



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

May 28, 2010

Environmental Section

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
AND
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PUBLIC NOTICE NO. VPI-10-01

OPERATIONS AND MAINTENANCE
DISCRETIONARY AUTHORITY DECISION

GULF INTRACOASTAL WATERWAY
VICINITY OF PORT ISABEL, TEXAS

PURPOSE

This public notice is to inform interested parties that the U.S. Army Corps of Engineers, Galveston District (the District) has prepared a draft Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA), Public Law 91-190, and regulations for implementing the Procedural Provisions of the NEPA, 40 Code of Federal Regulations 1500-1508. This notice is being distributed to interested State, Federal, and local agencies, private organizations, and individuals in order to assist in collecting facts and recommendations concerning the proposed plan to widen the bend in the Gulf Intracoastal Waterway (GIWW) in the vicinity of Port Isabel between the Queen Isabella Memorial Bridge (QIM Bridge) and the Long Island swing bridge.

PROJECT LOCATION

The proposed project site is located along the GIWW near Port Isabel in Cameron County, Texas. The GIWW in the project area passes from the Lower Laguna Madre, between the City of Port Isabel and Long Island, to the Brownsville Ship Channel.

NEED FOR WORK

There is a significant bend in the GIWW channel between the QIM Bridge and the Long Island swing bridge. Maneuvering between the bridges and maintaining a proper alignment for safe passage under the bridges, particularly for northbound barge tows, can be difficult. The difficulty results from the relatively short distance from the exit from the swing bridge reach before encountering the QIM Bridge opening. Complicating matters are the narrow channel, the relatively sharp bend in the channel, and frequent strong southeast winds and rapid tidal currents experienced in the area. According to marine interests, it is particularly difficult for northbound

barge tows to become aligned for safe passage under the QIM Bridge after passing through the Long Island bridge opening. The project would improve navigation safety in this section of the GIWW by providing a wider area for barges to set up for passage through the narrow channel under the two bridges.

PROPOSED WORK

The proposed work consists of widening the GIWW channel along the bend between the QIM Bridge and the Long Island swing bridge and installing a current/tide meter at the QIM Bridge. The outside bend would be widened by 125 feet, transitioning from the existing 275-foot width to a 400-foot width. The channel's authorized project depth would be maintained. Approximately 40,000 cubic yards of material would be dredged from the bay bottom using a hydraulic pipeline dredge. Dredged material would be placed into existing placement areas. Two feet of advanced maintenance dredging would be done during the widening, which, along with an overdraft allowance of 2 feet, would result in an initial channel depth of 14 to 16 feet after dredging. The current/tide meter would provide real-time water current and tide information to vessel operators transiting the bend reach of the GIWW.

COMPLIANCE WITH LAWS AND REGULATIONS

This proposed plan is being coordinated with the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and other Federal, state, and local agencies. Informal consultation procedures have begun with the USFWS and NMFS in compliance with the Endangered Species Act, as amended. Our initial determination is that the proposed action will not have any adverse impacts on threatened or endangered species.

This notice initiates Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action will not have a substantial adverse impact on Essential Fish Habitat or federally-managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The proposed dredged material placement plan will also be evaluated with regard to the requirements of Section 404(b)(1) of the Clean Water Act (Appendix C in the draft EA). Water quality certification has been requested from the Texas Commission on Environmental Quality (TCEQ).

It is also our preliminary determination that the proposed action is consistent with the Texas Coastal Management Program (TCMP) to the maximum extent practicable (Appendix E in the draft EA).

The proposed activity is being coordinated with the State Historic Preservation Officer (SHPO). The SHPO concurred with our determination that no historic properties would be affected by the proposed project.

The following is a list of Federal, State, and local agencies with which these activities are being coordinated:

U.S. Environmental Protection Agency, Region 6
U.S. Department of Commerce
U.S. Department of the Interior
Eighth Coast Guard District
Budget and Planning Office, Office of the Governor of Texas
Texas Historical Commission
Texas Parks and Wildlife Department
Texas Commission on Environmental Quality
Texas General Land Office
Coastal Coordination Council
The Texas Office of State-Federal Relations
Texas Department of Transportation
Texas Water Development Board

STATE WATER QUALITY CERTIFICATION

TCEQ certification is required. The TCEQ is reviewing the proposed project under Section 401 of the Clean Water Act and in accordance with Title 31, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. By virtue of an agreement between the U.S. Army Corps of Engineers and the TCEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. Any comments concerning this work may be submitted to the Texas Commission on Environmental Quality, Attention: 401 Coordinator, MC-150, P.O. Box 13087, Capitol Station, Austin, Texas 78711-13087. The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with a description of work is made available for review in the TCEQ's Austin office.

The TCEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting must contain the following information: the name, mailing address, and telephone number of the person making the request; a brief description of the interest of the requester, or of persons represented by the requester; and a brief description of how the project would adversely affect such interest.

EVALUATION FACTORS

The decision whether to proceed with the proposed action will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources as well as public and environmental safety and economic concerns.

ENVIRONMENTAL DOCUMENTATION

The work described in this notice represents a change to the existing project. A preliminary review of this proposed plan indicates that an Environmental Impact Statement (EIS) is not required. This preliminary determination of EIS requirement will be changed if information brought forth in the coordination process is of a significant nature. Based on this determination, a draft Environmental Assessment (EA) has been prepared. The EA assesses potential impacts to the human and natural environment that would result from the proposed project. The document is available online at: <http://www.swg.usace.army.mil>.

PUBLIC COMMENT

Persons desiring to express their views or provide information to be considered in evaluating the impact of this work and the future maintenance operations are requested to mail their comments within 30 days of the date of this notice to:

District Engineer
U.S. Army Engineer District, Galveston
ATTN: CESWG-PE-PR
P.O. Box 1229
Galveston, Texas 77553-1229

The comments should make specific reference to Public Notice No. VPI-10-01.

Any person who has an interest that may be affected by this action may request a public hearing. The request must be submitted in writing within 30 days of the date of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by this activity.

Any questions concerning the proposed action may be directed to Mr. Steve Ireland at (409) 766-3131.


Dolan Dunn
Chief, Planning, Environmental
and Regulatory Division
Galveston District