



# Public Notice

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

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## **SPECIAL PUBLIC NOTICE**

### **NATIONWIDE PERMITS IN TEXAS AND**

### **STATUS OF SECTION 401 WATER QUALITY CERTIFICATION AND COASTAL ZONE MANAGEMENT ACT CONSISTENCY FOR THE NATIONWIDE PERMITS IN TEXAS INCLUDING INDIAN COUNTRY**

In the February 21, 2012, *Federal Register* (77 FR 10184-10290), the Corps of Engineers (Corps) announced the reissuance of 48 existing Nationwide Permits (NWP) and the issuance of two new NWP. The regional conditions are intended to provide additional protection of the aquatic environment by ensuring that the NWP authorize only those activities with minimal adverse effects on the aquatic environment. Regional conditions help ensure protection of high value waters within the districts. The NWP regional conditions for Texas have been finalized, and the Corps decision documents for implementation of the regional conditions for Texas are available for public viewing at the Galveston District Corps of Engineers, Regulatory Branch, 2000 Fort Point Road, Galveston, Texas 77550. Please contact Ms. Pamela Thibodeaux at 409-766-3932, or at [pamela.thibodeaux@usace.army.mil](mailto:pamela.thibodeaux@usace.army.mil) to schedule viewing of these documents.

The U.S. Environmental Protection Agency has issued Clean Water Act Section 401 Water Quality Certification (WQC) and Coastal Zone Management Act Consistency (Consistency) for all Section 404 NWP activities in Indian country in Texas. The provisions/conditions of this certification and consistency are posted at: <http://www.swg.usace.army.mil/reg/permits.asp>.

The Texas Commission on Environmental Quality (TCEQ) has issued conditional WQC and Consistency with the Texas Coastal Management Program for the NWP and the proposed regional conditions in Texas (excluding Indian Country). The provisions/conditions of this certification are posted at: <http://www.swg.usace.army.mil/reg/permits.asp>. The Corps Southwestern Division considers WQC for NWP 16 denied in all waters of the state since the TCEQ condition requiring return water effluent from confined dredged material disposal areas not to exceed 300 milligrams/liter of total suspended solids is not reasonably implementable or enforceable. The applicant must seek an individual WQC with the TCEQ for NWP 16.

The Railroad Commission of Texas (RRC) issued conditional WQC and Consistency for the NWP's and proposed regional conditions in Texas that include activities related to exploration, development, and production of oil and gas and geothermal resources, including pipeline transportation. The RRC has reviewed the Corps' NWP's 2, 3, 6, 7, 8, 12, 14, 16, 18, 19, 20, 25, 38, 43, and 46. The RRC's March 22, 2012, letter is posted at:

<http://www.swg.usace.army.mil/reg/permits.asp>.

The General Land Office (GLO) issued Consistency with the Texas Coastal Management Program for the NWP's. The GLO's April 13, 2012, letter is posted at:

<http://www.swg.usace.army.mil/reg/permits.asp>.

If you have any questions on this public notice, please contact:

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