Public Notice

U.S. Army Corps Of Engineers
Galveston District

Permit Application No:	SWG-2011-01183
Date Issued:	3 May 2012
Comments Due:	5 July 2012

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

PURPOSE OF PUBLIC NOTICE: To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. The U.S. Army Corps of Engineers (Corps) is not the entity proposing or performing the proposed work, nor has the Corps taken a position in favor or against the proposed work.

AUTHORITY: This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

APPLICANT:
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LOCATION: The project is located in Galveston Bay, at the Bayport Ship Channel, in Chambers County and Harris County, Texas. The project can be located on the U.S.G.S. quadrangle maps entitled: Bacliff, Texas; League City, Texas; and Morgans Point, Texas.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 29.614 North; Longitude: -94.99 West

PROJECT DESCRIPTION: The applicant proposes to use a hydraulic pipeline dredge to deepen and widen the existing Bayport Ship Channel (BSC), deepen the Turning Basin (TB), deepen a portion of the Bayport Flare (Flare), and place the new work (construction) dredged material and maintenance dredged material in a proposed beneficial use (BU) site and/or in existing dredged material placement areas (PAs).

The BSC is Federally maintained by the Corps to a depth of -40 feet (ft) mean low tide (MLT) plus 2 ft of advanced maintenance and 2 ft of allowable overdepth dredging, with a bottom width of 300 ft, and is approximately 3.5 miles in length (Corps Station 25+58 to Station 214+30), with a channel side slope ratio of 2.5 horizontal (H):1 vertical (V). The Flare, the wide channel turning area connecting the BSC to the Houston Ship Channel (HSC), is currently maintained by the Corps with a side slope ratio of 2.5H:1V, at a depth of -40 ft MLT plus 7 ft of advanced maintenance and 2 ft of allowable overdepth dredging from the confluence of the Flare and HSC to the beginning of the BSC. As part of a separate Corps project, the Flare will be widened ("eased") to a radius of 4,000 ft and a depth of -40 ft MLT. Existing PAs currently used for BSC maintenance dredged material placement by the Corps are PA 14, PA 15, Atkinson Marsh Cells M5/M6, and Mid Bay PA.

The proposed improvements consist of the following:

- Deepen the TB, channel, and Flare easing to -45 ft MLT plus 2 ft of advanced maintenance and 2 ft of allowable overdepth, totaling approximately 4.1 miles in length, with a new work channel side slope ratio of 3H:1V, and maintenance of the channel side slopes at a 2.5H:1V ratio. The proposed depth would match the authorized depth of the HSC, and would transition to the current depth of the Flare, which is authorized at -40 ft MLT, but it is maintained deeper with 7 ft of advanced maintenance and 2 ft of allowable overdepth.
- Widen the BSC by dredging an additional 50 ft to the north of the existing channel, to a bottom width of 350 feet, in the channel reach from Station 25+58 (the western end of the channel and of the TB) to approximately Station 115+00 (the eastern end of the land cut). Inside the land cut, there is the potential that some of the existing shore protection riprap lining the north shore would have to be rearranged and replaced by the applicant as a result of extending the channel slopes to some areas of the existing shoreline. Widen the BSC by dredging to the north of the existing channel, transitioning from an additional 50 to 100 ft, to a bottom width of 350 to 400 ft, in the channel reach from approximately Station 115+00 (the eastern end of the land cut) to approximately Station 135+00 (near the entrance of the land cut). Widen the BSC by dredging an additional 100 ft to the north of the existing channel, to a bottom width of 400 ft, in the channel reach from approximately Station 135+00 (near the entrance of the land cut) to approximately Station 214+30 (near the beginning of the Flare). The new work dredging would be conducted with a 3H:1V side slope ratio, and side slopes would be maintained as they currently are, at a 2.5H:1V ratio. In order to achieve a smooth transition between the widened northern side of the channel and the Flare, minimal dredging is proposed from the western limit of the Flare to approximately Station 226+00.

During initial construction of the proposed improvements, approximately 4 million cubic yards (MCY) of new work material would be generated, consisting of approximately 80 percent clays, 10 percent sands, and 10 percent silt. In its existing condition, the BSC would generate approximately 8.7 MCY of maintenance dredged material over a 10-year period. After construction of the proposed channel improvements, approximately 0.36 MCY of additional maintenance material would be generated annually, totaling 3.6 MCY of additional maintenance material over 10-year period. The total maintenance dredging for a 10-year period of both the existing channel and the proposed channel improvements after construction is estimated at 12.3 MCY of mostly fine-grained silts and clays.

The applicant proposes to use either or both of two dredged material placement options for the new work and the maintenance dredged material, based on engineering cost, feasibility, and constructability factors that would be determined from information obtained during detailed engineering studies and final design. These factors could potentially affect the short-term and long-term costs associated with the proposed placement, as both dredged material placement options are currently fairly close in cost. Also, depending on the timing of the proposed improvements construction, PA 14 and/or PA 15 may not be available to the applicant due to Corps needs to maintain the BSC and HSC. The two proposed dredged material placement options are as follows:

Raise Levees in Existing PAs – Beneficially use up to 4 MCY of new work dredged material to create PA capacity by hydraulically constructing the following placement features, as shown on Sheet 6 of 6:

- Raise the levees of existing PA 14 and PA 15 to a height of +35 ft MLT, which would provide the benefit of 15.6 MCY of additional dredged material placement capacity and other indirect environmental impacts. No waters of the United States would be impacted, and this feature would provide additional capacity without constructing new PAs or the need to mine bay bottom or navigation channels for levee building materials. The additional capacity created is more than the estimated 12.3 MCY of total BSC shoaling for a 10-year period.
- Construct the base for the PA 14/15 Connection levees. Construction of the PA 14/15 Connection is a previously planned action already authorized under the Corps' Expansion of PAs 14 and 15 Project. The rock levee portion of the connection levees is currently under construction by the Corps, with a gap on the HSC side of the PA for existing oil and gas facility access until the facilities can be relocated. The applicant would include a gap in the new work dredged material levee base at its current location.
- If PA 14 is not available due to use by the Corps for other dredged material placement needs, start construction of a levee for Atkinson Marsh Cell M-11. Construction of the Atkinson Marsh Cell M-11 is a previously planned action already authorized under the Corps' Expansion of PAs 14 and 15 Project.

Under this dredged material placement option, after construction of the above features, the applicant proposes to place all of the BSC maintenance material over 10 years into any one or more of the following PAs, whose locations are shown on Sheet 2 of 6, dependent upon coordination with the Corps Operations Division prior to each dredging cycle in order to balance the dredging and placement needs of the system:

Existing PAs
- PA 14
- PA 15
- Atkinson Marsh Cells M5/M6
- Mid Bay PA

Currently under construction
- Atkinson Marsh Cells M 7/8/9 and M-10
- PA 14/15 Connection

Future PAs previously planned by the Corps
- Atkinson Marsh Cell M-11

Currently, under the Federally-assumed maintenance by the Corps, BSC maintenance material is placed into PA 14, PA 15, Atkinson Marsh Cells M5/M6, and Mid Bay PA. These PAs also receive maintenance material from the HSC, which, under the Houston-Galveston Navigation Channels project (HGNC), has a projected shortfall of placement capacity due to greater-than-expected shoaling. Maintenance material and new work material from the permitted Bayport Ship Channel Container/Cruise Terminal project, with the exception of new work material from the Cruise Terminal Turning Basin (authorized only to build Atkinson Marsh Cell M-10), is authorized to be placed in Atkinson Island Marsh Cells 7/8/9, PA 14/15 Connection, Mid Bay PA, and other PAs located north of Morgan's Point. The Raise Levees in Existing PAs option would result in the creation of new capacity that would accommodate the 10-year maintenance quantities from both the existing channel and the proposed channel improvements. In terms of the additional maintenance material attributable to the proposed channel improvements (approximately 0.36 MCY per year), the new capacity created would accommodate over 40 years of the additional shoaling. Therefore, this dredged material placement option would not negatively impact existing placement capacity, would add capacity to a system with projected shortfalls, and would allow flexibility for future placement of dredged material.

New BU Marsh – The applicant sought the consideration and advice of the Beneficial Uses Group (BUG), an organization that includes Federal resource agencies that coordinate with the applicant on beneficially using dredged material from projects in determining dredged material placement options, resulting in the New BU Marsh placement option: beneficial use of approximately 4 MCY of new work dredged material to build an approximately 475-acre New BU Marsh feature, containing approximately 411 acres of created intertidal marsh, at a location north of the BSC within a 1,379-acre Study Area for Location of New BU Marsh. The location and conceptual configuration of the proposed New BU Marsh is shown on Sheets 2 and 4 of 6. The construction of the New BU

Marsh would take place in the following general phases:

- Initial submerged berm construction – Hydraulic construction of the submerged berm cell to approximately -3 ft MLT using new work dredged material. The underwater berm cell would initially be pumped with a base wide enough to be able to later borrow from it and raise the elevation of the berm cell to become emergent as necessary to contain placed maintenance dredged materials from the BSC as the filled elevation increases.
- Filling with maintenance dredged material – Filling of the submerged berm cell interior with maintenance dredged material from the BSC over 10 years.
- Subsequent levee construction – Reworking of berm materials to raise the levee to approximately +6 to +8 ft MLT, making it emergent, and allowing final filling with maintenance dredged material from the BSC to an elevation that would settle and consolidate to an intertidal elevation of approximately +1.9 ft to +2.4 ft MLT (in the same fashion as the nearby Atkinson Marsh Cells). Once the levee is emergent, if needed, it would be protected with shore protection materials. The cell interior would be planted and converted to approximately 411 acres of intertidal marsh upon final filling. During the transition from submerged berm to intertidal marsh, signs would be provided to advise and warn small craft of navigation hazards.

Under this option, following initial construction, the applicant proposes to place all of the additional BSC 10-year maintenance dredged material due to the proposed channel improvements (approximately 3.6 MCY total), and a substantial portion (approximately 4.2 MCY) of the existing BSC maintenance dredged material over 10 years into the New BU Marsh, and any remaining existing BSC maintenance dredged material (approximately 4.5 MCY) into any or all of the following existing or previously planned PAs, whose locations are shown on Sheet 2 of 6:

Existing PAs
- PA 14
- PA 15
- Atkinson Marsh Cells M5/M6
- Mid Bay PA

Currently under construction
- Atkinson Marsh Cells M 7/8/9 and M-10
- PA 14/15 Connection

Future PAs previously planned by the Corps
- Atkinson Marsh Cell M-11

The New BU Marsh would create approximately 7.8 MCY of additional maintenance dredged material placement capacity. As previously discussed, the existing PAs listed above are the current locations that have been utilized by the Corps for the existing BSC maintenance dredged material. The PAs listed above as "Currently under construction" and "Future PAs previously planned by the Corps" are for HSC maintenance dredged material during their life span based on previous Corps maintenance dredged material management for Upper Galveston Bay. Maintenance material and

new work material from the permitted Bayport Ship Channel Container/Cruise Terminal project, with the exception of new work material from the Cruise Terminal Turning Basin (authorized only to build Atkinson Marsh Cell M-10), is authorized to be placed in Atkinson Island Marsh Cells 7/8/9, PA 14/15 Connection, Mid Bay PA, and other PAs located north of Morgan's Point. Creation of the New BU Marsh would extend the use of these PAs and would provide flexibility for future placement of dredged material. It would also lessen the previously discussed shortfall of projected dredged material placement capacity for the HSC navigation system. In terms of the additional maintenance dredged material attributable to the proposed channel improvements (a total of approximately 0.36 MCY annually, and a total of 3.6 MCY over a period of 10 years), the new capacity created by the New BU Marsh would accommodate over 20 years of the additional shoaling. Therefore, this placement option would not negatively impact existing placement capacity, would create ecologically beneficial marsh, and would allow future maintenance dredged material placement flexibility that helps with the Federal Government's needs and obligations to maintain the navigation system while providing environmental benefits.

AVOIDANCE AND MINIMIZATION: The applicant stated they have avoided and minimized environmental impacts by the following: Planning criteria were incorporated into the channel alternatives evaluation process to avoid and minimize, to the maximum extent practicable, adverse impacts to aquatic resources from the proposed project. No wetlands or other special aquatic sites are located within the immediate area of the channel alternatives; therefore, no impacts to these resources would occur. Oyster reef habitat has been identified and surveyed within the areas of the channel alternatives, and impacts of the alternatives were assessed. Of the project alternatives satisfying the primary project purpose of providing sufficient improvement in navigation safety and efficiency as assessed in ship simulation studies, the preferred project alternative has the least potential impact on oyster reef habitat, as shown in the table below.

Alternative	**Dredge Quantity**	**Increase Navigability**	**Cost Effectiveness**	**Oyster Impacts (Acres)**
Preferred Alternative – Deepen to -45-ft, Widen **100-ft North** from Flare to Land Cut & **50-ft North** Land Cut to TB	4.0 MCY	• Substantial increase. • Had most pilots choice as best plan	• Cost = $79.4 Million	4.6
Deepen to -45-ft, Widen **50-ft Each Side** from Flare to Land Cut & **50-ft North** Land Cut to TB	3.6 MCY	• Greatest increase	• Cost = $80.8 Million • Less cost effective due to widening on both sides	11.1
Deepen to -45-ft, Widen to **Skewed 400-ft Channel** from Flare to Land Cut & **50-ft North** Land Cut to TB	3.9 MCY	• Not simulated, but substantial increase expected	• Cost = $84.0 Million Less cost effective due to widening on both sides	13.1

Avoidance and minimization of aquatic resource impacts were also considered in planning dredged material placement options through criteria to minimize environmental impact, provide environmental benefit, and use the material beneficially. Placement alternatives were focused on existing and proposed new PAs in the bay as offshore disposal and terrestrial sites were largely considered not feasible due to numerous development, environmental, cost, and distance constraints. The range of placement alternatives considered included an existing terrestrial site, new bay PAs with and without marsh features, and existing bay PAs. Existing information such as existing facilities, previous oyster reef mapping, pipelines, remaining PA capacity, and bay bottom foundation data were used to facilitate the development and location of alternatives. The alternatives were conceived in conjunction with the Beneficial Uses Group. Another key consideration for alternatives was the need for additional placement capacity in the bay. The placement alternatives do not involve new impacts to wetlands or special aquatic sites but may potentially impact oyster reefs; therefore the areas for new PAs were surveyed for oyster reef habitat. Placement alternatives were evaluated considering the environmental, engineering, and economic criteria and constraints, and the objectives for beneficial use and capacity, while minimizing adverse environmental impacts, particularly to oysters. The placement options selected best satisfied these planning objectives, while minimizing impacts, especially to oysters. The selected options incorporate avoidance and minimization through extending capacity of existing PAs, siting the new BU marsh away from the extensive oyster reef adjacent to the Houston Ship Channel, and the benefits to wetlands, fisheries and other aquatic resources that creation of the new BU marsh would provide.

MITIGATION: The proposed channel improvements are located entirely in open water and unvegetated shallow bay bottom, and would not impact any wetlands or the special aquatic sites listed in the Clean Water Act (CWA) Section 404(b)(1) guidelines. The proposed channel improvements would convert approximately 68 acres in Galveston Bay and 38.5 acres in the land cut portion of the BSC, where the channel would be widened and deepened, of shallow unvegetated bottom benthic habitat to deeper water benthic habitat. The proposed channel improvements would impact approximately 4.6 acres of oyster habitat. Oyster habitat mitigation for these impacts is proposed at Fisher's Reef in Trinity Bay, Chambers County, Texas, shown on Sheet 1 of 6. The compensatory mitigation plan proposes to add approximately 3,710 cubic yards (CY) of cultch (limestone, clean, crushed concrete rubble, or other material acceptable to the Texas Parks and Wildlife Department) to 4.6 acres on Fisher's Reef for natural recruitment of oyster larvae to compensate for the impacts associated with the proposed channel improvements. The reef would be restored by adding cultch to previous hard bottom which was covered by silt from Hurricane Ike.

The dredged material placement under the Raise Levees in Existing PAs Option would not result in any new impacts to wetlands, special aquatic sites, or other aquatic habitats. As previously discussed, the building of new levees and cells under this option are actions previously planned under the Corps' Expansion of PAs 14 and 15 Project. Their impacts include 29 acres of saline marsh, and 27 acres of intertidal sand flats. These impacts are already accounted and mitigated for under that project and documented in *Final Environmental Assessment Expansion of Placement Areas 14 and 15, Houston Ship Channel Chambers County, Texas, January 2010.*

The dredged material placement under the proposed New BU Marsh placement option would occur entirely in open water and unvegetated shallow bay bottom, and would not result in any impacts to wetlands or special aquatic sites. The construction of this BU would convert up to approximately 475 acres of shallow unvegetated bay bottom to approximately 411 acres of intertidal marsh, and the remainder to upland levee. Construction of the New BU Marsh would impact another 7.4 acres of oyster habitat under its current conceptual configuration. If this placement option is chosen for placement of dredged material, an additional approximate amount of 5,970 CY of cultch would be added to another 7.4 acres on Fisher's Reef to compensate for these impacts. Final design of this PA has not been conducted and the impact to 7.4 acres of oyster habitat may change based on final positioning and orientation of the PA in response to final design constraints such as detailed site geotechnical studies. The final orientation of this BU is anticipated to take place within the area identified as "Outer limits of study area for location of New BU Marsh" on Sheet 2 of 6, which encompasses a maximum of approximately 18.2 acres of oyster reef. However, the current proposed BU configuration impacts 7.4 acres of oyster reef, which is the amount currently proposed to be compensated for through compensatory mitigation. The applicant proposes that the permit allow reconfiguration and repositioning of the New BU Marsh feature within the "Outer limits of study area for location of New BU Marsh". The applicant would mitigate any additional oyster reef impacts in excess of the 7.4 acres proposed currently for mitigating the current configuration, by adding cultch to Fisher's Reef at a ratio of 1 acre impacted:1 acre created. Cultch would be added at the same density and thickness as that used for mitigating the 7.4 acres of impact. The acreage of oyster reef impacted would be determined using the 2011 benthic characterization survey data used to determine project impacts. This data consisted of sidescan sonar data groundtruthed by diver, and covered an area encompassing the "Outer limits of study area for location of New BU Marsh". Fisher's Reef has approximately 30 acres identified by the Texas Parks and Wildlife Department for rehabilitation, which provides flexibility to increase mitigation acreage as needed up to the maximum potential impacts of the proposed project.

Monitoring of the Fisher's Reef restoration site for the proposed project mitigation would be conducted pre- and post-restoration to assess the success of the project. Criteria for restoration success would include one structural endpoint (reef acres restored), and one functional endpoint (oysters per square meter). Details of the mitigation plan are provided in the attached compensatory mitigation plan, Attachment 1, in 3 sheets.

A summary of potential project impacts are summarized in the table below:

Impacts to Galveston Bay (See Sheets 1 of 6 through 6 of 6)

Area	Impact	Bay Bottom Acres	Oyster Acres
Existing Channel	Deepening	180.8	0
100-Ft Widening (includes transition to 50 Ft)	Widening and Deepening	68.0	4.6
50-Ft Widening	Widening and Deepening	38.5	0
Deepening of Flare Easing	Deepening	10.5	0
Proposed New BU Marsh Placement Option	Fill	475	7.4
Total		**1676.8**	**12***
Total Cut		**297.8**	**4.6**
Total Fill		**475**	**7.4***

*Totals calculated with acreage of the current conceptual configuration of the proposed New BU Marsh placement option.

CURRENT SITE CONDITIONS: The project area is located in Galveston Bay. Galveston Bay is an estuary where freshwater flows mix with the salt water of the Gulf of Mexico. The surface area of Galveston Bay is approximately 600 square miles. Galveston Bay is characterized by generally shallow water depths, generally ranging from 5 to 12 ft. Dredged navigation channels, with depths ranging from 12 to 45 ft, are located throughout the bay system. Galveston Bay consists of several subsystems: Trinity Bay, East Bay, the confined portion of the HSC above Morgan's Point, San Jacinto Bay, upper Galveston Bay, and West Bay. The proposed project is located in Upper Galveston Bay (Permit Application Sheet 1 of 6).

NOTES: This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. The applicant's plans are enclosed in 6 sheets.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the Clean Water Act (CWA).

OTHER AGENCY AUTHORIZATIONS:

Consistency with the State of Texas Coastal Management Plan is required. The applicant has stated that the proposed activity complies with Texas' approved Coastal Management Program goals and policies and will be conducted in a manner consistent with said program.

This project would result in a direct impact of greater than three acres of waters of the state or 1,500 linear feet of streams (or a combination of the two is above the threshold), and as such would not fulfill Tier I criteria for the project. Therefore, Texas Commission on Environmental Quality (TCEQ) certification is required. Concurrent with Corps processing of this application, the TCEQ is reviewing this application under Section 401 of the CWA and in accordance with Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. By virtue of an agreement between the Corps and the TCEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. Any comments concerning this application may be submitted to the Texas Commission on Environmental Quality, 401 Coordinator, MSC-150, P.O. Box 13087, Austin, Texas 78711-3087. The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with a description of work is made available for review in the TCEQ's Austin office. The complete application may be reviewed in the Corps office listed in this public notice. The TCEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requester, or of persons represented by the requester; and a brief description of how the application, if granted, would adversely affect such interest.

NATIONAL REGISTER OF HISTORIC PLACES: The project area was investigated for Historic Properties as documented in the report titled *"Marine Archeological Survey for the Proposed Bayport Ship Channel Improvement and Flare Projects, Harris and Chambers Counties, Texas."* The results of this investigation are currently being coordinated with the Texas State Historic Preservation Officer.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would 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 National Marine Fisheries Service.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Programs of the Corps, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

SOLICITATION OF COMMENTS: The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Impact Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: The purpose of a public hearing is to solicit additional information to assist in the evaluation of the proposed project. Prior to the close of the comment period, any person may make a written request for a public hearing, setting forth the particular reasons for the request. The District Engineer will determine if the reasons identified for holding a public hearing are sufficient to warrant that a public hearing be held. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this public notice must reach this office on or before **5 July 2012**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections**. Comments and requests for additional information should be submitted to:

Ms. Denise Sloan
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DISTRICT ENGINEER
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