



Public Notice

U.S. Army Corps Of Engineers	Permit Application No: _____	SWG-2014-00850
	Date Issued: _____	16 January 2024
	Comments _____	
Galveston District	Due: _____	16 February 2024

U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

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: CITY OF CORPUS CHRISTI
1201 Leopard Street
Corpus Christi, Texas 78401
POC: Mr. Jeffrey Edmonds
Telephone 361-826-3851
Email: jeffreye@cctexas.com

AGENT: FREESE AND NICHOLS, INC.
10531 Morado Circle, Bldg. 5, Suite 300
Austin Texas 78759
POC: Mr. Thomas P. Dixon
Telephone 512-617-3140
Email: tom.dixon@freese.com

LOCATION: The project is located in the Industrial/Main Turning Basin of the Port of Corpus Christ Authority's (POCCA) Inner Harbor, Corpus Christi, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Corpus Christi, Texas.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 27.814146°North; Longitude: 97.418478°West

PROJECT DESCRIPTION: The applicant proposes to construct a seawater desalination plant with intake structures and outfall structures/diffusers and pipelines within the waters of the Inner Harbor, onshore pipeline within adjacent wetlands, and an onshore processing facility. The seawater desalination project would involve an intake

structure in the Inner Harbor with waterlines that lead to a pump station on land. From the pump station, waterlines would then lead further inland to the main project components associated with treatment facilities. Treated water would then be stored in a ground storage tank and distributed into the city's potable water system. Discharge water would exit via waterlines to the discharge/diffuser structure located in the Inner Harbor. The components of the project are:

- Permanent placement of an intake structure consisting of a 48-inch diameter intake pipe and three 30 MGD wedgewire intake screens within 0.22 acre of the waters of Inner Harbor.
- The intake structure will be placed at a depth of -33 feet below mean high water at a distance of 332 feet from the channel centerline.
- Permanent placement of two 54-inch diameter intake pipelines for a distance of 116 feet at a maximum depth of -7 feet mean high water within the waters of the Inner Harbor.
- Temporarily impact a total of 0.19 acre of wetlands, Wetlands 3 and 4, during the open cut trench installation of two 54-inch diameter intake pipelines for a distance of 589 linear feet and 612 linear feet, respectively.
- Permanent placement of a discharge/outfall structure consisting of a 48-inch diameter header pipe and four 16-inch diffuser nozzles within 0.40 acre of the waters of the Inner Harbor.
- Hydraulically dredge a total of 508 cubic yards to a depth of -40 feet below mean high water for placement of the discharge/outfall structure. Placement of the dredged material would be utilized as fill within the pump station, facility, or placed on property located at 27.804128° N, 97.401218° W.
- The discharge/outfall structure would be placed at a depth of -35 feet below mean high water at a distance of 316 feet from the channel centerline.
- Permanent placement of a 54-inch diameter discharge/outfall pipeline along 2,142 linear feet (4.2 acres) of the shoreline (2,087 linear feet in the water and 55 linear feet from water to onshore) at a maximum depth of -17 feet below mean high water within the waters of the Inner Harbor.
- Permanent impact of 0.07 acre of Ditch 1 and a total of 0.77 acre of Wetlands 1 and 2 during the construction of a permanent intake pump station pad.

The applicant's stated purpose of the proposed project is to construct a drought-proof seawater desalination plant located near the City of Corpus Christi and improve the reliability of the Corpus Christi regional water system. The project is needed to accommodate present and future growth of the City of Corpus Christi region and to reduce the vulnerabilities and risks of the City's current water supply in the uncertainty of climate change.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by the following: During construction, turbidity curtains may be deployed for work within waters. For land-based construction areas, silt fencing, rock berms, or hay bales may be used to control erosion. Areas that can be seeded and revegetated would be done as soon as practicable.

MITIGATION: No mitigation is proposed.

CURRENT SITE CONDITIONS: The project site is an approximately 17-acre tract of land located within the Inner Harbor of the POCCA. The existing site is bordered on the north by the waters of the Industrial Canal, and on the east, south, and west by industrial development and limited residential development. No ecologically sensitive habitats or designated critical habitats of federally listed species are located within the immediate vicinity (2,500 ft) of the potential intake and discharge locations. Additionally, the hardened shorelines of the Inner Harbor do not provide optimal nursery habitat for sub-adult populations of fish, shrimp, and crabs.

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 17 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.

The proposed project will trigger review under Section 401 of the Clean Water Act (CWA). The Texas Commission on Environmental Quality (TCEQ) will review 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. The applicant contacted TCEQ and initiated the Section 401 CWA process, on 7 November. If you have comments or questions on this proposed project's State water quality certification, please contact 401certs@tceq.texas.gov. You may also find information on the Section 401 process here: <https://www.epa.gov/cwa-401/basic-information-cwa-section-401-certification>.

Pursuant to 33 USC 408, the proposed project will require Section 408 coordination and review. This is a requirement for activities that seek permission, to temporarily or permanently, alter, occupy, or use a federally authorized United States Army Corps of Engineers civil works project. Changes to the proposed project, from the Section 408 process, may warrant additional coordination.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge

of the presence or absence of historic properties and the effects of the undertaking upon these properties:

Project is within the area of interest for the following Tribes: the Apache Tribe of OK, the Comanche Nation of OK, the Kiowa Indian Tribe of OK, the Mescalero Apache Tribe, the Northern Arapaho Tribe, the Tonkawa Tribe of OK, and the Wichita and Affiliated Tribes PN/SOF Statement: The permit area has been so extensively impacted by construction and maintenance of the CCSC and industrial development that there is no potential for resources of concern to the Native American Tribes to exist within the permit area.

THREATENED AND ENDANGERED SPECIES: Threatened and/or endangered species or their critical habitat may be affected by the proposed work. Consultation with the U.S. Fish and Wildlife and/or the National Marine Fisheries Service will be initiated to assess the effect on endangered species.

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 of Engineers, 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 of Engineers 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 of Engineers 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 of Engineers 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 **16 February 2024**. 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 reference our file number, **SWG-2014-00850**, and should be submitted to:

Corpus Christi Field Office
Regulatory Division, CESWG-RD-R
U.S. Army Corps of Engineers
Galveston District
5151 Flynn Parkway, Suite 306
Corpus Christi, Texas 78411-4318
361-814-5847 Phone
swg_public_notice@usace.army.mil

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS