIS for the proposed Project. In addition, participation by federal, state, regional, and local agencies and other interested organizations is encouraged.

How Do I Submit Comments for the Proposed Project?

There are multiple ways to provide comments:

1. Submit written comments online at www.publicinput.com/Dow-Reservoir-EIS
2. Email Dow-Reservoir-EIS@publicinput.com
3. Text "DOW" or 369 to 855-925-2801 to submit a text message
4. Call 855-925-2801 (dial 8816) to leave a voice message

All comments will be considered equally.

All comments must be received or postmarked by **Thursday, July 2, 2020**.

Register at www.publicinput.com/Dow-Reservoir-EIS to be added to the project mailing list.

Floodplain Discussion Fact Sheet



**US Army Corps
of Engineers®**
Galveston District

DOW CHEMICAL HARRIS RESERVOIR PROJECT SITE FLOODPLAIN DISCUSSION

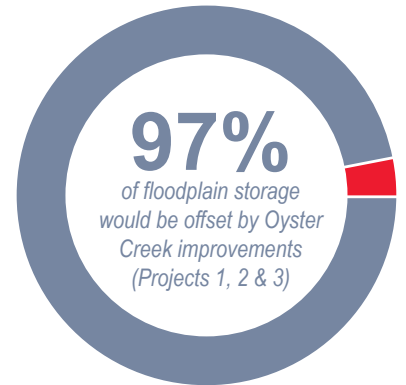
June 2020

The floodplain in this area is typical of low coastal plains that are flood prone areas that are mainly undeveloped or in agriculture. Floodplains are hydrologically and hydraulically connected to adjacent channels. Hydrologically, the movement of water through the water cycle and hydraulics refers to the water moving through a specific location such as a river stream or channel. The floodplain provides beneficial functions such as water storage and dissipation of water velocities during flood events. Development in these areas can result in loss of life or property when flooding occurs. The draft planning level floodplain analysis found that although current plans or structures improve events, projects would offset the majority of loss of floodplain storage once the reservoir is constructed there would remain approximately 100 percent of unaccounted for floodplain storage loss.

Existing floodplain conditions downstream of the proposed project location developed land and the floodplain provides adequate area for flood waters to spread during big storm events. This would be noted however that as development increases in the watershed additional unaccounted for floodplain losses may occur and can result in cumulative effects that exacerbate flooding in the area. It continues to work on design changes to address this floodplain storage loss.

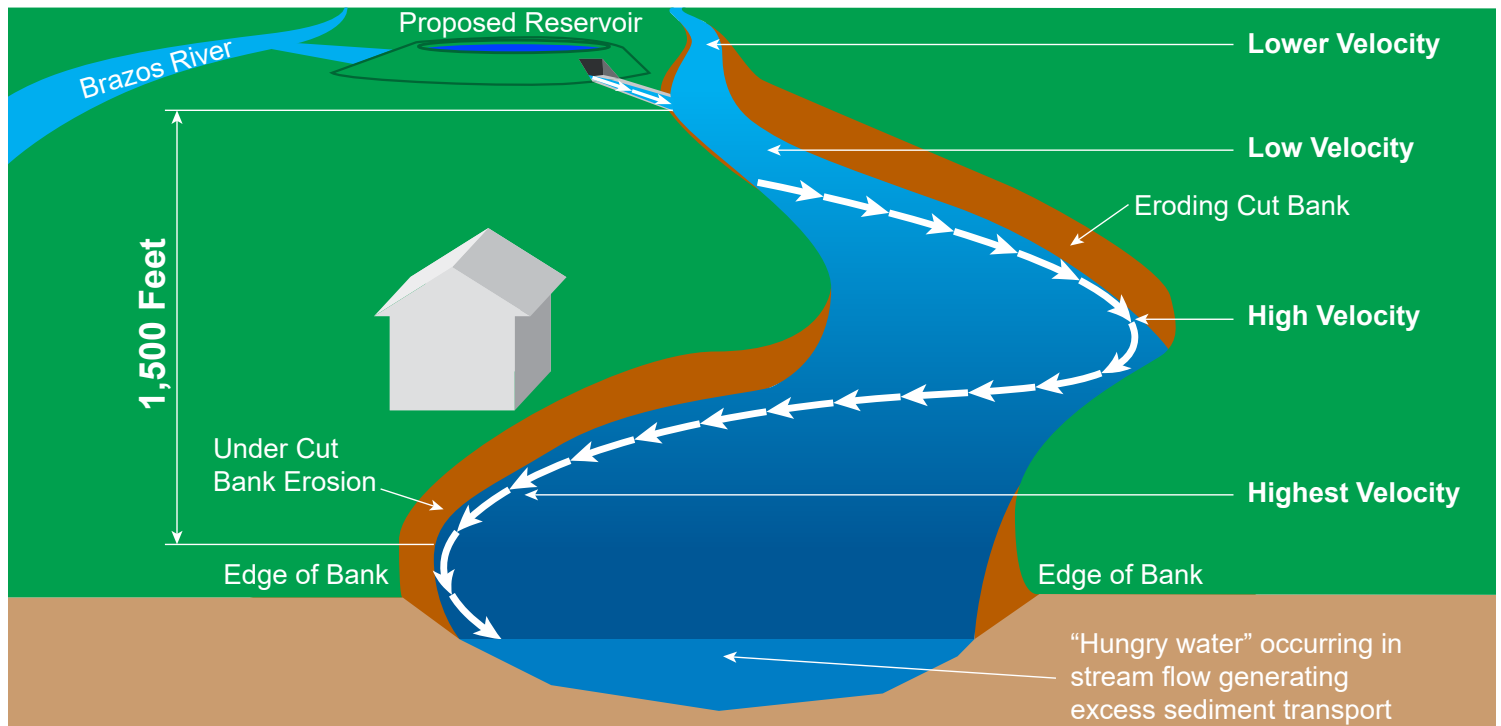
The proposed project may have hydraulic effects or approximately 100 percent downstream of the structure outfall as well. These changes referred to as hydrodication can include changes in the velocities and timing of flows as they move through a stream. This can result in ungravel water that is sediment starved and erosion downstream.

Floodplain Storage Loss Effects



For more information
[www.publicinput.com/
Dow-Reservoir-EIS](http://www.publicinput.com/Dow-Reservoir-EIS)

Oyster Creek Hydromodification



Introduction Video

Dow Harris Reservoir Expansion Project EIS
Introduction Video



Frequently Asked Questions Handout

FAQS: DOW CHEMICAL HARRIS RESERVOIR EXPANSION PROJECT ENVIRONMENTAL IMPACT STATEMENT

What is being studied in the environmental impact statement (EIS)?

The Dow Chemical Company (Dow or the Applicant) is proposing to provide additional water storage capacity by constructing an off-channel (upland) reservoir and associated infrastructure located immediately north of the existing Harris Reservoir site. The off-channel reservoir would include a 1,929-acre impoundment with a nominal storage capacity of 50,000 acre-feet, an intake and pump station to divert Dow's existing surface water rights from the Brazos River, an outlet to Oyster Creek, and an emergency spillway. The Project also includes floodplain enhancements in Oyster Creek, stream restoration, and temporary construction staging and laydown areas. The proposed off-channel reservoir would be operated in conjunction with the existing Brazoria and Harris Reservoirs to supplement the total available storage capacity and to provide additional operational flexibility.

Why is the Proposed Action needed?

The Project facilities are intended to provide a reliable water supply from the Brazos River for Dow's Texas Operations in Freeport, Texas, and other users of Dow's water supply system, including the Brazosport Water Authority during extended periods of low stream flows and/or drought.

What is the U.S. Army Corps of Engineers' (Corps) relationship with the applicant?

The Corps has no relationship with the Applicant in regard to this Project and is neither for nor against the Project. The Corps has a responsibility to review the Applicant's proposed Project with the same objectivity as it would any permit application and make a permit decision under the Corps' statutory authorities.

Is the Project already approved and going to be built?

No.

What is the Corps' role in reviewing this project?

The Applicant has applied for authorization under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. It is the Corps' responsibility to evaluate their application and ultimately make permit decisions (approval or denial) under the Corps' authorities.

Are any other agency reviews required based on the Applicant's submittal of the permit application?

The permit application is subject to reviews under the Endangered Species Act, National Historic Preservation Act, Coastal Zone Management Act, and Section 401 of the Clean Water Act (Water Quality Certification). The Corps has invited the U.S. Fish and Wildlife Service, Texas Historical Commission, and the Texas Commission on Environmental Quality, respectively, to coordinate these reviews.

What is the National Environmental Policy Act (NEPA)?

NEPA requires federal agencies to engage in a review process to evaluate the potential environmental and public health effects of a proposed action and to involve the public before a decision is made or construction begins.

A NEPA-mandated review must be completed before an agency makes a final decision on a proposed action. NEPA does not require the decision-maker to select the most environmentally preferable alternative, but NEPA does require that decision-makers be informed of the environmental consequences of their decisions. Analysis under NEPA should be informed by NEPA's policy goals, which include assuring a safe and healthful environment for future generations.

Is the Corps studying alternatives to the Proposed Action?

The Corps compiles a range of alternatives to be considered that meet the overall project purpose with consideration of the Applicant's objectives. The alternatives compilation will include the No Action alternative, any alternatives considered by the Applicant, and alternatives suggested during the scoping process.

Has the Corps determined the overall project purpose?

Yes, the Corps has concluded that the overall project purpose is: "To utilize Dow's existing run-of-river water rights from the Brazos River to improve reliability during extended drought conditions for the existing water supply system that serves Dow's Texas Operations in Freeport. Based on modeling, Dow estimates that 78,000 acre-feet of water storage capacity is necessary to provide Texas Commission on Environmental Quality's recommended 180 days of drought resilience."

Will the Corps seriously consider the No Action alternative? What factors might lead to its selection?

The Corps cannot be pre-decisional; therefore, the process will be required to analyze and consider the No Action alternative. In the context of Corps' evaluation, the No Action alternative constitutes an action that would not include the discharge of fill material into waters of the U.S.

What is scoping?

Scoping is the process of identifying the elements of the environment to be evaluated in an EIS. Scoping is intended to help identify and narrow the issues to those that are significant. Scoping includes a public comment period so that the public and other agencies can comment on key issues and concerns. Following the comment period, the Corps considers all comments received and determines the scope of review for the NEPA environmental analysis.

Is the scoping meeting a public hearing?

No. A scoping meeting is not a public hearing. Public hearings have formal procedural and legal steps that differ from scoping meetings. NEPA is intended to identify and evaluate potentially significant environmental impacts and mitigation measures that could avoid, reduce, or minimize adverse environmental impacts. The EIS is an objective, comprehensive document used by agency decision-makers to inform their permitting and other decisions. Although scoping meetings are not required by NEPA, the Corps decided to offer both agency and public meetings where people could learn more about the proposal and provide written and/or verbal comments to help inform the draft EISs. People do not have to attend scoping meetings to submit comments—there are a variety of ways to do this and all comments are treated equally.

What should scoping comments address?

Public comments on the scope of the EIS help the agencies determine what should be addressed in each document. Comments may address any or all of the following:

- A reasonable range of alternatives (identification of an alternative site for a terminal, or identification of an alternative approach to bulk material handling that achieves the proposal's objective).
- Potentially affected resources and extent of analyses (identification of natural, cultural, or community resources that will be potentially affected and the extent of study and analyses that is needed to understand the potential impacts).
- Significant unavoidable adverse impacts.
- Measures to avoid, minimize, and mitigate (offset) effects of the proposal.

Does it matter what method people use to comment during scoping?

No. All comments are valued equally no matter what method is used. It doesn't matter if a comment is submitted online, via U.S. mail, by electronic mail, or recorded verbally. All comments are considered equal by the Corps. But remember that only those comments submitted within the scoping period dates are considered for each draft EIS.

What is an EIS?

Federal agencies prepare an EIS if a proposed major federal action is determined to significantly affect the quality of the human environment. An EIS is a detailed written statement that defines the purpose and need for a project; considers a range of reasonable alternatives (including a No Action alternative); analyzes and evaluates the potential direct, indirect, and cumulative environmental impacts that may result from a proposed action and reasonable alternatives that meet the purpose and need; and identifies measures that may mitigate the effects of a proposed action.

An EIS includes the following:

- Executive summary. A summary of the EIS, including the major conclusions, areas of controversy, and the issues to be resolved.
- Table of contents. Assists the reader in navigating through the EIS.
- Purpose and need statement. Explains the reason the agency is proposing the action and what the agency expects to achieve.
- Alternatives. The EIS must consider all reasonable project alternatives that can accomplish the purpose of and need for the proposed action. For all project alternatives that were eliminated, the EIS must briefly discuss the reasons why the alternative was eliminated from consideration.
- Affected environment. Describes the environment of the area to be affected by the alternatives under consideration.
- Environmental consequences. A discussion of the direct and indirect environmental effects and their significance.
- Mitigation. Describes measures to be taken to minimize harm from the proposed action and reasonable alternatives.
- List of preparers. A list of the names and qualifications of the persons who were primarily responsible for preparing the EIS.
- List of agencies, organizations, and persons to whom the EIS was sent.
- Index. The index focuses on areas of reasonable interest to the reader.
- Appendices (if required). Appendices provide background materials prepared in connection with the EIS.

What is the difference between a draft EIS and a final EIS?

A draft EIS provides the public and agency decision-makers with information on likely significant adverse environmental impacts of a proposal and alternatives and on mitigation measures to reduce impacts. Following publication of the draft EIS, a comment period of no less than 30 days begins.

A final EIS includes all comments received on the draft EIS and responses from the Corps and may include revisions to the draft EIS based on comments received and new information learned. Publication of the final EIS begins the minimum 30-day “wait period,” in which agencies are generally required to wait 30 days before making a final decision on a proposed action.

How will I know when the draft EIS is issued and where will it be available?

The draft EIS is tentatively scheduled to be released in March 2021. Should the schedule change, updated information will be posted on the Corps’ project web site. A notice of availability and a copy of the draft EIS will be posted on the Corps’ project web site at <https://www.swg.usace.army.mil/Business-With-Us/Regulatory/Special-Projects-Environmental-Impact-Statements/>.

What is a record of decision (ROD)?

The ROD is a concise public document that records a Federal agency's decision(s) concerning a proposed action for which the agency has prepared an EIS. The ROD includes: 1) an explanation of the agency’s decision; 2) describes the alternatives the agency considered; and 3) discusses the agency’s plans for mitigation and monitoring, if necessary. The ROD will be provided on the Corps’ project website at <https://www.swg.usace.army.mil/Business-With-Us/Regulatory/Special-Projects-Environmental-Impact-Statements/>.

What is Executive Order 13807 – Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure?

This Executive Order requires Federal agencies to process environmental reviews and authorization decisions for "major infrastructure projects" as One Federal Decision. That means that all Federal agencies with environmental review, authorization, or consultation responsibilities for major infrastructure projects will develop a single EIS for such projects, sign a single ROD and issue all necessary permits, if authorized, within 90 days after the ROD.

What is the anticipated schedule for the EIS?

The schedule for the EIS and ROD is located on the Permitting Dashboard for Infrastructure Projects where One Federal Decision projects are tracked: <https://www.permits.performance.gov/permitting-project/dow-chemical-companys-harris-reservoir-expansion-eis>.

What are the opportunities for providing input?

Public participation is an important part of developing an EIS under NEPA. Submitting substantive and concise comments during the scoping period is an important role the public plays in the NEPA process and can influence the scope of analysis for the EIS. The public is also provided with an opportunity to review the draft EIS and submit comments on the analyses contained within. These comments are considered and addressed during preparation of the final EIS.

When and how will my comments be considered in preparing the EIS?

Formal requests for comment occur during two important phases of an EIS:

- During the scoping period, the public is asked to comment on the issues and potential impacts that should be addressed in the EIS. The public is also asked to suggest alternatives to the proposed action that should be considered for evaluation in the EIS.
- Once the draft EIS is released for public review and comment, the public is given the opportunity to submit comments in written form via the project website and orally at public meetings on the draft EIS. All comments submitted will be put into the record, analyzed, and considered in relation to the scope and potential impacts identified within the draft EIS and in making changes to the draft EIS during the preparation of the final EIS. The Corps is required to prepare responses to comments submitted on the draft EIS; comments submitted and responses will be included in the final EIS.

How can I make my comments the most effective?

- Be clear, concise, and organized. Decide what you need to say before you begin. Developing an outline, if you have a number of points, is a good idea to help you group your comments in a logical order. Jumping back and forth between several topics reduces the impact of your argument.
- Be specific. Saying that you are against a project will not have as much effect as saying why. It is always a good idea to give as much support as possible to your comments. Include as much factual information as possible. For instance, you can compare how things were to how they are and to how you believe they will be in the future—and why. Support your statements with explanations, facts, and references, as appropriate.
- Identify possible solutions. Suggestions on reasonable mitigation (conditions to avoid, minimize, or reduce adverse impacts) may help shape a questionable project into a welcome addition to a community. After identifying your concern, whenever possible, suggest possible solutions.

Who makes the final decision whether the proposal is approved or not?

No single agency makes a final approval or disapproval for the entire proposal. The proposal will need multiple permit decisions from a variety of federal, state, and local agencies. Permit decisions by federal, state, and local agencies cannot be made until after the EIS process is complete. Each permit has its own regulatory process, timeline, and requirements.

Where do I vote on the proposal?

The EIS process is not a vote. NEPA is intended to identify and evaluate probable environmental impacts and for the development of mitigation measures that would reduce adverse environmental impacts. An EIS is an impartial, comprehensive document that is used by agency decision-makers for their permitting processes.

Where can more information be found regarding the EIS process?

For more detailed information, please see “A Citizen’s Guide to NEPA” (https://ceq.doe.gov/docs/get-involved/Citizens_Guide_Dec07.pdf) published by the White House Council on Environmental Quality.

Appendix C

Project Website


[Translate](#)


DOW Harris Reservoir Expansion Environmental Impact Statement

Welcome to the DOW Harris Reservoir Third-Party EIS Project

Thank you for your interest in the Dow Chemical Harris Reservoir Expansion EIS Project. This project website is intended to give you information about the U.S. Army Corps of Engineers' Environmental Impact Statement (EIS) that is being prepared to support the proposed Project. We look forward to receiving your feedback.

Thank you for joining us for the June 17, 2020 Virtual Scoping Meeting

You may still provide your comments through July 2, 2020.

Get involved by **submitting written comments online**, **calling 855-925-2801** (enter 8816) to leave us a voice message, or **text DOW to 855-925-2801**.

[Welcome!](#)
[About the Proposed Project](#)
[About the EIS Process](#)
[Get Involved](#)

Special Public Notice Public Scoping Meeting for The Harris Reservoir Expansion Project

**NOTICE OF PUBLIC SCOPING MEETING FOR DOW CHEMICAL COMPANY'S
HARRIS RESERVOIR EXPANSION PROJECT, BRAZORIA COUNTY, TEXAS (DEPARTMENT OF THE
ARMY PERMIT NUMBER SWG-2016-01027)**

PURPOSE OF PUBLIC NOTICE: To inform you that the U.S. Army Corps of Engineers, Galveston District (Corps) has scheduled a Public Scoping Meeting on June 17, 2020 for an Environmental Impact Statement (EIS), for 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.

BACKGROUND: The U.S. Army Corps of Engineers, Galveston District (Corps) received a permit application for a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company (Dow) for the Harris Reservoir Expansion Project (proposed Project). The Corps is the lead Federal agency under National Environmental Policy Act (NEPA) and the President's Council on Environmental Quality regulations and intends to prepare an environmental impact statement (EIS) for the proposed Project. The U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service are cooperating agencies under NEPA and the Texas Commission on Environmental Quality, Texas Parks and Wildlife Department and the Texas Historical Commission are participating for the preparation of the EIS. The DA permit application was first advertised by an extended Public Notice issued March 2, 2018.

The proposed Project is located adjacent to the existing Dow Chemical Harris Reservoir in the city of Angleton, Brazoria County, Texas (Latitude: 29.270980566714° North, Longitude: -95.543290603221° West). The proposed Project would include the construction of a 1,529-acre impoundment with a nominal storage capacity of 50,000 acre-feet, an intake and pump station to divert Dow's existing surface water rights from the Brazos River, an outlet to Oyster Creek, and an emergency spillway. The Project would also include floodplain enhancements on Oyster Creek, stream restoration, and temporary construction staging and laydown areas. Dow proposed the Project.

SCOPING PROCESS/PUBLIC INVOLVEMENT: A virtual scoping meeting will be held **online at 4:00 p.m. on June 17, 2020**. The public meeting will be presented online to provide information about the proposed Project and to receive public input and comment on the draft EIS. Access information, instructions, an opportunity to subscribe to project updates, and additional information regarding this project will be made available prior to the virtual meeting at <https://www.publicinput.com/Dow-Reservoir-EIS>.

The Corps invites full public participation to promote open communication on the potential concerns surrounding the draft EIS. In addition, participation by Federal, State, local agencies and other interested organizations is encouraged. Both oral and written statements will be accepted at the meeting through several channels including a virtual comment portal, telephone, and text message. Materials and visual depictions of the proposed Project and associated impacts will be available.

Each speaker will be given 3 minutes. Please keep your time to 3 minutes or less. If you do not need the full 3 minutes, help us to move the process along by only using the time you need. If you have additional comments that you'd like to submit beyond what you're able to address during your time allotted, please submit them in writing. Written comments are just as valid and count the same as verbal comments presented during the Public Scoping Meeting. Questions for Dow related to the proposed Project or the Corps' regulatory and Civil Works process may be submitted to the website referenced above or via email, text message or phone call to the toll-free number 855-925-2801. For text message comments, please text "DOW" or 369 to 855-925-2801.

The public meeting will be conducted in English. Those in need of language interpreters should contact the Corps' Public Involvement consultant, Hollaway Environmental Communications Services, Inc. (713) 868-1043, by June 10, to make arrangements. Every effort will be made to address requests.

Any comments received at the virtual public meeting will be considered by the Corps to assist in determining whether to issue, modify, condition, or deny a permit for the Project. Comments will be considered in the draft EIS analysis pursuant to NEPA and used to help determine the overall public interest of the proposed Project. All comments must be received or postmarked by Thursday, July 2, 2020, (15 calendar days following the public meeting).

ADDRESSES: Written comments regarding the proposed EIS scope should be addressed to Mr. Jayson Hudson, USACE, Galveston District, Regulatory Branch, P.O. Box 1229, Galveston, Texas 77553-1229. Individuals who would like to electronically provide comments should contact Mr. Hudson by electronic mail at: SWG201601027@usace.army.mil. Emailed comments, including attachments, should be provided in .doc, .docx, .pdf or .txt formats.

FOR FURTHER INFORMATION CONTACT: For information about this project, to be included on the mailing list for future updates and meeting announcements, or to receive a copy of the Draft EIS when it is issued, contact Mr. Jayson Hudson, at the Corps at (409) 766-3108, the email address SWG201601027@usace.army.mil, or the address provided above.

Corps Public Scoping Meeting on June 17, 2020 at 4 p.m. CST

The U.S. Army Corps of Engineers, Galveston District (Corps) has scheduled a Public Scoping Meeting for the Dow Chemical Harris Reservoir Expansion Project Environmental Impact Statement (EIS). **This virtual scoping meeting will be held online at 4 p.m. CST on June 17, 2020.**

The public meeting will be presented online on this project website to provide information about the proposed Project and to receive public input and comment on the draft EIS. Access information, instructions, an opportunity to subscribe to project updates, and additional information regarding this project is available on this project website.

How to Provide Comments

There are multiple ways to provide comments:

1. Visit the "Get Involved and Provide Comments" Page to submit comments online
2. Email Dow.Reservoir.EIS@publicinput.com
3. Text "DOW" or 369 to 855-925-2801 to submit a text message
4. Call 855-925-2801 (dial 8816) to submit a voice message

This website page will be updated with additional information closer to our meeting date on June 17, 2020.

[Continue](#)

USACE Scoping Meeting

Presentation



Harris Reservoir Expansion Video



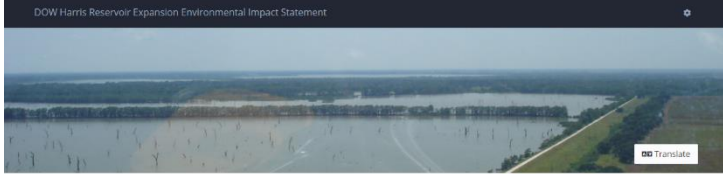
Dow Harris Reservoir Expansion

Project EIS Introduction Video



Documents

- DOW Harris Reservoir Expansion Project - NEPA FAQ - May 27, 2020.pdf
- ENGLISH - FINAL DRAFT_DOW EIS Public Notice 5-21-2020.pdf
- Dow EIS Factsheet June 2020.pdf
- Dow EIS Floodplain Discussion June 2020.pdf



DOW Harris Reservoir Expansion Environmental Impact Statement

Welcome to the DOW Harris Reservoir Third-Party EIS Project

Thank you for your interest in the Dow Chemical Harris Reservoir Expansion EIS Project. This project website is intended to give you information about the U.S. Army Corps of Engineers' Environmental Impact Statement (EIS) that is being prepared to support the proposed project. We look forward to receiving your feedback.

Thank you for joining us for the June 17, 2020 Virtual Scoping Meeting

You may still provide your comments through July 2, 2020.

Get involved by **submitting written comments online, calling 855-925-2801 (enter 8816) to leave us a voice message, or text DOW to 855-925-2801.**

Welcome! [About the Proposed Project](#) [About the EIS Process](#) [Get Involved](#)

Purpose and Need

The Corps has determined that the proposed Project is needed to utilize Dow's existing run-of-river water rights from the Brazos River to improve reliability for the existing Brazoria and Harris reservoir water during extended drought conditions. This system serves Dow's Operations in Freeport as well as other industrial, community and potable water users that rely on Dow's water supply. An estimated 78,000 acre-feet of water storage capacity is necessary to provide the Texas Commission on Environmental Quality's recommended 180 days of drought resilience.

The current combined storage capacity of the existing Brazoria and Harris reservoirs is approximately 23,000 acre-feet. Therefore, the Harris Reservoir Expansion is needed to provide additional storage capacity of at least 49,000 acre-feet to provide a reliable water supply during a drought.

Project Location and Description

The proposed Project is located between the Brazos River and Oyster Creek approximately eight miles northwest of the City of Angleton. The proposed Project includes the construction of an off-bank impoundment reservoir with a nominal storage capacity of 50,000 acre feet that would be located directly upstream and adjacent to the existing Harris Reservoir. The proposed reservoir would cover approximately 2,000 acres and would include a pumped intake station on the Brazos River and a gravity outfall to Oyster Creek through the construction of a new bypass channel.

The proposed reservoir would operate with the existing Harris and Brazoria reservoirs in a manner similar to current operations. During periods of drought, the proposed reservoir would be exhausted first, followed by the existing Harris Reservoir, and then the Brazoria Reservoir. As with current operations, emergency releases would occur due to severe weather, such as tropical storms and hurricanes exhibiting wind speeds that could potentially overtop the embankments.

The proposed Project includes plans for Oyster Creek restoration under three projects (referred to as Restoration Projects 1, 2, and 3) to enhance the flood capacity and to provide restoration and enhancements of the plant habitats and communities along the river bank (riparian area). The proposed stream restoration includes creating flat or shallowly sloped areas above the bankfull height to slow high velocity flows during storm events (bankfull benches), 100-foot buffer preservation, and buffer re-establishment up to 200 feet.

- Project 1 is located on a 3,800-linear-foot unnamed tributary to Oyster Creek.
- Project 2 is located on a 12,890-linear-foot segment of Oyster Creek.
- Project 3, located on an 11,200-linear-foot segment of Oyster Creek, would serve as a receiving channel conveying overflows from Oyster Creek during high flows by providing additional hydraulic conveyance capacity in the floodplain and would provide additional flood storage capacity by receiving backwater from Oyster Creek at the downstream end of Project 3 during flood events.

The Harris Reservoir Expansion Project is currently a proposed project, which is why the scope of analysis has been conducted to:

- determine any significant environmental issues;
- serve as mechanism to solicit agency and public input on alternatives and issues of concern; and
- ensure full and open participation in scoping for the Draft EIS.

Proposed Project Area

Zoom in to view the proposed project area.



Corps Ongoing Environmental Clearance and Permitting

The Corps received a U.S. Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act from Dow Chemical Company for the proposed Project (SWG-2016-01027) and issued a public notice on March 2, 2018. The purpose of the public notice was to initiate an early public scoping process to solicit comments and information from the public as well as state and Federal agencies to better enable us to make a reasonable decision on factors affecting the public interest.

Documents

- DOW Harris Reservoir Expansion Project - NEPA FAQ - May 27, 2020.pdf
- ENGLISH - FINAL DRAFT_DOW EIS Public Notice 5-21-2020.pdf
- Dow EIS Factsheet June 2020.pdf
- Dow EIS Floodplain Discussion June 2020.pdf

Continue

USACE Scoping Meeting

Presentation



Harris Reservoir Expansion Video



Dow Harris Reservoir Expansion

Project EIS Introduction Video



Documents

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- Dow EIS Floodplain Discussion June 2020.pdf



DOW Harris Reservoir Expansion Environmental Impact Statement

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Thank you for joining us for the June 17, 2020 Virtual Scoping Meeting

You may still provide your comments through July 2, 2020.

Get involved by **submitting written comments online, calling 855-925-2801 (enter 8816) to leave us a voice message, or text DOW to 855-925-2801.**

Welcome! > About the Proposed Project > **About the EIS Process** > Get Involved >

Where are we in the EIS process?

An EIS, or Environmental Impact Statement, is prepared in a series of steps. The first step, referred to as "Scoping", involves an open process where government and public comments are gathered to define issues that will be analyzed in the EIS. After the Scoping stage, the draft EIS is prepared and is then made available for public and agency review; the project team will then receive and respond to public comments on the draft EIS and prepare the final EIS in consideration of all feedback received during the EIS process. Decisions are not made in an EIS; rather, the EIS analysis serves as one of several factors decisionmakers consider. The decision is announced in the Record of Decision after the final EIS has been published.

We are currently in the Scoping stage of the EIS process. After reviewing comments and constraints identified by the public and coordinating with the appropriate federal, state, regional, and local agencies, our team will then proceed with developing alternatives for future public review in the Draft EIS.

What is an Environmental Impact Statement (EIS)?

An EIS is an analysis prepared under the National Environmental Policy Act (NEPA) and includes a public participation component. A federal agency must prepare an EIS if it is proposing a *major federal action* that may significantly affect the quality of the natural and human environment to comply with NEPA. NEPA established our country's national environmental policy in 1969 so that the environmental review process seeks to facilitate better informed decisions and involve citizens. The Corps will seek to involve the many stakeholders throughout the EIS process for Dow's proposed Harris Reservoir Expansion project.

Who is involved in the EIS process?

The Corps is lead agency under NEPA in the preparation of the EIS and the U.S. Environmental Protection Agency, or EPA, and the U.S. Fish and Wildlife Service are cooperating agencies under NEPA for this EIS. The Corps has engaged a third-party contractor to assist in the preparation of the EIS that includes subject matter experts ranging from hydrologists and biologists to social scientists. In addition, the Texas Commission on Environmental Quality, Texas Parks and Wildlife Department and the Texas Historical Commission are participating agencies.

How do I participate in the EIS process?

You may participate in this process by providing comments for the Project team's consideration. Public involvement is essential in assessing the environmental consequences of the proposed Project and improving the quality of environmental decision making. The Corps is using this meeting to receive citizens' ideas on the potential issues and impacts of the Project on the natural and human environment. These ideas will be addressed in the environmental impacts analysis to help define the scope of the EIS. In addition to these ideas, the Corps specifically seeks the public's input on the problems, opportunities, and potential alternatives that the reservoir expansion improvements may address. All comments received in response to the public notice will be included in the scope of the EIS.

The Corps encourages full public participation to promote open communication on the issues surrounding the EIS for the proposed Project. In addition, participation by federal, state, regional, and local agencies and other interested organizations is encouraged.

Please visit the [Get Involved and Provide Comments Page](#) to submit comments today. Note that all comments must be received or postmarked by Thursday, July 2, 2020.

[Continue](#)

USACE Scoping Meeting

Presentation



Harris Reservoir Expansion Video



Dow Harris Reservoir Expansion

Project EIS Introduction Video



Documents

[DOW Harris Reservoir Expansion Project - NEPA FAQ - May 27, 2020.pdf](#)

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[Dow EIS Factsheet June 2020.pdf](#)

[Dow EIS Floodplain Discussion June 2020.pdf](#)




DOW Harris Reservoir Expansion Environmental Impact Statement

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Thank you for joining us for the June 17, 2020 Virtual Scoping Meeting

You may still provide your comments through July 2, 2020.

Get involved by **submitting written comments online**, **calling 855-925-2801** (enter 8816) to leave us a voice message, or **text DOW to 855-925-2801**.

Welcome! > About the Proposed Project > About the EIS Process > **Get Involved**

How do I submit comments for the proposed Project?

There are multiple ways to provide comments:

1. Visit the "Get Involved and Provide Comments" Page to submit comments online <link to page>
2. Email Dow-Reservoir-EIS@publicinput.com
3. Text "DOW" or 369 to 855-925-2801 to submit a text message
4. Call 855-925-2801 (dial 8816) to submit a voice message

All comments must be received or postmarked by Thursday, July 2, 2020.

** Please provide any feedback you have regarding the DOW Harris Reservoir Expansion EIS Project along with your first name, last name, and email address.

You've successfully responded to this form.
View form again

Share your thoughts and ideas...

Sign in with



Your name

Gregory Sevcik

Post Publicly

Register [here](#) to be added to the project mailing list.

How do I get more information?

For more information about the Corps, visit <https://www.swg.Corps.army.mil/Media/Public-Notices/Year/2020/>.

USACE Scoping Meeting

Presentation



Harris Reservoir Expansion Video



Dow Harris Reservoir Expansion Project EIS Introduction Video



Documents

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Dow EIS Factsheet June 2020.pdf

Dow EIS Floodplain Discussion June 2020.pdf



Appendix D

Meeting Presentations

Video Links

Dow Virtual Public Scoping Meeting Opening Remarks June 2020



Dow's Proposed Project Video

DOW CHEMICAL COMPANY'S HARRIS RESERVOIR EXPANSION ENVIRONMENTAL IMPACT STATEMENT (SWG-2016-01027)

SCOPING MEETING

Jayson Hudson – USACE Regulatory Project Manager



**US Army Corps
of Engineers**



Dow Harris Reservoir Expansion Project Presentation

Harris Reservoir Expansion Project



Date: 30-Apr-20
Greg Bond



Appendix E

Comment Database

Dow Chemical Company Harris Reservoir Expansion Project Public Scoping Meeting Comment Database

Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
1	1			6/17/2020	Flood Concerns	My name is - and during the last couple of big water events we have had a lot of water in our house the first time since we've lived here in 25 years and I don't know what's all of a sudden the cause of that but I'm just concerned that taking away all that area that could soak up water and turning it into a reservoir is going to just let our neighborhood flood more. So I would I would oppose that unless they have some kind of remediation effort in mind. Thank you.		Voice Message Comment
2	1			6/17/2020	Flood Concerns	Lives a mile south of the floodplain and home flooded in 2017. The Brazos River and Creek can't handle the amount of water coming down from up north in the event of a flood. Does not support building a 2000 acre reservoir as it may cause a lot of problems if adding the reservoir raises the flood 3 or 4 inches. It would flood hundreds of houses. The Harris reservoir could possibly erode the bottom of the earthen dam given the 335 million dollars spent. In a drought, saltwater backs up to Brazos River if another drought happens, the new reservoir will be dry in four years.		Voice Message Comment (Paraphrased due to poor recording quality)
2	2			6/17/2020	Alternatives	Oceans can give a never-ending supply of water and this should be considered as you can't predict rainfalls and flooding. Is not convinced by the issue because several buildings in the north are sending water their way because elevations of homes, apartments, businesses, parking lots and streets being built over land can no longer absorb rainwater.		Voice Message Comment (Paraphrased due to poor recording quality)
3	1			7/1/2020	Opposed to the project	Yes, I just found out about the proposed reservoir. I am an adjacent landowner directly southwest of the reservoir. I am adamantly opposed to it. I have drafted a letter, which will be postmarked certified mail by the deadline tomorrow. It will better explain everything, but I'm adamantly opposed. I'm sorry, I just found out about it. Obviously didn't want adjacent landowners to know about it. Thank you very much. My name is -. My phone number is -. You can look me up on the Brazos County Appraisal District records. Thank you.		Voice Message Comment
4	1			7/2/2020	Flood Concerns	Hello, my name is -, and I'm calling about the reservoir expansion. We are pleading pleading pleading to deny this permit as that will directly affect the flood area of our ranch and our cattle operation. We are really really concerned about this for our family, so we are seeing that this be denied. My number is -. Thanks so much.		Voice Message Comment
5	1			7/2/2020	No Comment	No comment recorded.		Text Message Comment
6	1			6/8/2020	Property Buyouts	To your knowledge will there be any buyouts concerning the Chenago Residents around the Cr 34 CR 717 and CR 444 areas?		Email Comment
7	1			7/1/2020	Opposed to the project	As an adjacent large landowner, commenter is adamantly opposed to this project as an adjacent large landowner. Has enclosed a letter (Find attached)		Email Comment
7	2			7/1/2020	Opposed to the project	Believes the project will adversely affect the 467 acre property across the river from Dow's Current Harris Reservoir. Will personally hold Dow Chemical Co. and the Corp of Engineers responsible for any flooding in the future on property. Did not receive enough notification on the project especially neighboring landowners.		Email Comment
7	3			7/1/2020	Opposed to the project	Was under Contract for 240 acres directly on the Brazos River JUST north east of downtown Rosenberg in June and desires the construction of a 10 to 17 acre lake within the flood zone and worked with an engineer with JLA Engineering; Fort Bend County Drainage District; Fort Bend Subsidence District; Charles Kalkomey- the certified flood plain manager and City engineer.		Email Comment
8	1			7/2/2020		These comments are in addition to those submitted on behalf of the Board of the Brazos River Club. Hunting & Fishing Club - Established 1956 (Enclosed in pdf document)		Email Comment
8	2			7/2/2020	Land and Erosion Concerns	Believed the proposed plan's focus is strictly on the operational aspects of the reservoir without consideration given to the significant impact of diverting additional river water down stream during weather events. The plan refers to stream restoration and improvements to Oyster Creek but does not include any language or plan regarding channel improvement or restoration to the Brazos River. The soil conditions down stream of the project are subject to significant erosion and will be dramatically impacted by the taking of approximately 2,000 acres of floodplain.		Email Comment
8	3			7/2/2020	Flood Concerns	Construction of levees to impound water in the reservoir project will divert tens of thousands of acre-feet of water downstream. Without the buffer of the 2,000-acre floodplain the project will be a detriment of the Brazos River channel, adjoining properties and sensitive environmental habitats. Additional floods and highwater events would add to bank erosion and cause unrepairable damage to properties and habitats.		Email Comment

Dow Chemical Company Harris Reservoir Expansion Project Public Scoping Meeting Comment Database

Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
8	4			7/2/2020	Alternatives	Other methods of achieving the civil goals should be considered when addressing the TCEQ's recommendations. If approved, this one-off solution ignores potential defects in providing a single solution to water sourcing in drought conditions. Civic goals would be better served with a combination of sources or an alternate site. Alternatives including site selection, alternative water sources including desalination should be considered as a safeguard insuring a continuous supply of water. Alternatives can achieve the civic goals without negatively impacting properties and the environment. The "all eggs in one basket" approach to providing water for the community and industrial users should be denied in favor of an integrated approach to provide water for the communities and industry.		Email Comment
9	1			7/2/2020	Property and Ecological Concerns	Concerned about the effect of the project on Black Ranch and neighboring properties. Hasn't been given proper notice of what's happening or presented appropriate research into what exactly this measure will do to us, the land, and the ecosystems involved. Black Ranch is a family ranch going back generations and is threatened with elevated risk of flooding due to the proposed levying of the DOW reservoir. There exists a large amount of flooding in the northern end of the property. Levying the reservoir will cause more flooding, which then causes further damage to the land, livestock, people, and any other wildlife that may be there. Request proper notice and research is done to ensure that landowners and wildlife system are not poorly affected by any proposed solutions.		Email Comment
10	1			7/2/2020		Scoping comments on behalf of the Brazos River Club addressing Dow Chemical's Proposed Harris Reservoir Expansion project in addition to comments submitted by Michael Thomas, the club's treasurer.		Email Comment
10	2			7/2/2020	Property and Flood Concerns	Expect this project will significantly impact the floodwater flows downstream on the Brazos River. Impacts on our property, our organization, and our members will increase if Dow Chemical Company's proposal to construct and operate a reservoir in 2000 acres of the combined floodplain and floodways of the Brazos River and Oyster Creek proceeds as proposed. During flood events, the Brazos River and Oyster Creek merge, with many acres covered in feet of water, including the project property, joining these watersheds. Dow's proposal reservoir would remove tens of thousands of acre-feet of flood storage capacity, as well as alter waterways and flow patterns.		Email Comment
10	3			7/2/2020	Public Involvement	The notices for the scoping process and meeting without any reference to recognition in these notices of the very real and major impacts that are almost certain to occur in the Brazos River floodplain if this project is constructed as proposed by Dow.		Email Comment
10	4			7/2/2020	Public Involvement	This analysis does not seem to be available for public review. We have no way of confirming whether impacts in the Brazos River floodway and floodplain have been evaluated in any real, substantive way in response to the 2018 comments, or whether this report just looks at "areas downstream" within Oyster Creek. Lacking this and other reports, it becomes difficult to make informed comments about specific areas where additional information needs to be developed.		Email Comment
10	5			7/2/2020	Erosion Concerns	As a result of the combined recent flood events, our property abutting the Brazos River also has experienced erosion. Visual observations of the river and the riverbed from our property confirm the erosion that has occurred. Observations at the Highway 35 bridge and other locations downstream from the proposed reservoir also confirm the erosion impacts along the river from recent floods. The greater the volume of water during a flood event, the greater its erosive power.		Email Comment
10	6			7/2/2020	Erosion Concerns	The proposed reservoir effectively creates additional levees removing floodplain areas for the Brazos River. It also alters the flow between the Brazos River and Oyster Creek during flood events. We expect that significant additional volumes of flood water could be directed downstream along the Brazos River during a variety of rain and flood profiles. Some areas that 3 previously did not flood could flood, and the height, impacts, and erosive power of the flood waters post-project likely will result in future additional impacts and damages downstream that would not occur but-for this project. It does not appear that these impacts have been evaluated.		Email Comment
10	7			7/2/2020	Erosion Concerns	The scope of the Environmental Impact Statement should substantively and thoroughly evaluate potential flood and erosion impacts, including impacts downstream in the Brazos River, for a broad range of flood profiles. These should include using Harvey in 2017 and some of the other actual flood events, including floods where the greatest rainfall and volume contributions come from upstream of the proposed reservoir.		Email Comment
10	8			7/2/2020	Flood and Erosion Concerns	The increased flood and erosion impacts from this proposal will impact people, property both upstream and downstream of our property and wildlife habitat. The full scope of all of these impacts should be evaluated. Other potential impacts, such as impacts on wetland (which can absorb floodwater) and much more should be evaluated thoroughly.		Email Comment

Dow Chemical Company Harris Reservoir Expansion Project Public Scoping Meeting Comment Database

Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
10	9			7/2/2020	Purpose and Need	An important part of any NEPA process is the project purpose and need. In the 2018 documentation, "the project's overall purpose" was stated as "providing reliable water supply during drought" by "using existing Dow-owned surface water rights." The April 9, 2020 Corps notice contains the following: Purpose and Need: The purpose of the proposed Project is to utilize Dow's existing runoff-river water rights from the Brazos River to improve reliability during extended drought conditions for the existing water supply system that serves Dow's Texas Operations in Freeport as well as other industrial, community and potable water users that rely on Dow's water supply. Based on modeling, Dow estimates that a total of 78,000 acre-foot of water storage capacity is necessary to provide Texas Commission on Environmental Quality's recommended 180 days of drought resilience. The current combined storage capacity in the existing Brazoria and Harris reservoirs is approximately 29,000 acre-foot. Therefore, Dow will need to develop the Harris Reservoir Expansion to provide an additional storage capacity of at least 49,000 acre-foot to provide a reliable water supply during drought. This feels like an after-the-fact attempt to redefine and narrow the purpose and need to favor the specific project sought by the applicant. It appears that the newer conclusions with respect 4 to storage as part of the need, and the exact amount of storage, are based primarily or exclusively on information provided by the applicant.		Email Comment
10	10			7/2/2020	Purpose and Need	The BRC requests that the scope and need be considered broadly, as initially defined in early 2018 for the project. The scope and need for the project should not be narrowed before the EIS to exclude a broad range of alternatives to storage at this location. There are many alternatives that could meet the broader objectives of providing a reliable water supply during drought using existing water rights. Some of these, addressed below, might provide similar drought relief or use of water rights while not involving a specific volume of storage at the proposed location.		Email Comment
10	11			7/2/2020	Alternatives	Another key part of any scoping and NEPA process is identifying possible alternatives to be evaluated. As noted above, BRC requests consideration of a broad range of alternatives to meet the objectives of reliability during a drought and use of existing water rights. Alternatives to be analyzed should include, but not be limited to those listed below: Evaluation of an upland alternative location – or multiple locations or combination of locations – for Dow's off-channel reservoir capacity that would be outside the Brazos River and Oyster Creek 100 year floodplains. Deepening or modifying the current Harris and Brazoria reservoirs. Conservation practices, including both continuing practices and other conservation practices that could be implemented during times of drought. Desalination alternatives – for both Brazos River water and bay or gulf waters. Operational changes at the Harris and Brazoria reservoirs, within Dow's facilities, or elsewhere. A salt-water barrier downstream on the Brazos River to minimize a salt water wedge during times of drought and allow the use of water not currently available. Barriers are used on other major rivers in Texas. Minimizing evaporative losses from the current Harris and Brazoria reservoirs, and elsewhere in the Brazos River and Oyster Creek watersheds. Enhanced reclaimed water use. Also, combinations of multiple alternatives that could in the aggregate meet the objectives should be evaluated. These could include combining conservation with enhanced reclaimed water use along with modifications to existing reservoirs.		Email Comment
10	12			7/2/2020	Public Involvement	Lack of information and extension of the comment period. The development and availability of information is a key part of both permitting processes and the EIS process. As noted, the April 2020 Corps notices reference many studies or assessments that were prepared in response to our comments and other comments submitted as part of the 2018 permitting process. These have not been available for review by the public during the scoping comment period. Also, documentation related to this project references comments prepared by other agencies such as the Environmental Protection Agency, the U.S. Fish and Wildlife Service, and others. These also have not been available to the public for review and consideration as part of this scoping process. It is difficult to provide substantive comments about scoping when key information is not available for review. Also, the notices for and information for this scoping period have been difficult to find. From the Corps website, someone would need to go into the May 2020 notice to know that a website was being created for this scoping process. The public input website is extremely minimal, and did not include or link to key existing documentation relating to the project. Efforts to try to find the site through basic search engines, knowing that the site existed, did not find the scoping website. While we expect the argument that the scoping period has been open for some time, key information has not been available. One of our members requested this information some time ago, and had the expectation that additional substantive information would be posted. We request that the reports and assessments referenced in the April 7 and 9, 2020 Corps of Engineers scoping notices, as well as the permit application and supporting documentation and comments by other agencies, be placed online for review as part of this scoping process. Once this has been done, we request an additional 30 days be provided for informed scoping comments on Dow's proposed project.		Email Comment

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11	1			7/2/2020	Public Involvement and Flooding Concerns	Asking that the DOW Harris Reservoir Expansion is denied the permit as it will directly affect family land and all improvements recently made for the wildlife and cattle operation by creating new flood areas. Black Ranch, is a 4th generation family ranch with historic, economic, and environmental value. Leveeing of DOW reservoir expansion will put large areas of privately held land at high risk of flooding. Agrees with previous suggestions for Dow improve their existing Harris Reservoir and do not take any more of the connected Brazos River system. Due to the lack of outreach, the current comment period fails to thoroughly represent those who will be affected most adversely.		Email Comment
12	1			07/02/2020	Public Involvement/ Flooding Concerns	Owners and users of Black Ranch along with neighboring properties making up over 2000 acres of privately owned cow/calf operations located across the river from current DOW reservoir have not been made aware of this project in a manner which allows for proper research or representation as to the welfare of these respective properties. Overall awareness of this project by those that may be adversely affected by it have been proven insufficient. Due to the lack of outreach, the current comment period fails to represent those who will be affected most adversely. Leveeing of DOW reservoir expansion will put large areas of privately held land at elevated risk of flooding. Black Ranch is a 4th generation family ranch with historic, economic, and environmental value; currently threatened by the increased risk of flooding by the expansion of DOW reservoir.		Email Comment
13	1			07/02/2020	Public Involvement	Owns 600 acres on the west side of the Brazos directly across from Harris Reservoir property registered under MDK Ranch, LLC since February 2015. Did not receive notification from Dow concerning this project in the 5 years I have owned it. Wants to be added to the notification list.		Email Comment
13	2			07/02/2020	Flood Concerns	Has concerns about the impact that the 40 foot berm bordering the Brazos river will have on the future flooding of property. It appears the flood waters will be deflected directly into my neighboring Black Ranch and then into my ranch. Concerned that the water deflection caused by the Dow Reservoir would force water into the natural slough that runs behind newly-constructed house causing potential flooding. The Brazos River flooding bordering the east side of our ranch would also be higher than previous floods, both of which have the potential of flooding my new home and imperiling our 150 head of cattle.		Email Comment
14	1			7/3/2020		Homeowners near the Brazos River, a few miles south of the proposed Dow Reservoir and interested in the Brazos River Club as members. Appreciates that the Corps of Engineers responded to the concerns regarding initiating this EIS process.		Email Comment
14	2			7/3/2020	Public Involvement	Requests that there be a 30-day extension of the scoping comment period to review and incorporate additional applicable information related to this project.		Email Comment
14	3			7/3/2020	Public Involvement	Requests that documents related to project be made available for review as part of the scoping process.		Email Comment
14	4			7/3/2020	Public Involvement	Concerned that referenced assessments, reports, or studies stated to be included in the April 2020 notices have been made available to the public as part of this scoping process. The Corps of Engineers also doesn't have a direct link to the page. Suggests that the project documents be posted on an easily accessible public website and opportunity for the interested public to review and comment on the information as it is critical to the NEPA process.		Email Comment
14	5			7/3/2020	Alternatives	Suggests that the costs of the project, and the costs of minimizing shifting the impacts and harms from a project on others and the environment (externalities), should be borne by those benefiting from the		Email Comment
14	6			7/3/2020	Purpose and Need	This includes a very specific amount of storage capacity, and based primarily on the Dow's information, appearing to narrow the purpose and need significantly. It not only narrows the approach to drought contingency to storage, but storage of a specific quantity and was done without public involvement or input. Documentation and information supporting this is lacking.		Email Comment
14	7			7/3/2020	Alternatives	Should include relocating the project outside of the floodplain, deepening or modifying the existing Harris and Brazoria reservoirs using their existing foot print, desalinization, a salt water barrier (as is used in other major Texas rivers), conservation, water reuse, operational changes and approaches to minimize evaporative losses.		Email Comment
14	8			7/3/2020	Flooding Impacts/ Alternatives	Believes this conveyance will negatively affect stakeholders downstream if the proposed Reservoir significantly alters the flooding on the Brazos River or Oyster Creek. Where are these mitigation projects conveyed? Property in undeveloped areas owned by the applicant that have been dry during recent flood events can be a good alternative location for this project. This long-term project includes several large detention basins have been built to partially mitigate these impacts. The project also includes stream improvements to increase conveyance downstream and then move upstream.		Email Comment

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14	9			7/3/2020	Flood Concerns	Limited information and documentation is provided making it difficult to evaluate the proposed mitigation projects. These projects address flood issues in a very localized area that only impact Oyster Creek. Yet these projects could create greater impacts on downstream properties such as ours. In evaluating flood impacts, the focus needs to be on the overall impact of the project on removing 2000 acres from the flood plain and significantly changing flow patterns during flood events. The ability of mitigation projects to convey rainwater during localized nonflood events does not address this issue.		Email Comment
14	10			7/3/2020	Cultural Resources/ Threatened and Endangered Public Involvement	Impacts on historical and cultural resources. Loss of valued Columbia Bottomland habitat. Climate change and its role in increasing future impacts from the proposed project. Destruction of or impacts on wetlands, stream habitats, and other key habitats Impacts on fish and wildlife from changes to instream flow patterns due to operations of the proposed reservoir and transmission through Oyster Creek. Requests the public availability of additional existing information and studies related to this project, and, once it is posted, a 30 day extension of the scoping comment period to review and incorporate that additional information. I also request that a second scoping meeting held, and that information about this meeting and scoping process be made more accessible to the public.		Email Comment
15	1			7/3/2020	Property Concerns	Owns Black Ranch across the river from Harris reservoir since the early 50s. Would like to go on the record against the current plan/design of the proposed DOW reservoir along the east bank of the Brazos river just north of the ranch. By the building up of the river bank just north and east of us, when in flood stage, the Brazos river will re-direct it's flood waters, (that would have been disbursed to the east side of the river), to the west side of the river and our ranch.		Email Comment
15	2			7/3/2020	Public Involvement	Requests a public hearing to present and explain data and concerns. We have presented your filings to our attorney for review and would like more time to formally present our position.		Email Comment
16	1			4/7/2020	Additional Studies	I am interested in the additional studies completed by Dow since the 2018 public notice that are referenced in today's Federal Register notice (i.e. the stream assessments, h&h studies, etc.). Are they available electronically?		Email Comment
17	1			4/7/2020	No Comment	The U.S. Geological Survey has no comment to offer on this until the ER is ready for review.		Email Comment
18	1			5/6/2020	Public Involvement	Can you please add me to the SWG-2016-01027 EIS mailing list for the upcoming announcements, etc.?		Email Comment
19	1			5/16/2020	Environmental Impacts	Dow Chemical's production of petrochemical and plastic materials will ensure that additional climate change air pollutants (primarily carbon dioxide (CO2) and methane (CH4) are discharged into the air and alter our local and global climates. The Corps should require that an accurate climate change analysis and ensure applicant prepare a Climate Change Ecological Resilient Plan. (CCERP).		Mail Comment (Paraphrased due to length)
19	2			5/16/2020	Alternatives	Supports water conservation alternatives that reduce volume of water used as per unit of production to stretch water supplies long-term and reduce environmental impacts on ecosystems. Potential instream flow impacts and estuary impacts.		Mail Comment (Paraphrased due to length)
19	3			5/16/2020	Water and Sediment Quality	The Corps should require the applicant prepare an emissions inventory (EI) for volatile organic compounds (VOC) and other air pollutants generated by supplying water to DC, other industries, and municipal and other water users. A LDAR program is needed to reduce VOCs and toxic air pollutants generated by supplying all water needs for DC now and in the future.		Mail Comment (Paraphrased due to length)
19	4			5/16/2020	Flooding Concerns	The Corps should require an analysis, using Ike, Harvey, Imelda, and other data, about the flood potential and safety of construction in floodplains/floodways and possible storm surge zones.		Mail Comment (Paraphrased due to length)
19	5			5/16/2020	Alternatives	The construction of an impoundment and dam and the use of 50,000 acre-feet of water for DC, Brazosport Water Authority will cause property damage, injuries, and death. Water conservation programs by those users in exchange for agreements to allow DC to permanently or for limited periods use the volume of water made available through water savings achieved through those programs.		Mail Comment (Paraphrased due to length)

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19	6			5/16/2020	Alternatives	Alternatives Analysis must have an unbiased Evaluation Criteria that can keep reasonable alternatives from being analyzed. Explanations to be given on how alternatives are scored during any screening process for various alternatives.		Mail Comment (Paraphrased due to length)
19	7			5/16/2020	Alternatives	Requests transparent upland off-channel reservoir is a reasonable alternative. The Corps must ensure that DC does not call a floodplain off-channel reservoir an upland reservoir.		Mail Comment (Paraphrased due to length)
19	8			5/16/2020	Public Involvement	Supports the Corps decision to require a study of the environmental impacts of proposed impoundment/dam has and prepare an EIS requiring a 90-day public review/comment period including scoping, public hearings, public meetings, and draft and final EISs.		Mail Comment (Paraphrased due to length)
19	9			5/16/2020	Wetlands	Wetlands onsite will be lost and their Clean Water Act benefits will no longer be available.		Mail Comment (Paraphrased due to length)
19	10			5/16/2020	Alternatives	Suggests the creation of list of trees to be planted. Recommends the use of herbicides requires individuals are state licensed herbicide applicator and must be onsite at all times when they are used with no diesel fuel as a carrier for herbicides since diesel fuel contaminates water.		Mail Comment (Paraphrased due to length)
19	11			5/16/2020	Threatened and Endangered Species	CMP should include NNIPS and feral hog control.		Mail Comment (Paraphrased due to length)
19	12			5/16/2020	Alternatives	The Corps must give a thorough discussion of the use of this evaluation method in place of using quantitative data for the impact issue that is being discussed.		Mail Comment (Paraphrased due to length)
19	13			5/16/2020	Alternatives	Modify SWG-1999-02549 (formerly 18848), to extend the timeframe for five years.		Mail Comment (Paraphrased due to length)
19	14			5/16/2020	Threatened and Endangered Species/ Water and Sediment Quality	Mussels, clams, other aquatic invertebrates, fish, turtles, and other aquatic organisms will potentially have resting, feeding, breeding, and reproduction areas smothered. No sediment and water testing are required to ensure that pollutants other than sediments are not discharged to the Brazos River.		Mail Comment (Paraphrased due to length)
19	15			5/16/2020	Public Involvement	Requests that project information is verified. Concerned about the release of public notices with unverified information furnished by the applicant. Believes the public must have this information to review, comment and understand potential environmental impacts of the proposal.		Mail Comment (Paraphrased due to length)
19	16			5/16/2020	Public Involvement	The Corps must verify the wetlands delineation in the EIS and discuss the wetland delineation, the verification process, and the results of that process and provide it to the public.		Mail Comment (Paraphrased due to length)
19	17			5/16/2020	Public Involvement	The Corps should prepare its Public Interest Review Factors analysis of public interest factors carefully when reviewing this proposal and then provide it for public review and comment.		Mail Comment (Paraphrased due to length)
19	18			5/16/2020	Public Involvement	Requests a public hearing and meetings under the NEPA to fully inform the public about this proposal and to solicit additional information before an EIS is prepared and sent out for public review and comment. This must be done after the coronavirus pandemic is over and with widespread and adequate public notice.		Mail Comment (Paraphrased due to length)
20	1			5/29/2020	Public Involvement	Please include me on the mailing list for future updates and meeting announcements.		Email Comment

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21	1			5/29/2020	Environmental Impacts	The NMFS - HCD's status on the Dow Chemical Company - Brazos River and Oyster Creek Harris Reservoir Expansion Project, permit application SWG-2016-01027 remains the same as our last response on April 10, 2020. We will not be providing comments on the aforementioned permit application, since we do not have any trust resources in this area. While the footprint of the reservoir is expanding, Dow will not be acquiring additional water rights to fill the proposed expansion. In addition, this proposed expansion occurs wholly in a freshwater riverine system. Therefore, not tidally influenced areas will be impacted by the proposed expansion of the Harris Reservoir.		Email Comment
21	2			4/10/2020	Environmental Impacts	The NMFS - HCD will not be commenting on the permit application, SWG-2016-01027, for the Harris Reservoir Expansion Project, since we do not have trust resources in this area. The project takes place in freshwater riverine systems and will not be acquiring any additional water rights. Therefore, no tidally influenced areas will be impacted by the proposed expansion of the Harris Reservoir.		Email Comment
22	1			6/1/2020	Public Involvement	I submitted comments in 2018 on the proposed Dow reservoir project in Brazoria County, Texas. I recently received the notice of the scoping meeting scheduled online for June 17. The Corps' April 9, 2020 notice indicating that scoping was upcoming identified multiple studies that had been done in response to concerns raised in the 2018 comments submitted related to this project. These studies include a Phase 1 Environmental Site Assessment and much more. I have not been able to find these studies online -- either when I searched shortly after the April notice, or on the recently-created website for the June 17 scoping meeting. It is difficult to effectively comment in the scoping process when this important information is missing. Am I missing something? I argue that the scoping meeting is premature - or that there should be an additional later meeting held well after these documents become available. I also think that a significantly extended time to submit scoping comments is appropriate.		Email Comment
23	1			6/6/2020	Public Involvement	Would like to be informed of the next public meetings concerning the issue to ask questions and get answers.		Email Comment
24	1			4/9/2020	Public Involvement	We have received and reviewed the PN and NOI. Is there an anticipated schedule for the scoping meetings?		Email Comment
24	2			5/6/2020	Public Involvement	The SPN makes references to quite a number of documents/studies that were prepared in response to the comments on the original PN. Are those available, or will they be made available soon?		Email Comment
24	3			5/6/2020	Public Involvement	Thanks Jayson. I presume this will also apply to supplemental documentation prepared by the applicant.		Email Comment
25	1			5/31/2020	Public Involvement	Thanks for sending me the public notice for the June 17, 2020 virtual scoping meeting for the DOW Off-Channel Reservoir. I will attempt to be there but that same day similar meetings are being held for the Flower Garden Banks National Marine Sanctuary expansion and a GLO Technical Advisory Committee meeting for its Texas Coastal Resiliency Master Plan. Seems everyone thought about using the same day. I assume that the comments I sent you on May 16, 2020 fall within the scoping public comment period. If I need to resubmit them again for this current time period please let me know and I will do so. Hope you and your family are fine and safe.		Email Comment
26	1			6/6/2020	Public Involvement	Schedule meeting concerning this Expansion		Email Comment
26	2			6/8/2020	Property Concerns	To your knowledge will there be any buyouts concerning the Chenago Residents around the Cr 34 CR 717 and CR 444 areas?		Email Comment
27	1			6/10/2020	Public Involvement	I attempted to view the project webpage to sign up to participate in the online public scoping meeting on June 17, but the link does not work. Please sign me up and let me know how to participate.		Email Comment
28	1			6/15/2020	Clean Water Act/Wetlands	The EPA recommends the EIS include an evaluation of a full range of alternatives for avoiding and minimizing the impacts to the waters of the U.S. As well as summarizing the criteria used to screen for reasonable alternatives, including the Clean Water Act. The EPA also recommends the Draft EIS identifies aquatic impacts and include a draft mitigation plan to address the need for compensatory mitigation for unavoidable impacts to aquatic resources. Differentiation between permanent vs. temporary impacts, and address potential temporal losses. Clearly define the project components along Oyster Creek as project infrastructure or activities intended as compensatory mitigation.		Mail Comment (Paraphrased due to length)
28	2			6/15/2020	Air Quality	Recommends the adoption of a Construction Emissions Mitigation Plan in the Record of Decision to reduce potential short-term air quality impacts. EPA recommends the following to be considered for inclusion in the plan to reduce pollutants from construction-related activities: fugitive dust source controls, mobile/stationary source controls, and administrative controls		Mail Comment (Paraphrased due to length)

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28	3			6/15/2020	Socioeconomics/Land Use/Recreation/E	Recommends identifying and consulting with tribal governments affected by proposed action and address issues/concerns raised. Allow enough time for tribal governments to participate in consultation and coordination due to COVID-19 impacts.		Mail Comment (Paraphrased due to length)
28	4			6/15/2020	Tribal Consultation	An evaluation of environmental justice populations near the geographic scope of the project should be conducted. If EJ populations exists ceate a comprehensive communication strategy to inform the communities and encourage their participation. Recommends utilizing the Promising Praticce Report for considering and analyzing EJ populations.		Mail Comment (Paraphrased due to length)
29	1			6/15/2020	Flood Concerns/ Property Concerns	I live South - East of Harris Reservoir, I have been in this Area all my life (and I am 68 years old). Records show in May 2 - 1957 the crest on the Brazos river was 53.40, I was 5 years old but I remember it well. Since that time flooding has gotten much worse. The floods are covering land that was not covered in 1957, I think this is due to levees built to protect the subdivisions. If we cover approximately 2000 acres of land that already floods 4 feet to 5 feet deep, with 50,000 acre feet of water in my opinion, what will happen if the level washes out due to rushing water against it? If or when that happen what happens to the People and their properties, how do you protect the people and their properties?		Email Comment
30	1			6/16/2020	Public Involvement	Is there at least a list of the studies and reports already submitted to the Corp by the applicant. Would those studies and reports and files be public information? Or are they perhaps available through FEMA or other agencies if I knew their titles.		Email Comment
30	2			6/16/2020	Alternatives	However I would submit that it seems that the only viable alternative and an alternative that must be included in an analysis of the project is to move the reservoir out of the floodplain altogether. This would require a system to move water up slope out of the floodplain to the east. This would not take that much lift in such a flat landscape. This should definitely be one of the alternatives studied in the draft EIS.		Email Comment
30	3			6/16/2020	Flooding Concerns/Property Concerns	The effect of continuing to remove floodplain from the river is a huge cumulative impact. In Fort Bend County I estimate that over 30,000 acres has been removed from the floodplain by levee improvement districts. This may be a factor in the devastation we saw from the river during Harvey in Brazoria County. There are at least 15 LIDs in Fort Bend County. Each during permitting claimed minimal impact. But if they had been permitted together a 30,000 acre decrease in the floodplain would have put up a red flag. Each removal as in this case (2000 acres) adds to a decrease in the floodplain and at some point the impact is very significant. It causes the river to flood other portions of the floodplain more deeply or more widely or at greater velocity. Each project claims a minimum of impact but the cumulative impact must eventually be considered! The floodplain must be protected so that it can function during a flooding event. Otherwise West Columbia, Lake Jackson and other communities could be drastically impacted.		Email Comment
31	1			6/16/2020	Public Involvement	THC acknowledges receipt of notification of public scoping meeting regarding the Harris Reservoir Expansion Project.		Email Comment

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32	1			6/17/2020	Flooding /Property Concerns	My name is -. My home is approximately 1½ miles south of the existing Harris Reservoir. We built our home here in 1992 and have enjoyed living among the great oak trees. Suddenly, in 2016, we were engulfed in water; this water did not get in our home, but filled our barns and covered our pasture. This "flood" was the result of intense rains in the Waco area that eventually worked their way south and spilled over the banks of the Brazos River near Otey, TX. Those waters spilled into Oyster Creek which then pushed them up a small slough and flooded our neighborhood. In 2017, Hurricane Harvey cause even worse flooding, this time the water was kept out of our home by the use of sandbags, but we still had to replace all the sheetrock and insulation in the bottom 16" of our walls. I am curious as to what happened to bring these flooding events into our property. I suppose that much development up-river has limited the expansion area of the Brazos River and forced the water downstream where it quickly floods many areas that are not even close to the flood zone. Our home has ground-level of 41' plus we built up 3' when we built. So our home sits at approximately 44' – and we still got flooded. We have a beautiful home and property that we will never be able to sell to for what it is worth because it flooded in 2017. Now, Dow Chemical has decided to take 2,000 acres of property and turn it into a new reservoir. This will certainly make things worse by removing the absorption capabilities of that much acreage from our area. I question the need for such a reservoir, especially when Dow could re-activate or rebuild the de-salinization plant in Freeport to provide its' water supply, without putting homeowners in our area in further jeopardy. Furthermore, failure of earthen dams containing Dow's reservoirs in Michigan have failed, bringing flooding to neighborhoods and threatening Dow's Superfund Site. I am pretty sure that nobody thought those dams would fail either. Dow Chemical has the resources to solve its' water needs without threatening the homes of people like me.		Email Comment
33	1			6/17/2020	Alternatives	The permit application SWG-2016-01027 on page four states the reservoir will be in the Oyster Creek floodplain. I have watched the river flow across that land for years and relieve the downstream flooding on the lower brazos river. Is the river still going to be allowed to flow into oyster creek when the river is on the rise?		Mail Comment
34	1			6/18/2020	Public Involvement	The Sierra Club requests an extension of the scoping comment period. This request is predicated on the Corps failing to put on the website for this proposal the information and studies that it has or is verifying for this proposal. The Sierra Club was told by a Corps official in May that this information and studies would be put on the proposal's website before the scoping public hearing. This was not done. The Sierra Club requests that the scoping comment period be revised to be 30 days after the information that the Corps is verifying for this proposal is put on the proposal's website so the public can review and comment on this information.		Mail Comment (Paraphrased due to length)
34	2			6/18/2020	Alternatives	In the presentation on June 17, 2020 by the Corps of the National Environmental Policy Act (NEPA) and Council on Environmental Quality's (CEQ) environmental impact statement (EIS) process, several alternatives were introduced which were stated as being alternatives determined early in this proposal's process, which dates back for the public to the 2018 public notice. However, the alternative that the Sierra Club defines as a true "upland and off-channel reservoir" was not listed as one of these alternatives even though the Sierra Club in its' comments on permit application SWG-2016-01027, April 23, 2018, mentioned such an alternative on Page 5 of those comments when it was critiquing the DOW alternatives analysis for this proposal and said, "This off-channel alternative which is really in the uplands was not considered in the alternatives analysis (Pages 1 through 39, Attachment D, Alternatives Analysis) and thus that document is deficient since such an alternative is feasible, prudent, sensible, economic, social beneficial, and environmentally preferable since it reduces wetlands and waters of the United States impacts to a minimum. Dow Chemical should have avoided and minimized impacts by use of such an alternative. A brackish groundwater use alternative is also not studied in the alternatives analysis."		Mail Comment (Paraphrased due to length)
34	3			6/18/2020	Alternatives	The Sierra Club mentioned this upland and off-channel reservoir alternative again on May 16, 2020, Page 7, when it submitted scoping comments before the June 17, 2020 scoping public hearing. The Sierra Club again requests that a true upland and off-channel reservoir alternative, that is not in the Brazos River and Oyster Creek 100-year floodplains, be included as a "reasonable alternative" under the NEPA/CEQ regulations for the draft EIS for this proposal.		Mail Comment (Paraphrased due to length)
34	4			6/18/2020	Flood Concerns/ Property Concerns/Ecological Concerns	The Sierra Club requests that the draft EIS discuss and analyze the "economic and legal liability" that the applicant has if this proposal is constructed and floodwaters are directed or in some way are worsened downstream on property-owners and affects their property, lives, and important ecological features like Christmas Bay.		Mail Comment (Paraphrased due to length)

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Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
34	5			6/18/2020	Public Involvement	The Sierra Club informs the Corps that it was not able to hear the comments of Michael Thomas when he spoke at the June 17, 2020 virtual public hearing because the reception was so bad that almost all of his remarks were unintelligible. This negatively detracted from the information that the Sierra Club was able to hear and glean from the scoping public hearing.		Mail Comment (Paraphrased due to length)
34	6			6/18/2020	Public Involvement	The Sierra Club requests that the Corps place the DOW and EIS slides that were presented at the June 17, 2020 scoping public hearing on the proposal's website for public review and comment and notify the public of the availability of this information.		Mail Comment (Paraphrased due to length)
35	1			6/22/2020	Public Involvement	Per the Special Public Notice issued May 27, 2020, I would like to be included on the mailing list for future updates and meeting announcements, or to receive a copy of the Draft EIS when it is issued. I also experienced technical difficulties in trying to view the virtual public scoping meeting June 17th. Is it possible to view a recorded version of this meeting, presentation, and/or public comments?		Email Comment
36	1			7/1/2020	Public Involvement	Good Afternoon, Mr. Hudson, Attached is a letter about the environmental concerns I have about the Dow Chemical Harris Reservoir Expansion Project. Please note the mailing address on file for me is incorrect. I am interested in receiving future updates, meeting announcements, and a copy of the draft EIS.		Email Comment
36	2			7/1/2020	Environmental Impacts	I own 50 acres off of county road 36 and edged by Oyster Creek and a drainage ditch next to the adjacent prison farm. The legal designation is -. I have been unable to ascertain where my property lies in regard to the expansion project based on the maps I can easily find online, but wish to express my concerns particularly with regards to future flooding, possible sinkholes, and potential wildlife impact.		Email Comment
36	3			7/1/2020	Flood Concerns	My property had never flooded significantly until Hurricane Harvey. At that time, the entire 50 acres went under water for 2 weeks. The force from the water coming downstream on Oyster Creek was strong enough to lift my neighbors' in-ground concrete swimming pool out of the ground and break in in half. I am concerned that when the reservoir is put in that in, there will be less arable land to absorb flood waters and that flooding will be worse. Are there plans for flood abatement along our stretch of Oyster Creek? If so, what are those plans? I would like to see a wetlands area put in to improve wildlife habitat.		Email Comment
36	4			7/1/2020	Environmental Impacts	I am also unclear on the source of water for the reservoir expansion project. My understanding is that in the past, brackish water from downstream has been processed to fill the Harris Reservoir. Is this correct, and will this be the source for the expansion project? If not, will water be pumped from underground, and should I be concerned about the formation of a sinkhole, like the one that formed on highway 521 several years ago? Or, will water be pumped from the Brazos River or Oyster Creek, and should I be concerned about a loss of wildlife habitat?		Email Comment
36	5			7/1/2020	Socioeconomics/Land Use/Recreation/EJ	Finally, are there any potential benefits of this project for me as a landowner? Will the expanded reservoir area be available to the public for recreation such as fishing and boating? While I realize you may not be able to address my concerns about the Dow Chemical Harris Reservoir Expansion Project individually, I hope to see them addressed in the final Environmental Impact Statement. I also hope to receive communications about the project at my correct mailing address which I have affixed below.		Email Comment
37	1			7/2/2020	Wetlands/SAV	The EIS should include appropriate functional assessments performed on streams and wetlands to be impacted by the construction and operation of the reservoir. This should include areas affected by inundation as well as areas downstream of the proposed dam affected by changes in flow regime including Oyster Creek.		Mail Comment
37	2			7/2/2020	Mitigation	The EIS should clearly account for losses of stream and wetland function due to direct fill impacts, as well as secondary impacts. Stream impacts should be provided in linear feet and distinguished by stream type. Impacts to aquatic resources should be mitigated in-kind.		Mail Comment
37	3			7/2/2020	Mitigation	The EIS should include the name of the mitigation bank(s) that will be used, the number and resource type of credits to be secured, the availability of credits, and how the number and resource type of credits were determined.		Mail Comment
37	4			7/2/2020	Mitigation	The EIS should explain the need for cutting a 4:1 slope on Oyster Creek and how this mitigates for impacts to streams impacted by the project. Widening or channelization of Oyster Creek can negatively affect stream function. This may be considered a stream impact rather than mitigation and may require mitigation to replace the lost functions in the channelized areas.		Mail Comment

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Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
37	5			7/2/2020	Mitigation	The proposed mitigation may be insufficient to compensate for impacts to streams and wetlands. Based on the Galveston Stream Tool guidance, the impact factor for the impacted streams due to the reservoir should be higher than the proposed score of 1. Most or all the stream functions will be lost due to the reservoir. Based on the Reach Condition Index (RCI) score, it is likely that the impact factor score should be a 4 or 5. The EIS should revise the impact factor scores and required mitigation credits or explain in detail how the mitigation is sufficient.		Mail Comment
37	6			7/2/2020	Water Quality	The EIS should address all measures that will be taken to maintain water quality during and after reservoir construction.		Mail Comment
37	7			7/2/2020	Water and Sediment Quality	The EIS should address potential water quality impacts such as impacts due to changes in sediment transport downstream of the reservoir.		Mail Comment
38	1			6/17/2020	Air Quality	I volunteer for the Houston Sierra Club. Some of our concerns deal with climate change. On this particular project, Dow Chemicals operations releases a lot of CO2 into the atmosphere. We would like an accurate climate change analysis for this particular proposal. Also, carbon dioxide pollutants.		Public Scoping Meeting Comment
38	2			6/17/2020	Alternatives	We also support alternatives with water conservation. We're very concerned that the alternatives that were shown do not show identified floodplain, which to us supports an off channel reservoir alternative. So we would very much like to see that as an alternative.		Public Scoping Meeting Comment
38	3			6/17/2020	Alternatives	It's also of great concern about this particular project is it has the potential for rerouting the Brazos River during a flood event and capturing (indiscernible). (Indiscernible) Brazos River channel. So it's very important that (indiscernible) as well as what the flood effects might (indiscernible). Those are all the comments I wish to make.		Public Scoping Meeting Comment
39	1			6/17/2020	Additional Studies	Okay. I've been researching all the information that you provided online, and I have great concern on the floodplain that's going to be affected by the placement of this reservoir. I've not been able to find the three studies that were mentioned in the presentation anywhere, the details. I would like to see those.		Public Scoping Meeting Comment
39	2			6/17/2020	Flood Concerns	And furthermore, I have seen no study or no comments through the entire process on how this project is going to affect the west side of the Brazos River flood basin. And I'm afraid when you take 10,000 acre-feet out of the storage unit, your -- it's got to go somewhere. And it looks to me like it's going to west side, and none of this has ever been addressed. So I would like to see some studies or some comments along those lines. They might be out there. I've yet to see them though, and that is my primary comment of what I'm concerned with.		Public Scoping Meeting Comment
40	1			6/17/2020	Flood Concerns	Okay. My name is -. My family owns a home off the Brazos River downstream of the proposed project. This home has been flooded by the river five times between June 2015 and June 2019. Prior to that, the property did not have a river flood in over 20 years.		Public Scoping Meeting Comment
40	2			6/17/2020	Public Involvement	The Corps is requiring an EIS for this project, and I thank you for that. Citizen involvement and the development, availability, and review of information about the proposed project are key parts of this EIS process.		Public Scoping Meeting Comment
40	3			6/17/2020	Additional Studies	As part of the federal register notice published on April 7, 2020, for this scoping period, this notice identified three studies and assessments that were prepared in response to issues raised by myself and others in 2018. Also referenced is a wetlands delineation that was verified by the Corps in October of 2019. Weeks ago I asked if these might be available and understood that additional information will be posted on the scoping website. There's very little information there. None of these assessments reports on the wetland delineation seem to be available online for review by the public. When critical information is not available for review, genuine public feedback cannot occur. I requested these reports and studies be made available to the public online and that the scoping period be extended to allow a response related to the issues that are raised.		Public Scoping Meeting Comment
40	4			6/17/2020	Alternatives	Another key part of the EIS process is the identification, analysis, and review of alternatives to the proposed project. I urge consideration of a broad range of alternatives to increase drought reliability, not just focusing on this specific project alone, looking at the broader purpose. These can include storage at this location, storage at other locations, but I don't know that it needs to be focused on a specific volume without looking more broadly. Alternatives could include conservation, operational changes, a salt wedge barrier, storage at other locations outside the floodplain, redesigning or reducing the footprint and flood impacts, and a range of other options.		Public Scoping Meeting Comment
40	5			6/17/2020	Flood Concerns	Impacts of concern, again, include the flooding downstream of the proposed reservoir, particularly in the Brazos River. The one-page summary that was posted raised more questions than it answers. It seems to focus on Oyster Creek while not addressing the known interconnection and impacts on the Brazos River that occur during flooding events.		Public Scoping Meeting Comment

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Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
41	1			6/17/2020	Environmental Impacts	(Audio cutting out - indiscernible) And again, I see focus on Oyster Creek (indiscernible) for the reservoir expansion, but I don't see any benefit (indiscernible). I also am very concerned about the of the (indiscernible) with the Brazos River and (indiscernible) version of the (indiscernible) and how that may impact the river all with irrigation and all the impact to -- wildlife (indiscernible). So that pretty much wraps up my -- my comment.		Public Scoping Meeting Comment
42	1			7/2/2020	Public Involvement	Expressed concern that information, studies and other document related to the project were difficult to find without directly contacting the Corps of Engineers for website. Expressed further concerned as still unable to find relevant studies stated in comment on the website the day before the close of scoping comments.		Mail Comment (Paraphrased due to length)
42	2			7/2/2020	Purpose and Need	Concerned that the purpose and need have been significantly narrowed from the 2018 version of the document. Believes the purpose statement should be more broad to account for possible alternatives or documentation supporting the shift in purpose should be made available.		Mail Comment (Paraphrased due to length)
42	3			7/2/2020	Alternatives	Suggested that the EIS should evaluate a broad range of alternatives for accessing water rights and addressing drought situations. Believed the alternatives stated to be insufficient.		Mail Comment (Paraphrased due to length)
42	4			7/2/2020	Flood Concerns	Concerned that the project could lead to worse flood events by interfering with the flow between Brazos River and Oyster Creek and flood capacity of the area. Believe that proposed mitigation project to address flood concerns don't address the downstream area and could lead to issues for property owners.		Mail Comment (Paraphrased due to length)
42	5			7/2/2020	Environmental Impacts	Suggested that the project consider impact on: <ul style="list-style-type: none"> - Impacts on historical and cultural resources - Loss of valued Columbia Bottomland habitat - Climate change and its role in increasing future impacts from the proposed project - Destruction of or impacts on wetlands, stream habitats, and other key habitats - Impacts on fish and wildlife from changes to instream flow patterns due to operations of the proposed reservoir and transmission through Oyster Creek. - Impacts on endangered, threatened, and proposed listed species - Human environment - flood elevation 		Mail Comment (Paraphrased due to length)
43	1			5/29/2018	Public Involvement	Stated that the application appears to be based on incomplete information that has no been fully developed, carried out or analyzed. Requested the Corps require preparation of an EIS and a public meeting for the proposed permit.		Mail Comment (Paraphrased due to length)
43	2			5/29/2018	Flood and Erosion Concerns	Concerned that the project could lead to worse flood events by interfering with the flow between Brazos River and Oyster Creek, which will have negative consequences for landowners. Additionally, concerned that the floodwater will erode the riverbanks downstream which will affect landowners downstream. Concerned that there is no public available documents that show the hydrological impacts of the project have been analyzed.		Mail Comment (Paraphrased due to length)
43	3			5/29/2018	Alternatives	Suggested that the purpose in the Alternatives Analysis is not clearly defined and lacks critical information needed to conduct an alternative analysis. Additionally, suggested conducting analysis of the loss of stored water due to evaporation. Lastly, requested that a combination of alternatives be considered.		Mail Comment (Paraphrased due to length)
43	4			5/29/2018	Opposed to the project	Requested the Dow Chemical Company's currently-pending permit application for a 2000 acre be denied, and that an EIS be conducted for this proposed project.		Mail Comment (Paraphrased due to length)
44	1			7/2/2020	Public Involvement	Requested all the updated reports concerning potential impacts to floodplains and hydrology In response to concerns regarding potential impacts to floodplains and hydrology, the Corps conducted several studies including a geomorphic assessment of Oyster Creek; a Level I and II stream assessment; a hydrology and hydraulic modeling report; modeling of areas downstream to confirm the floodplain storage; an updated interim hydrogeomorphic functional assessment to determine capacities of the waters of the U.S.; and, a Phase I Environmental Site Assessment1. As a cooperating agency, we request all updated reports be provided to our office for a thorough project review and comment. Concerns related to these potential impacts may include, but are not limited to: increase in flooding within the floodplain of the Brazos River and Oyster Creek; mitigation needs to offset impacts to the floodplain, loss or conversion of riparian habitat, and bottomland forested areas; and, impacts to water quality and quantity as it relates to our federally-listed and candidate species and migratory birds.		Mail Comment (Paraphrased due to length)

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Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
44	2			7/2/2020	Erosion Concerns	The Service is concerned with the clearing of the riparian zone where the pump/in-take station is proposed to be constructed on the Brazos River bank. The removal of the riparian zone along the banks of streams and rivers increases the risk and rate of erosion significantly causing water quality issues and habitat degradation. Impacts to this riparian zone can also alter flooding regimes and alter sensitive bottomland forested areas of habitat. The applicant should avoid and/or minimize impacts to riparian habitats to the maximum extent practical in the design of this Project, including any laydown and staging areas. We recommend implementing best management practices (attached) to minimize potential effects to the Brazos River, Oyster Creek, and their associated riparian zones and its delicate ecosystems.		Mail Comment (Paraphrased due to length)
44	3			7/2/2020	Mitigation	The proposed Project proposes to impact 12.19 acres of emergent wetlands, 4.15 acres of forested wetlands, and 20,486.3 linear feet (5.73 acres) of streams. Since the issuance of the public notice in 2018, both a functional and stream assessments were conducted in September 2019. The Corps verified the wetland delineation in October 2019 and plans to revise the conceptual mitigation plan based on these assessments. The applicant should develop a detailed stream mitigation plan pursuant to the requirements of 33 CFR 332.4 (c). We request that the Corps provide this plan to the Service and other resource agencies for review and comment prior to the issuance of this permit.		Mail Comment (Paraphrased due to length)
44	4			7/2/2020	Wetlands/SAV	We are concerned with temporal loss of forested wetland functions and values posed by the Project. Stream restoration and enhancement will likely require years to stabilize, become functional, and grow mature riparian zones. Loss of habitat for multiple generations could destabilize local populations of species with short life cycles (e.g. amphibians, birds, etc.). The applicant should conduct long-term monitoring of mitigation sites in order to capture the streams' timeframe of recovery, and as such, these details should be detailed in the mitigation planning documents.		Mail Comment (Paraphrased due to length)
44	5			7/2/2020	Environmental Impacts	A plan that includes post-construction site restoration and management activities should be developed and provided to the Service for review and comment. Such a plan should address potential management strategies (i.e. mowing, herbicide use, plantings); ways to avoid/minimize the introduction of nonnative aquatic and plant species into the ecosystem; and, address measures to avoid and/or minimize impacts of such activities to our trust resources (e.g. federally-listed and candidate species, migratory birds, aquatic resources).		Mail Comment (Paraphrased due to length)
44	6			7/2/2020	Threatened and Endangered Species	The applicant should conduct baseline and post-restoration assessments of macroinvertebrate (e.g. mussels), fish, and riparian zones within areas of the Project and the proposed in-stream mitigation sites. The Texas fawnsfoot (<i>Truncilla macrodon</i>) can potentially occur within the Colorado and Brazos River drainages. The species is currently a candidate and is under review by the Service to determine if protection under the Act is warranted.		Mail Comment (Paraphrased due to length)
44	7			7/2/2020	Environmental Impacts	Per prior guidance, post-construction bank restoration strategies should strive to obtain a minimum surviving density of 400 stems/acre of trees and shrubs planted by year 3. Of those, 250 stems/acre should be six feet tall by year 7. As the stand matures and the canopy closes, light will be limited and competition will increase. This will lead to a decrease in population densities to between 100 and 250 stems/acre and producing, in concert with forest management strategies, a sustainable and productive community of native tree species.		Mail Comment (Paraphrased due to length)
44	8			7/2/2020	Wetlands/SAV	Recommended several best management practices to implement as the project has the potential to effect river, stream or tributary aquatic habits. In addition to these recommendations, the commenter suggested the project considers SMZ widths (chart provided) and additional permit requirements for fill materials and additional individual projects.		Mail Comment (Paraphrased due to length)
45	1			7/2/2020	Environmental Impacts	Texas Parks and Wildlife Department is concerned with potential impacts to environmentally critical habitats including wetlands, streams, coastal prairie, neotropical songbird nesting and foraging areas, and federal/state threatened and endangered species habitat. TPWD recommends the EIS include detailed descriptions and evaluations for all associated phases of the project relative to the items discussed in Attachment A and Attachment B.		Mail Comment (Paraphrased due to length)
46	1			7/2/2020	Public Involvement	Requested the scoping period be extended 30 days after the last of studies and documents are made available for public review.		Mail Comment (Paraphrased due to length)

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Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
46	2			7/2/2020	Purpose and Need	LBRW believes that the modified purpose and need statement for this project, as provided in the June 2020 information/scoping meeting announcement, reframes the purpose in terms of increasing water supply by a specific amount (49,000 acre feet) and thus results in a de facto exclusion of any alternatives that might address reducing demand. This is inconsistent with NEPA's intent that a broad range of feasible alternatives be considered, to accomplish the project's ultimate goal. Increasing standing supply is not the only way to accomplish providing Dow Chemical with an adequate, reliable water supply		Mail Comment (Paraphrased due to length)
46	3			7/2/2020	Public Involvement	LBRW is concerned with the manner in which the public notice and the scoping meeting announcement were made. Even for those of us with some familiarity with the USACE process and communication it was very difficult to locate. We are also concerned that during the virtual scoping meeting we were unable to see the participants list. It appeared that a meeting on a project that has had wide interest was minimally attended. This should be rectified by holding a second scoping meeting after all of the above mentioned documents are made available for public review.		Mail Comment (Paraphrased due to length)
46	4			7/2/2020	Alternatives	Suggested review of floodplain impact for alternatives identified. Considered alternatives for water conservation that may eliminate or reduce the scope of the project.		Mail Comment (Paraphrased due to length)
46	5			7/2/2020	Environmental Impacts	Concerned with the impacts of construction activities and post-construction alterations on habitats, river, riverbanks, etc.		Mail Comment (Paraphrased due to length)
46	6			7/2/2020	Flood Concerns	<p>As we have noted in several places throughout our comments, the original permit application completely omits consideration of project impacts to floodplains and potential impacts to downstream property as a result of its construction. Lower Brazos Riverwatch and others have made efforts to track down information relating to any Conditional Letter of Map Revision (CLOMR) or Letter of Map Revision (LOMR) for this project and have been unsuccessful in obtaining any documentation, though we have been told that this process may actually be going on with no public notice or involvement. The absence of information on this critical topic reduces us to making a general scoping recommendation that this be fully considered in the EIS. We believe that the issuance by FEMA of any such CLOMR/LOMR should be considered an integral part of this EIS process and done with full public involvement, since the project could not be constructed but for the issuance of such approvals.</p> <p>There is also considerable anecdotal information and observations that indicate that at water levels greater than 100 year flood elevation, similar to our last three 500 year plus events, the flood waters from the Brazos River flows through the project area and joins Oyster Creek. Documents obtained from Brazoria County Engineering indicate that there are and have been studies of how to manage this cross channel flood flow between the Brazos and Oyster Creek and between Oyster Creek and Bastrop Bayou. Where this water goes in a post-project condition needs to be evaluated as part of the EIS process, as does the loss of up to 50,000 acres feet of valley storage by the construction of the reservoir itself.</p> <p>Lower Brazos Riverwatch believes that the USACE needs to obtain this information from the applicant, as part of the EIS preparation, and deal fully with this issue in the DEIS.</p>		Mail Comment (Paraphrased due to length)
46	7			7/2/2020	Mitigation	Requested the EIS specify which mitigation bank will be utilized for credits and which organization will hold the conservation easements. A more thorough mitigation plan for on-site mitigation that describe how they will address the specific impacts being lost. Need to address the loss of valley storage.		Mail Comment (Paraphrased due to length)
46	8			7/2/2020	Threatened and Endangered Species	Requested the EIS re-analysis the impact on wildlife species in the area of the project. Additionally, request a re-evaluation of the threatened & endangered species and general species list to confirm species on the list and consider other species (refer to comment for specific species).		Mail Comment (Paraphrased due to length)
46	9			7/2/2020	Socioeconomics/Land Use/Recreation/EJ	The USACE needs to consider the impacts of the project, both during construction and operation on recreational use of the Brazos and Oyster Creek. The EIS needs to consider how safe use of the river will continue uninterrupted during construction and operation. Possibly investigate acquisition of a portage easement, either temporarily during construction, or permanently, if the project would create an unsafe situation for recreational users. Also suggested considering impacts to launch and landing sites from excess sediment should also be considered.		Mail Comment (Paraphrased due to length)
46	10			7/2/2020	Cumulative Impacts	Suggested a thorough evaluation of the cumulative impacts of the project on the environment.		Mail Comment (Paraphrased due to length)

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Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
47	1			6/17/2020	Flood and Property Concerns	<p>I am a Brazoria County Land Owner along County Road 25 directly downstream and on the west side of the Brazos River. I have land that lies both North and South of the Mann Lake Complex including Brazos River Bank property.</p> <p>I also own land just west of Oyster Creek in the Planter's Point Subdivision near Holiday Lakes.</p> <p>The red water of a Brazos River Flood from the recent 2015-2019 floods, it inundates the Oyster Creek system. Oyster Creek doesn't flood red-silted water when it has a rain event in the Fort Bend and Harris County drainage. This demonstrates that the Brazos River is the driving factor in the flooding of the Brazos River/Oyster Creek floodplain, not Oyster Creek.</p> <p>This project's environmental, economic and life adjustment for affected individuals is incomplete without a very comprehensive study of the effects of the flood waters in the Brazos River channel and west bank floodplains.</p>		Mail Comment (Paraphrased due to length)
47	2			6/17/2020	Mitigation	In the 870 acres west of the new approximately 11,000 foot westernmost levee of the new reservoir, there are 3867.67 acre feet of flood waters that aren't being accounted for in all of the mitigation discussions.		Mail Comment (Paraphrased due to length)
47	3			6/17/2020	Flood and Property Concerns	<p>A study needs to be done to demonstrate that the proposed new reservoir will not impact the west side of the Brazos River and impact the communities and lands that have never seen a Brazos River flood before.</p> <p>If the Brazos River breaches the abandoned diversion channel, the channel will not be able to contain the flow and it will overflow and breach to the north and west of the channel. The floodwater will directly enter into the Lake systems. This will directly impact the communities along Brazoria County Road 255, 24, 26, 27, 23, 13 and Mallard Lake Club, Brazos River Club and Columbia Lakes along Brazoria County Road 25. It will further impact the City of West Columbia in a much greater manner than it has been impacted in prior floods.</p>		Mail Comment (Paraphrased due to length)
47	4			6/17/2020	Environmental Impacts	<p>Bell Lake, Manor Lake and Eagle Nest Lake are a unique and special ecosystem in the Columbia Bottoms wetlands and the current ecosystem, as it exists, will be destroyed by a massive influx of sediment loaded, possibly polluted Brazos River water.</p> <p>The United States Fish & Wildlife Service has a long term conservation easement for Eagle Nest Lake. I assume since they are listed as one of the cooperating Agencies of this project, that they have done a study of the impact on Eagle Nest Lake should the Brazos River waters influx into its basin. If such a study exists, please provide the same for examination.</p>		Mail Comment (Paraphrased due to length)
47	5			6/17/2020	Alternatives	<p>Because of that potential impact, maybe the DOW Harris Expansion Project should be abandoned or vastly altered. DOW should look into dredging the 2 existing reservoirs and possibly adding more storage capacity.</p> <p>DOW should be looking into a location that doesn't so greatly impact the floodplains of the Brazos River, which by their own admission will be greatly impacted by further development upstream</p>		Mail Comment (Paraphrased due to length)
48	1			6/2/2018	Opposed to the project	I request that the permit application, as currently proposed, be denied by the USACE		Mail Comment (Paraphrased due to length)
48	2			6/2/2018	Flood and Erosion Concerns	<p>We are members of the Brazos River Club (BRC). BRC's property has experienced erosion because of recent floods. I am concerned about flooding and erosion.</p> <p>Have hydrological analysis been done to address flooding in the Brazos River and Oyster Creek watersheds?</p> <p>Building levees and removing larges areas from the floodplain will increase the flow and erosive impacts downstream of the project.</p>		Mail Comment (Paraphrased due to length)
48	3			6/2/2018	Purpose and Need Alternatives	<p>The limitations on these water rights, the evaporation that will occur, the timing of rainfall and drought, and more factors come into consideration.</p> <p>Options to manage the saltwater wedge that occurs in the Brazos River during low flow conditions could be included in the alternatives considered in future analysis.</p>		Mail Comment (Paraphrased due to length)

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Comment #	Topic #	Commenter (Last Name/First Name)	Commenter Contact Information	Date Received	Category	Comment	Response	Type
48	4			6/2/2018	Environmental Impacts	<p>Much of the area to be inundated is classified as Columbia Bottomlands. These are important ecological resources, and these impacts should be given additional analysis and consideration.</p> <p>Request a full Environmental Impact Statement be completed before further consideration is given to approving the proposed project.</p>		Mail Comment (Paraphrased due to length)

Appendix F

Public Scoping Meeting Transcript

TRANSCRIPT OF VIDEO FILE

DOW EIS

JUNE 17, 2020

1 MR. HUDSON: Good afternoon. On behalf
2 of the project team, we thank you for your time
3 and interest in the Dow Chemical Harris Reservoir
4 Environmental Impact Statement or EIS.

5 My name is Jayson Hudson, and I am the
6 U.S. Army Corps of Engineers Regulatory Project
7 Manager for the Department of the Army permit
8 application.

9 The overall goal of public scoping is to
10 define the issues to be addressed in depth in the
11 analysis that will be included in the EIS.

12 That's why we're here today. We want to hear
13 from you about the issues you would like for us
14 to address in the EIS, and we appreciate everyone
15 taking the time to join us today.

16 Before I proceed with our agenda, I
17 would like to acknowledge the project team
18 members in attendance today. From the U.S. Army
19 Corps of Engineers, we are joined by Joe McMahan,
20 Chief of Regulatory, and Bob Hindley, Deputy
21 Chief of Regulatory.

22 From the Dow Chemical Company, we are
23 joined by Yvonne Sampson (phonetic), Senior EH&S
24 Leverage Delivery Leader, EHS focal point for the
25 project, and Greg Bond, Dow Project Manager with

1 the Environmental Technology Center.

2 From the Corps EIS contractor team, we
3 are joined by Whitney Fior (phonetic), Christine
4 Hartman (phonetic), and Kara Giblen (phonetic)
5 from SWCA, as well as Leslie Hollaway and Connor
6 Stokes from Hollaway Environmental and
7 Communication Services, who will be assisting me
8 today.

9 During the meeting today, Colonel
10 Timothy Vail, Commander of the U.S. Army Corps of
11 Engineers Galveston District, will provide
12 opening remarks followed by presentations about
13 the proposed project from the Corps and the Dow
14 Chemical Company.

15 After the presentations, you will be
16 provided with the opportunity to speak directly
17 to the project team. If you did not sign up to
18 speak when you registered for today's meeting,
19 you may do so at any time during the meeting by
20 using the "raise hand" feature located at the
21 bottom of the WebEx participant list. Please see
22 the screen for additional instruction about using
23 the "raise hand" feature through WebEx. Please
24 note that you must access the WebEx portal online
25 to sign up to speak today.

1 Speakers will be called on to provide
2 comments in the order in which they have signed
3 up. We will announce upcoming speakers in groups
4 of five, so you are aware of when you will be
5 called to speak.

6 For individuals who have only called in
7 through the phone line, you have the option to
8 submit written comments through mail, online
9 through the project site, and by texting or
10 calling the project phone number, (855) 925-2801
11 and entering code 8816. I repeat, that number is
12 (855) 925-2801 and the access code is 8816.

13 We will now begin the presentation
14 portion of the meeting with opening remarks from
15 Colonel Timothy Vail, Commander of the U.S. Army
16 Corps of Engineers, Galveston District.

17 COLONEL VAIL: Hello. I'm Colonel
18 Timothy Vail, Commander of the Galveston District
19 for the U.S. Army Corps of Engineers. Welcome to
20 today's scoping meeting for the Department of the
21 Army's Permit for SWG 2016 01027, the Dow
22 Chemical Company's Harris Reservoir Expansion
23 Project.

24 The public plays an important role in
25 this permitting process, and as always, the Corps

1 values your attendance here today as we consider
2 this application.

3 Dow Chemical Company is proposing to
4 construct a 2000-acre off channel impoundment,
5 referred to as the Harris Expansion to supplement
6 total available storage capacity of the existing
7 Harris and Brazoria Reservoirs. This Harris
8 Expansion would be capable of a nominal storage
9 capacity of 50,000 acre-feet, providing a
10 reliable water supply from the Brazos River for
11 Dow's operations in Freeport, Texas, and other
12 users of Dow's water supply system, including the
13 Brazosport Water Authority during extended
14 periods of drought and low stream flows.

15 The Army Corps of Engineers is neither a
16 proponent nor opponent of this project. We will
17 ultimately decide if the proposed project is not
18 contrary to the public's interest.

19 In order to make that decision, we must
20 gather as much information as possible within the
21 time allowed. This meeting will give individuals
22 the opportunity to comment on the scope of the
23 environmental impact statement or EIS for the
24 proposed project, and all comments become part of
25 the official record.

1 After Dow Chemical Company provides a
2 brief description of the proposed project, we'll
3 provide an overview of the Department of the Army
4 permit procedure and the National Environmental
5 Policy Act Process. Then we will begin calling
6 on individuals who signed up in advance to submit
7 their comments.

8 Today's meeting is not a vote for or
9 against the project. It's an opportunity for you
10 to comment on the types of information that
11 should be evaluated to develop the scope of the
12 EIS. In determining the scope of the EIS and
13 evaluation of this permit evaluation, we'll begin
14 considering all relevant factors identified
15 during the scoping and in response to the public
16 notice, including the needs and welfare of
17 people, the project's impact on fish and
18 wildlife, historic properties, fisheries,
19 economic activity, navigation, safety, and
20 recreational use.

21 As both a Texan and Commander of the
22 Galveston District, I'd like to thank you for
23 participating in this process by attending this
24 meeting. The information and issues identified
25 during this meeting, along with information and

1 issues provided in written comments will be
2 considered in the determination of the scope of
3 the environmental impact statement and subsequent
4 evaluation of the permit application.

5 MR. HUDSON: Thank you, Colonel Vail.
6 We will now proceed with the Dow Harris Reservoir
7 EIS presentation, describing the proposed
8 project.

9 MR. BOND: Hello. My name is Greg Bond,
10 and I'm the Project Manager for the Harris
11 Reservoir Expansion Project, and I work for Dow
12 Chemical Company. What I'd like to do today is
13 to spend a few minutes talking about the high
14 level scope of the Harris Reservoir Expansion
15 Project.

16 On the slide that you see at the moment,
17 slide on the screen, there's the existing Harris
18 Reservoir, which is on the right-hand side of the
19 screen, and existing pump station. So that's
20 actually in the field already, and then you have
21 an artist's rendition of the new Harris Reservoir
22 Expansion, new pump station associated with it,
23 and what it would look like once it was built.
24 So I wanted to share that with you as well.

25 And so over the next few minutes I'd

1 like to share with you a high level review of
2 this project.

3 The high level scope - this project is
4 to construct a new off channel reservoir and pump
5 station. The facility would be located in
6 Angleton, Texas, directly north of the existing
7 Harris Reservoir. The new reservoir will expand
8 storage capacity by about 50,000 acre-feet. It
9 will add a new 150,000 gallon a minute pump
10 station, which will improve reliability during
11 drought conditions.

12 Why do we want to do this project?
13 Additional pumping and storage capacity is
14 required to provide protection against drought
15 events for Dow as well as other industrial and
16 municipal users. Extreme drought events, like
17 what we had in 2009 and 2011, resulting in low
18 flow along the Brazos River that created a
19 frequency that can be expected to impact Dow's
20 ability to supply fresh water 6 to 12 percent of
21 the time without any action.

22 The project will allow region to meet
23 requirements for the TCEQ for 180 days of stored
24 water, which is needed to provide adequate
25 protection against these seasonal drought events.

1 Current reservoir system including
2 Brazoria and Harris Reservoirs holds
3 approximately two months of river water supply
4 for our regional partners Dow. The proposed
5 reservoir will add the recommended additional
6 four months of river water supply.

7 Dow has previously relied on utilized
8 stored water resources of others, primarily we've
9 contracted with the Brazos River Authority for
10 their reserves as a supplement during these low
11 flow events. However, increasing basin-wide
12 demand, increased awareness of drought issues
13 brought on especially by recent drought events
14 have reduced and could soon entirely eliminate
15 the availability of these supplies.

16 And finally, I just want to mention that
17 current water rights will not change with
18 installation of the new reservoir.

19 So we want to spend a few minutes
20 talking about the technology, and to start I'd
21 like to talk about what our current system looks
22 like. We have the Harris Reservoir and the
23 Brazoria Reservoir. On the Harris Reservoir, we
24 have a pump station that pumps from the Brazos
25 River, and then the water goes from the Harris

1 Reservoir and siphons through a pipe into the
2 Oyster Creek. It follows the same path down the
3 Oyster Creek through what's called our Lake
4 Jackson pump station that pumps it into our Dow
5 Canal, and then Dow Canal sends that water and
6 sends it to Dow Texas operations, other
7 industrial users, and community users as well.

8 The Brazoria Reservoir does something
9 very similar. It has a pump station that takes
10 from the Brazos River, puts it in the reservoir,
11 and then we have a pipe that will siphon the
12 water from the reservoir to the Buffalo Camp
13 Bayou. At Camp Bayou, it also goes into the Dow
14 Canal. That water is used for our industrial
15 users, community users, and Texas operations of
16 Dow Chemical plant.

17 So the Harris Reservoir Expansion will
18 be installed directly north of the existing
19 Harris Reservoir. Water will do the same thing.
20 It will siphon through pipes into Oyster Creek,
21 follow the same path as the water from the
22 existing Harris Reservoir. So I just wanted to
23 mention that.

24 So now what we're going to talk about is
25 different technologies that were used in our new

1 Harris Reservoir expansion. We'll talk about the
2 intake -- intake screens, new pump station, that
3 line going to the reservoir embankment discharge
4 and some flood mitigation projects that are part
5 of this project as well.

6 So first we'll talk about the intake
7 screens. They will be compliant with
8 environmental regulations, and they will have
9 mechanical cleaning to kind of keep them clean
10 and operational. You can see -- on the bottom
11 right here, you can see the two T screens. You
12 will have section lines coming from those T
13 screens that will go underground to the pump
14 station, which you can see in that same drawing a
15 little farther up in that building, right above
16 it.

17 And on a small drawing in the upper
18 right-hand corner, you'll see a white dot. That
19 white dot shows the location of these intake
20 screens. So each one of these technologies, when
21 we talk about it, you'll see a mark or line, top
22 right-hand corner, which will show the location
23 of the technology or the piece of the property
24 that we're discussing.

25 We're not going to talk about the pump

1 station, top right. You can see the white dot,
2 which shows where the pump station will be
3 located. It will take the section pipes from
4 your T screens. It will go to these horizontal
5 pumps. The horizontal pumps will have discharge
6 piping coming out vertically and then going
7 towards the reservoir on the ground level of the
8 pump station. The pump station is designed based
9 on the Brazoria Reservoir pump station, which has
10 been working since the 1950s in good working
11 operation, and so we want to design this pump
12 station similar to that Brazoria Reservoir pump
13 station.

14 On the left you can see an artist
15 rendition of our pump station building in the
16 center. On the left-hand side you can see the
17 operations building. The right-hand side you can
18 see our MCC building.

19 Technology being used for the
20 embankment. On the top right, you can see the
21 embankment will be all the way around the
22 reservoir. This is the design of the actual levy
23 around the reservoir. Looking from the left-hand
24 side first, we'll have some sacrificial fill that
25 will protect the embankment fill on the inside of

1 the reservoir, and this is below the water level.

2 Towards where the water level will be on
3 the embankment fill, we will have soil cement,
4 and that will be used to protect the embankment
5 against any issues at the air-water interface.

6 Below the embankment fill on the inside,
7 we will have a seepage barrier wall that we use
8 to help water not -- well, to help stop water
9 from going underneath the embankment.

10 At the top of the embankment or the
11 levee, left-hand side will have a wave wall,
12 which will help us to protect the top of the
13 levee against waves coming across the reservoir.
14 We'll have a 12-foot road that you can use to
15 drive along the top of the reservoir for
16 inspection or anything else that you might need
17 to do on the top of the reservoir.

18 Right below that we have a chimney drain
19 and a blanket drain that are made of sand to
20 capture any water coming through the embankment,
21 and then it can be captured under the PVC pipe,
22 which is also in the diagram.

23 On the inside of the embankment, it's a
24 three-to-one slope. On the outside it's a three
25 and a half-to-one slope to help with stability of

1 the embankment fill. It will be topped with
2 topsoil and grass.

3 And then on the very outside of the
4 embankment, you have an access road. It's also
5 going to be 12-foot wide to allow access all the
6 way around the embankment on the outside.

7 Reservoir inlet pipe. In this drawing
8 in the back you can see two pipes coming out of
9 the building. That's the pump station. Those
10 two pipes will connect into one pipe that will
11 come into the reservoir. The majority of the way
12 it's underground, and then at the embankment it
13 comes above ground. It has a little fence and
14 then goes into the reservoir. And especially
15 when the reservoir is not filled, there will be a
16 cement stilling basin that that water will go
17 into so that it will not have any issues with --
18 or concerns when you're filling the reservoir
19 with the water being pumped into it. So it will
20 have a stilling basin in the reservoir itself.

21 And at the top right you can kind of see
22 where that reservoir inlet type will be. The
23 next thing we want to talk about was the
24 discharge to combine emergency outlet and outlet
25 structure. It is somewhat into the reservoir, so

1 that keeps it out of the -- keeps it out of the
2 embankment.

3 And at the bottom, that's where the
4 normal outlet will be, and the water will be
5 flowing through that outlet, through the
6 embankment, and then out to the Oyster Creek.
7 The emergency outlet on the top as needed. You
8 could also have water coming through the
9 emergency outlet on the top of this structure.
10 It will go through a baffle structure to
11 dissipate any energy from the drop in height from
12 the top of the reservoir down to the outlet. And
13 then it will go through the same outlet structure
14 over to the Oyster Creek.

15 So what we want to do now is we want to
16 talk about three floodplain mitigation projects.
17 As part of the Harris Reservoir Expansion
18 Project, Oyster Creek restoration is planned. We
19 have three projects that we're going to talk
20 about as far as part of that plan.

21 Portions of the projects include flood
22 capacity, provide repair, restoration and
23 enhancements. Stream restoration projects will
24 comprise of bed fill (indiscernible), 100-foot
25 buffer preservation, buffer reestablishment out

1 to 200 feet.

2 So project one, which is this first one,
3 is located on an unnamed tributary to Oyster
4 Creek. You can see it on the top right-hand
5 corner, see the white line. That's where this
6 unnamed tributary is. We'll align the flow of
7 the channel with floodplain mitigation
8 requirements. We'll have flood mitigation and
9 stream enhancement design, which will follow
10 industry best practices. It will encompass about
11 2400 feet of the floodplain conveyance,
12 incorporate floodplain bench on both channel
13 banks, add some layback of channel banks as well,
14 and it will preserve existing riparian buffer.

15 The second floodplain mitigation
16 project. You can see it on the top right again.
17 This is part of the Oyster Creek itself. Again,
18 the flow of the channel will align with
19 floodplain mitigation requirements. We will have
20 floodplain and stream enhancement design, which
21 will follow best practices in industry. This
22 covers about 7800 feet of the floodplain -- 7800
23 of the Oyster Creek with floodplain conveyance
24 and storage improvements. Incorporated
25 floodplain bench on the west channel bank,

1 preserves existing riparian buffer, and then
2 buffer reestablishment will also be part of this
3 project.

4 Project number three, again, aligns the
5 flow of the channel with floodplain mitigation
6 requirements. Floodplain mitigation and
7 enhancement design follow industry best
8 practices. Establishes an ephemeral channel
9 within the existing floodplain.

10 There will be a broad crested weir on
11 the south bank of Oyster Creek to maintain low
12 flows in Oyster Creek, but as the flows get
13 higher, conveys overflows from Oyster Creek
14 during high flows. Approximately 10-year range
15 at greater magnitude flood events will go into
16 this overflow. And that overflow project will
17 also accommodate the reservoir outlet and
18 spillway.

19 Finally, I wanted to talk a little bit
20 about the master project schedule. We have
21 turned in our permit in February of 2018. We
22 plan to do a detailed design kickoff of our
23 engineering in January of 2021. We are planning
24 to receive our permit approval in April of 2022,
25 start construction of the reservoir in August of

1 2022, detailed design in March of 2023, complete
2 our construction in August of 2025, release to
3 operations the following month, and then we'll
4 have a few months to go ahead and fill the
5 reservoir, finishing that up in January of 2026.

6 So this is a very high level review of
7 the Harris Reservoir Expansion Project, and I
8 appreciate you listening. And I thank you for
9 your time.

10 MR. HUDSON: Thank you, Greg.

11 As a reminder, if you have not
12 registered to speak during the meeting today and
13 would like to, you may do so at any time by using
14 the raise hand feature located at the bottom of
15 the WebEx participant list. Please note that you
16 must access the WebEx portal online to sign up to
17 speak tonight.

18 And now we will provide you information
19 about the U.S. Army Corps of Engineers EIS
20 process, including the purpose and need,
21 potential project alternatives, as well as an
22 overview of the known environmental concerns.

23 (Recording played)

24 MR. HUDSON: Hello. My name is
25 Jayson Hudson, and I am the Corps Regulatory

1 Project Manager for the Dow Chemical Company's
2 Harris Reservoir EIS. I will present to you an
3 overview of the Corps EIS process and the results
4 of our early scoping.

5 The objectives of my presentation
6 are to provide you an overview of the relevant
7 laws, introduce the Corps project team, describe
8 some of the content of the EIS and some of the
9 alternatives and environmental concerns that have
10 been identified.

11 The Dow permit application is
12 subject to Sections 10 of the Rivers and Harbors
13 Act and Section 404 of the Clean Water Act. The
14 project is also subject to Executive Order 13807,
15 which streamlines the interagency coordination
16 and development of the EIS.

17 The project must also be coordinated
18 with State and Federal agencies pursuant to
19 Section 401 of the Clean Water Act, the Coastal
20 Zone Management Act, the Endangered Species Act,
21 and the National Historic Preservation Act.

22 The EIS team is comprised of the
23 Corps as the lead Federal agency, with the
24 Environmental Protection Agency and U.S. Fish and
25 Wildlife Service cooperating in the development

1 of the EIS.

2 Several state agencies, including
3 the Texas Commission on Environmental Quality,
4 Texas Parks and Wildlife Department, and the
5 Texas Historical Commission are also
6 participating or commenting on the development of
7 the EIS.

8 The EIS contractor is SWCA
9 Environmental Consultants and Dow Chemical
10 Company is the applicant.

11 Due to limited resources, the Corps
12 regulatory program utilizes a third-party
13 contractor process to develop an EIS. In this
14 process, the lead Federal agency, applicant, and
15 environmental consultant enter into an agreement
16 where the applicant contracts and pays for the
17 environmental consultant who prepares the EIS
18 under the direction of the Corps.

19 As you can see in the diagram, the
20 Corps directs the environmental consultant on the
21 development of the EIS independent of the
22 applicant. It's important to emphasize that
23 ultimately, the Corps is responsible for the
24 development and content of the EIS.

25 Here we have a timeline of major

1 milestones. Dow submitted their application in
2 February of 2018 and after an initial public
3 notice in March, the Corps determined an EIS
4 would be required in October of 2018.

5 After working with Dow to develop
6 additional information for the project, the Corps
7 coordinated with the cooperating agencies to
8 develop a purpose and need for the project, which
9 we will discuss later in the presentation.

10 The Corps published a notice of
11 intent to develop the EIS in April of 2000 of
12 this year, which initiated the scoping period we
13 are currently in.

14 The draft EIS is scheduled to be
15 provided to the public in June of 2021, with a
16 public hearing and comment period in July. The
17 final EIS is scheduled to be provided to the
18 public in January of 2022, followed by a permit
19 decision which will be documented in a record of
20 decision in April of 2022.

21 This EIS flowchart shows the
22 sequential process for developing and publishing
23 an EIS. We are currently in the scoping stage of
24 the EIS, where we are soliciting your input. The
25 information and issues identified during scoping,

1 along with the information and issues provided in
2 letters sent in response to the public notice,
3 and all other pertinent data, will be considered
4 in the determination of the scope of the EIS and
5 subsequent evaluation of the permit application.

6 The scoping process is an integral
7 step in the development of an EIS, with the
8 overall goal of defining the scope of issues to
9 be addressed in-depth in the analysis.

10 Listed here are the typical
11 sections of an EIS. The first chapter will
12 provide an introduction to the project and the
13 Corps' stated purpose and need for the project.
14 The second chapter describes the alternatives to
15 the applicant's proposed project, and the
16 subsequent chapters assess the impacts of all of
17 the alternatives evaluated. The assessments will
18 cover a wide range of environmental impacts
19 including the cumulative impacts.

20 In addition, studies that supported
21 the analysis will be provided in the appendices
22 of the EIS. These may include, but are not
23 limited to the Endangered Species Act
24 assessments, cultural resource studies, hydrology
25 and hydraulic studies, and compensatory

1 mitigation plans.

2 The Corps is required to restate the
3 purpose and need for the project from the public
4 interest perspective. The Corps, after
5 coordinating with the cooperating agencies,
6 developed two purpose statements: a basic
7 purpose and an overall purpose.

8 The basic purpose is developed to
9 determine if the project requires siting in or
10 proximity to a special aquatic site such as a
11 wetland. Based on the Corps' basic project
12 purpose, shown here, the project was determined
13 not to require siting in or proximity to a
14 special aquatic site such as a wetland.
15 Therefore, it is presumed that an alternative
16 that does not affect special aquatic sites is
17 available.

18 The overall purpose is developed to
19 identify and screen alternatives to the
20 applicant's proposed project. The Corps has
21 determined that the overall project purpose from
22 the public interest perspective is to utilize
23 Dow's existing run-of-river water rights from the
24 Brazos River to improve reliability during
25 extended drought conditions over the existing

1 water supply system that serves Dow's Texas
2 operations in Freeport.

3 Based on modeling, Dow estimates
4 that 78,000 acre-feet of water storage capacity
5 is necessary to provide the Texas Commission on
6 Environmental Qualities recommended 180 days of
7 drought resilience.

8 Alternatives that were identified
9 during the initial public notice, which is an
10 early scoping step, include the no action
11 alternative, which in this case would be permit
12 denial, the applicant's preferred alternative, as
13 well as alternatives to the reservoir such as
14 deepening and expanding the existing reservoirs
15 or a desalination plant.

16 It is not uncommon in complex
17 projects such as this one to have alternatives
18 developed for subcomponents of the project: in
19 this case, alternatives to the floodplain
20 mitigation designs on Oyster Creek.

21 In addition to the alternatives that
22 were identified during the public notice, several
23 environmental concerns were raised. Many of the
24 comments received focused on floodplain impacts
25 as well as changes and sedimentation and erosion

1 of the Brazos River and Oyster Creek. Additional
2 comments were received on Fish and Wildlife
3 impacts, including endangered species as well as
4 overall water quality.

5 I thank you for your interest in the
6 development of the EIS for the Dow Chemical
7 Companies Harris Reservoir Expansion Project. I
8 look forward to receiving your comments and
9 suggestions. We will be accepting scoping
10 comments through July 2nd of 2020. If you would
11 like to submit written comments, you may do so at
12 the mailing address or electronic email address
13 shown on your screen.

14 (Recording stopped)

15 MR. HUDSON: That concludes the
16 presentation portion of today's scoping. We will
17 now begin the commenting period. As a reminder,
18 if you have not registered to speak during the
19 meeting today and would like to, you may do so at
20 any time by using the raise hand feature located
21 next to your name in the WebEx participant list.

22 Please note that you must have access to
23 the WebEx portal online to sign up to provide a
24 comment.

25 Due to the nature of today's virtual

1 meeting, the formal public commenting portion of
2 today's meeting will be conducted in the
3 following way. First, Federal, State, and local
4 elected officials who wish to speak will be
5 called on to do so. Then everyone else who has
6 indicated a desire to speak will be given the
7 same opportunity. I will then call on each
8 member of the public who has signed up to speak
9 by the name used during the meeting registration.

10 Each speaker will be given three minutes
11 to make their comments. When it is your turn to
12 speak, please mute your computer audio to avoid
13 feedback. A countdown timer will be displayed on
14 the meeting broadcast screen for each speaker to
15 indicate their remaining time. As your time
16 ends, please be courteous to the other members of
17 the public who wish to provide comments and
18 quickly wrap up your comments to ensure that
19 everyone who would like to speak has the
20 opportunity to do so.

21 If you do not need the entire time
22 allotted, help us to include everyone by only
23 using the time you need. If you complete your
24 comments in less than three minutes, we will
25 restart the clock for the next speaker.

1 Remaining time cannot be reserved or transferred
2 to another speaker.

3 Please keep in mind that we reserve the
4 right to mute your microphone if this instruction
5 is not followed.

6 We ask that you support us in conducting
7 a respectful, orderly, and courteous meeting. We
8 want to be sure we get all of your comments
9 recorded, and we need your cooperation to do so.
10 So here are a few ground rules for the meeting
11 today.

12 Since this meeting is being held
13 virtually, we will keep all participant
14 microphones muted to avoid any background noise
15 that may make the presentation difficult to hear.
16 When it is your turn to speak, Connor will notify
17 you when your microphone has been unmuted.
18 Please make sure you have also unmuted your phone
19 too or computer.

20 When it is your opportunity to speak,
21 please state and spell your first and last name.
22 We will not respond today to the comments
23 submitted. However, all comments made today will
24 be documented and reflected in the development of
25 the EIS.

1 Just a reminder, you may not defer your
2 time to others. The public scoping meeting will
3 adjourn at 7:00 p.m. today. If you have
4 additional comments that you would like to submit
5 beyond what you are able to address during your
6 comment period, please submit them in writing or
7 by calling (855) 925-2801 and entering code 8816.
8 Again, that's (855) 925-2801 and the code is
9 8816.

10 Speakers will be called on to provide
11 comments in the order in which they have signed
12 up. We will announce upcoming speakers in groups
13 of five, so you are aware of when you will be
14 called to speak. If you do not wish to provide a
15 comment today but would like to submit comments
16 to the project team, there are other ways to do
17 so. You have the option to submit comments
18 through mail, online through the project website,
19 and by texting or calling the project number,
20 (855) 925-2801, and you enter code 8816.

21 All comments received during the formal
22 commenting period through July 2, 2020, will
23 carry the same weight as the comments submitted
24 today. You do not have to comment today, and you
25 will be heard just as clearly as those who speak

1 today. Additional information about submitting
2 comments is provided on the project website.

3 We will begin with comments from public
4 officials.

5 Connor, do we have any public officials
6 who wish to provide comments today?

7 MR. STOKES: Thank you, Jayson. We do
8 not have any public officials that have signed up
9 to comment today.

10 MR. HUDSON: Okay. Thank you. Connor,
11 who are our first five public speakers?

12 MR. STOKES: We currently have four
13 speakers that have signed up already. Those
14 speakers are Brandt Mannchen, Michael Thomas,
15 Preston Black, and Lisa Gasset (phonetic). We'll
16 begin with Brandt Mannchen.

17 Brandt, your microphone has now been
18 unmuted, and you can begin providing comments at
19 this time.

20 As a reminder, please make sure to
21 unmute your own device during your comment.

22 Again, Brandt, you can begin providing
23 comments at this time.

24 MR. MANNCHEN: Hello? Can you hear me?

25 MR. HUDSON: Brandt, we can barely hear

1 you.

2 MR. MANNCHEN: Can you hear me now?

3 MR. STOKES: That's better.

4 MR. MANNCHEN: Can I go now? My name is
5 Brant --

6 MR. STOKES: Yes. You can --

7 MR. MANNCHEN: B-r-a-n-d-t, M-a-n-n-c-h-
8 e-n. I volunteer for the Houston Sierra
9 (indiscernible). Some of our concerns deal with
10 climate change. (Indiscernible) on this
11 particular project at Dow Chemicals operations
12 release a lot of CO2 into the atmosphere. We
13 would like an accurate climate change analysis
14 for this particular proposal. Also
15 (indiscernible) carbon dioxide (indiscernible)
16 pollutants.

17 We also support alternatives with water
18 conservation. We're very concerned that the
19 alternatives that were shown do not show
20 (indiscernible) floodplain (indiscernible), which
21 to us (indiscernible) off channel reservoir
22 alternative. So we would very much like to see
23 that as an alternative.

24 It's also of great concern about this
25 particular project is it has the potential for

1 (indiscernible) and reroute the Brazos River
2 during a flood event and capturing
3 (indiscernible). (Indiscernible) Brazos River
4 channel. So it's very important that
5 (indiscernible) as well as what the flood effects
6 might (indiscernible). Those are all the
7 comments I wish to make.

8 MR. STOKES: Thank you for your
9 comments.

10 As a reminder, once you unmute your
11 microphone, please make sure you get closer to
12 the mic so we can all hear the comments being
13 provided.

14 We will now move to the next speaker,
15 Michael Thomas.

16 Michael, your microphone is now unmuted,
17 and you can begin providing comments at this
18 time. Again, Michael, your microphone has now
19 been unmuted, and you can begin providing
20 comments at this time.

21 (No audible response)

22 We'll move on to the next speaker for
23 now, and we'll circle back with Michael once we
24 get through our current list.

25 Our next speaker is Preston Black.

1 Preston, your microphone is now unmuted,
2 and you can begin providing comments at this
3 time.

4 MR. BLACK: Okay. Mr. Stokes, can you
5 hear me?

6 MR. STOKES: Yes. We can hear you.

7 MR. BLACK: Okay. I've been researching
8 all the information that you provided online, and
9 I have great concern on the floodplain that's
10 going to be affected by the placement of this
11 reservoir. I've not been able to find the three
12 studies that were mentioned in the presentation
13 anywhere, the details. I would like to see
14 those.

15 And furthermore, I have seen no study or
16 no comments through the entire process on how
17 this project is going to affect the west side of
18 the Brazos River flood basin. And I'm afraid
19 when you take 10,000 acre-feet out of the storage
20 unit, your -- it's got to go somewhere. And it
21 looks to me like it's going to west side, and
22 none of this has ever been addressed. So I would
23 like to see some studies or some comments along
24 those lines. They might be out there. I've yet
25 to see them though, and that is my primary

1 comment of what I'm concerned with.

2 MR. STOKES: Thank you for your
3 comments. Your microphone has been muted as this
4 time.

5 Our next speaker is Lisa Gasset.

6 Lisa, your microphone is now unmuted,
7 and you can begin providing comments at this
8 time.

9 MS. GASSET: Okay. Confirming that you
10 can hear me.

11 MR. STOKES: Yes, ma'am. We can hear
12 you.

13 MS. GASSET: Okay. My name is Lisa
14 Gasset. My family owns a home off the Brazos
15 River downstream of the proposed project. This
16 home has been flooded by the river five times
17 between June 2015 and June 2019. Prior to that,
18 the property did not have a river flood in over
19 20 years.

20 The Corps is requiring an EIS for this
21 project, and I thank you for that. Citizen
22 involvement and the development, availability,
23 and review of information about the proposed
24 project are key parts of this EIS process.

25 As part of the federal register notice

1 published on April 7, 2020, for this scoping
2 period, this notice identified three studies and
3 assessments that were prepared in response to
4 issues raised by myself and others in 2018. Also
5 referenced is a wetlands delineation that was
6 verified by the Corps in October of 2019.

7 Weeks ago I asked if these might be
8 available and understood that additional
9 information will be posted on the scoping
10 website. There's very little information there.
11 None of these assessments reports on the wetland
12 delineation seem to be available online for
13 review by the public.

14 When critical information is not
15 available for review, genuine public feedback
16 cannot occur. I requested these reports and
17 studies be made available to the public online
18 and that the scoping period be extended to allow
19 a response related to the issues that are raised.

20 Another key part of the EIS process is
21 the identification, analysis, and review of
22 alternatives to the proposed project. I urge
23 consideration of a broad range of alternatives to
24 increase drought reliability, not just focusing
25 on this specific project alone, looking at the

1 broader purpose. These can include storage at
2 this location, storage at other locations, but I
3 don't know that it needs to be focused on a
4 specific volume without looking more broadly.

5 Alternatives could include conservation,
6 operational changes, a salt wedge barrier,
7 storage at other locations outside the
8 floodplain, redesigning or reducing the footprint
9 and flood impacts, and a range of other options.

10 Impacts of concern, again, include the
11 flooding downstream of the proposed reservoir,
12 particularly in the Brazos River. The one-page
13 summary that was posted raised more questions
14 than it answers. It seems to focus on Oyster
15 Creek while not addressing the known
16 interconnection and impacts on the Brazos River
17 that occur during flooding events.

18 I will leave additional discussion for
19 my written comments.

20 MR. STOKES: Thank you for your
21 comments. Your microphone has now been placed
22 back on mute.

23 At this time we will circle back to
24 Michael Thomas.

25 Michael, your microphone is now unmuted,

1 and you can begin providing comments at this
2 time.

3 MR. THOMAS: Okay. Again, my name is
4 Michael Thomas. Can you hear me?

5 MR. STOKES: Yes. We can hear you,
6 Michael.

7 MR. THOMAS: Apparently the timer is
8 running. Okay.

9 (Audio cutting out - indiscernible)

10 And again, I see focus on Oyster Creek
11 (indiscernible) for the reservoir expansion, but
12 I don't see any benefit (indiscernible).

13 I also am very concerned about the
14 (indiscernible) of the (indiscernible) with the
15 Brazos River and (indiscernible) version of the
16 (indiscernible) and how that may impact the river
17 all with irrigation and all the impact to --
18 wildlife (indiscernible). So that pretty much
19 wraps up my -- my comment.

20 MR. STOKES: Thank you, Michael.

21 I apologize. I had a little difficulty
22 muting the microphone there.

23 At this time, Jayson, that is all of our
24 registered speakers, and I do not see any raised
25 hands.

1 MR. HUDSON: Thank you, Connor. Since
2 we've gone through all of our commenters, the
3 formal commenting period for tonight is closed.
4 All statements placed in the record will be given
5 consideration. It should be noted that comments
6 on the proposed project can be submitted at any
7 time during the NEPA process, but only those
8 submitted during this and the previous formal
9 scoping periods will be included in the summary
10 reports and will be guaranteed to be addressed in
11 the final environmental statement. We will
12 accept comments on the Dow scoping through July
13 2, 2020.

14 I thank you for your participation today
15 and the interest that you have shown in the
16 proposed project. The public scoping meeting is
17 adjourned at 4:44. Thank you.

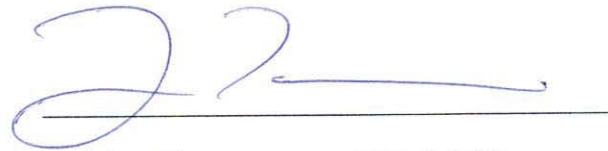
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CERTIFICATE OF TRANSCRIPTIONIST

I certify that the foregoing is a true and accurate transcript of the digital recording provided to me in this matter.

I do further certify that I am neither a relative, nor employee, nor attorney of any of the parties to this action, and that I am not financially interested in the action.

A handwritten signature in blue ink, appearing to read 'Julie Thompson', is written over a horizontal line.

Julie Thompson, CET-1036