



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

May 2, 2008

Environmental Section

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

PUBLIC NOTICE NO. MOCR-08-01

CONSTRUCTION OF A NEW EAST JETTY
MOUTH OF THE COLORADO RIVER, TEXAS

PURPOSE

This public notice is to inform interested parties that the US Army Corps of Engineers 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, news media, and individuals in order to assist in collecting facts and recommendations concerning the proposed construction of a new east jetty at the Mouth of the Colorado River Project, Texas. The purpose of the new east jetty is to reduce shoaling in the Mouth of the Colorado River Entrance Channel and reduce erosion of a portion of the west bank of the Colorado River Navigation Channel.

PROJECT LOCATION

The proposed project site is located in Matagorda County, Texas, about 6.5 miles south of the town of Matagorda. The site is on the Gulf of Mexico shoreline at the entrance of the Colorado River Navigation Channel.

PROJECT DESCRIPTION

The Mouth of the Colorado River Project was addressed in the Final Environmental Impact Statement (FEIS) for Mouth of Colorado River, Texas, which was completed and filed with the U.S. Environmental Protection Agency in December 1977. The existing project consists of an entrance channel, navigation channel, jetty system, sediment impoundment basin, beach dredged material placement area, and a sediment training structure. The sediment training structure was added to the project in 2003 and was addressed in an EA dated April 2003.

The existing east jetty has a weir section that was designed to allow the sand transported in the longshore current to settle in the impoundment basin, rather than in the navigation channel.

Periodic maintenance dredging would then remove this sediment and pump it beyond the west jetty to a beach placement area, thereby restoring this material to the littoral sediment budget. The expected frequency of maintenance dredging of the impoundment basin and navigation channel was estimated to be two years. The work described in this public notice identifies additional measures that would enhance project purposes.

NEED FOR WORK

The design and construction of the existing jetties and impoundment basin system were based on studies performed prior to construction of an upstream diversion dam, which diverted the flows of the Colorado River into West Matagorda Bay. The diversion eliminated flows that were anticipated during the design of the jetties. Also, the rate, volume, and pattern of littoral drift were underestimated. The construction of the sediment training structure in 2003 did not result in a long-term reduction of the shoaling rate in the channel. The structure quickly was buried and overtopped by wind-blown sand and much of the sand transported by wind continues to bypass the impoundment basin and settle in the navigation channel. The formation of hazardous shoals in the channel has been a continuous and increasing problem up to the present time, resulting in the need for more frequent dredging as sand fills in the entrance channel.

The proposed action is to construct a new east jetty. The proposed structure would reduce the rate of shoaling in the entrance channel, providing for more reliable and safer navigation and reducing the costs of maintenance on the channel. Additionally, it would reduce erosion that is occurring on the western shoreline of the Colorado River Navigation Channel.

PROPOSED NEW EAST JETTY

The proposed new jetty would be approximately 2,750 feet long, in three segments. It would be constructed of varied rock sizes. The landward segment, roughly 550 feet long, would be constructed on top of the existing sediment training structure. The middle segment, about 700 feet long, would angle to the southwest toward the west jetty. This segment would be constructed on land. The seaward segment, about 1,500 feet long, would be constructed parallel to the west jetty, with a portion on land and the remainder in the water. The crown (top) width of the jetty would be 16 feet. The existing east jetty would remain in place. The authorized entrance channel, which presently has completely filled in and has effectively migrated to the west, would be reconstructed between the new east jetty and the existing west jetty. The entrance channel width would be reduced from its presently authorized 200-foot width to 150 feet.

There is no work by others covered by this notice. The Department of the Army permit program regulates non-Federal construction activities in navigable waters.

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 also 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. Water quality certification will be 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.

The proposed activity has been coordinated with the State Historic Preservation Officer (SHPO). Our determination is that the proposed action will not have any adverse impacts on historic or cultural resources. The SHPO has concurred with this determination.

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
- Commissioners' Court of Matagorda County
- Port of Bay City Authority
- Lower Colorado River Authority

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. Single copies of the EA are available by written request to the address below. The document is also 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. MOCR-08-01.

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