



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

September 2, 2011

REPLY TO
ATTENTION OF:

Evaluation Section

SUBJECT: Permit No. SWG-2008-00090; Letter of Permission CESWF-97-LOP-1

Gary Kosut, P.E.
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744-3218

Dear Mr. Kosut:

Your request, dated April 7, 2011, to rebuild Sea Rim State Park by discharging 632 cubic yards of fill material into 0.61 acres of jurisdictional waters is approved pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. The repair of Sea Rim State Park involves installing pavement for parking spaces, constructing restroom facilities, recreational vehicle and tent camping sites, comfort stations, showers, beach access roads and boardwalks, a visitor's center and extending a 2,700 linear-foot 8-inch water line. The project site is located in jurisdictional areas within the Sea Rim State Park near Sabine Pass in Jefferson County, Texas.

If you object to the work authorized by this Letter of Permission (LOP), you may request an administrative appeal under Corps regulations at 33 CFR Part 331.5. Also enclosed are a combined Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this LOP, you must submit a completed RFA to the Southwestern Division Office at the following address:

Mr. Elliott Carman
Regulatory Appeals Officer
Southwest Division USACE (CESWD-PD-O)
1100 Commerce Street, Suite 831
Dallas, Texas 75242-1317
Telephone: 469-487-7061; FAX: 469-487-7199

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within **60 days** of the date of the NAP. It is not necessary to submit an RFA form to the Division office if you do not object to the LOP in this letter.

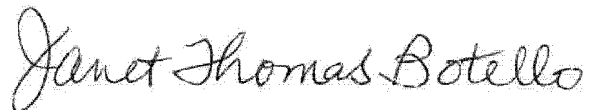
#5 RECEIVED
SEP 06 2011
PARKS AND WILDLIFE
AUSTIN, TX 78744

This letter is based on a preliminary jurisdictional determination (JD) for your subject site. If you wish, you may request an approved JD (which may be appealed) by submitting a written request to us within 30 days from the date of this letter. Please note that if you request an approved JD and then decide to appeal it, the appeal will not be accepted if any work has started in waters of the U.S. or that would alter the hydrology of waters of the United States.

The proposed work is authorized by LOP CESWF-97-LOP-1. All work is to be performed in accordance with the enclosed plans in 25 sheets and the enclosed LOP conditions. If the authorized work is not completed by December 31, 2016, this authorization expires. Please notify the District Commander, in writing, upon completion of the authorized work. A pre-addressed postcard has been enclosed for your convenience.

If you have any questions concerning this matter, please contact Elizabeth Shelton at the letterhead address or by telephone at 409-766-3937.

FOR THE DISTRICT COMMANDER:



Janet Thomas Botello
Leader, North Evaluation Unit

Enclosures

Copies Furnished:

Eighth Coast Guard District, New Orleans, LA

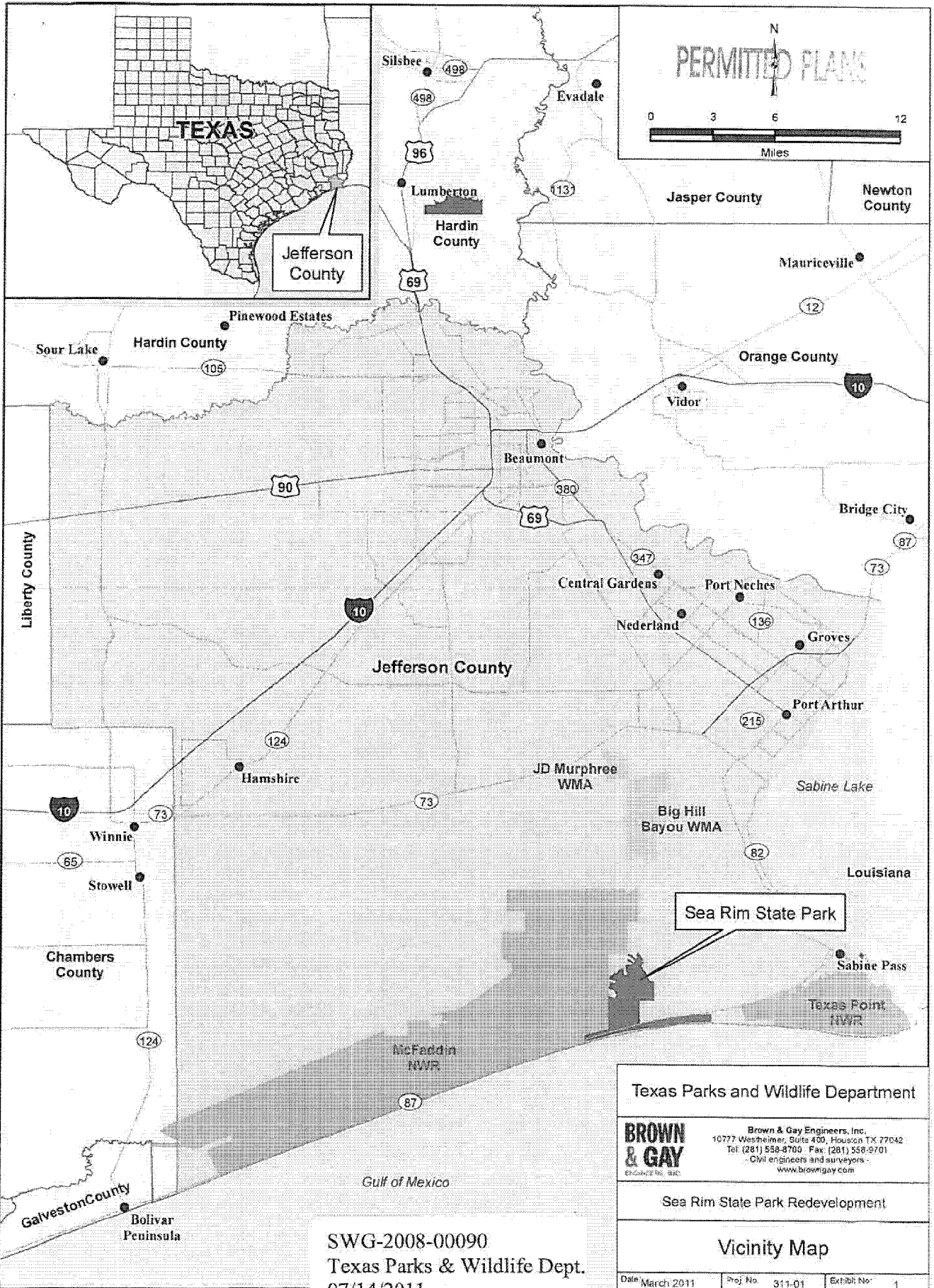
U.S. Fish and Wildlife Service, Houston, TX

Texas General Land Office, Austin, TX

Texas General Land Office, La Porte, TX

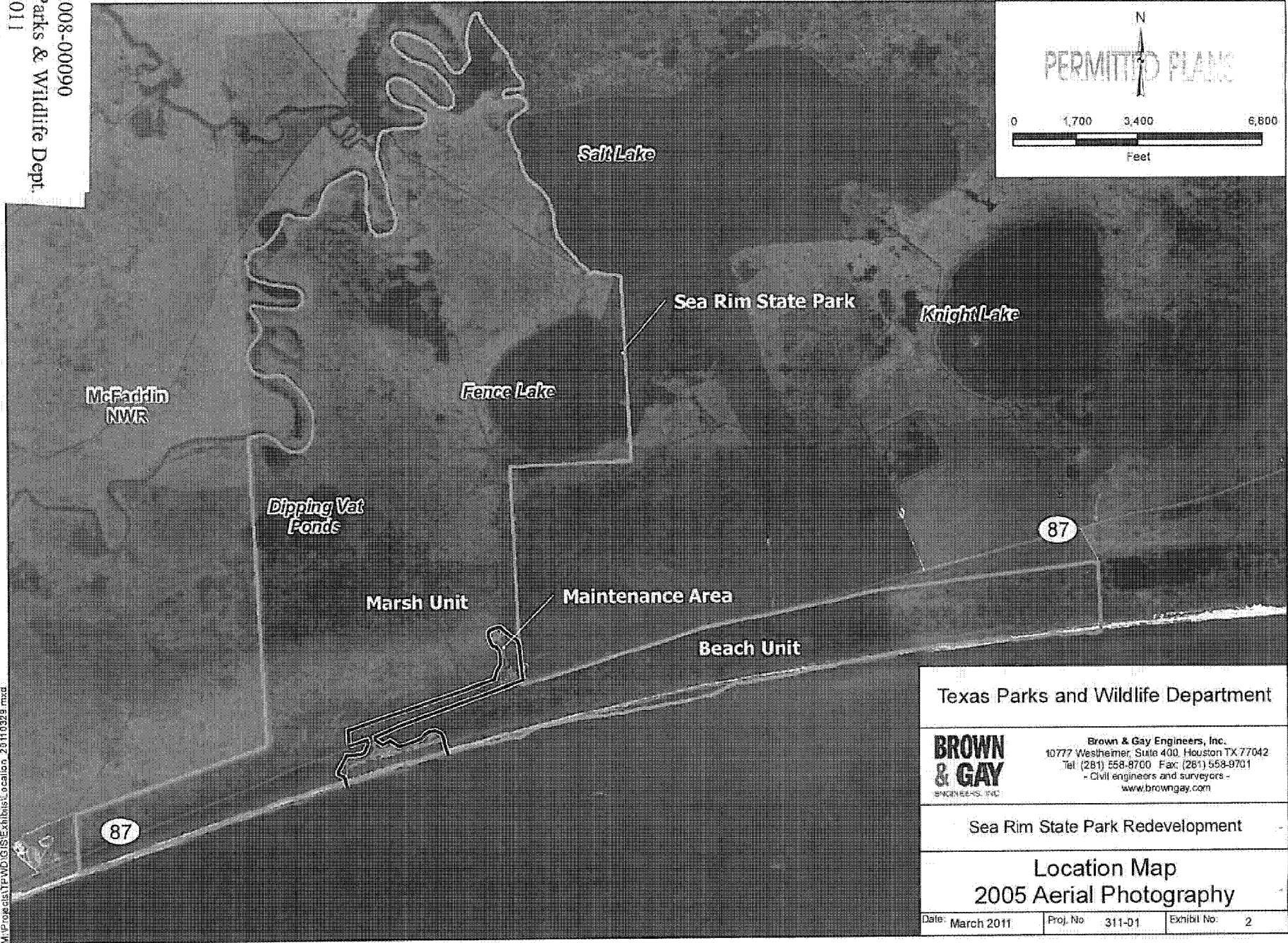
Houston/Galveston Resident Office, Galveston, TX

Jim Gregory, Brown & Gay Engineers, Inc., 10777 Westheimer Rd., Ste. 400, Houston, TX
77042-3475



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Texas Parks and Wildlife Department		
	Brown & Gay Engineers, Inc. 10777 Westheimer, Suite 400, Houston TX 77042 Tel: (281) 558-8700 Fax: (281) 558-9701 - Civil engineers and surveyors - www.browngay.com	
	Sea Rim State Park Redevelopment	
Location Map 2005 Aerial Photography		
Date: March 2011	Proj. No: 311-D1	Exhibit No: 2

APR 7 2011

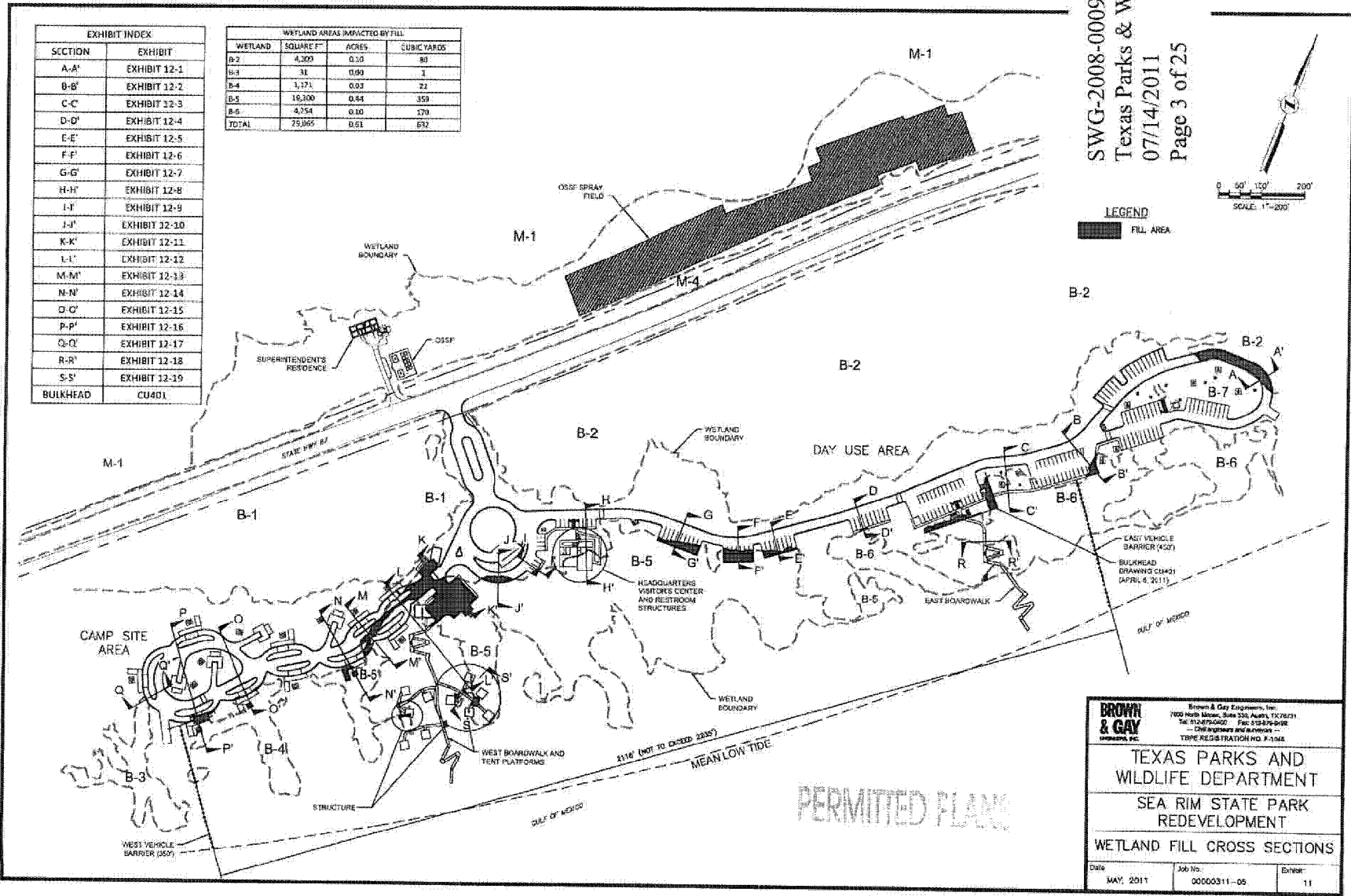


EXHIBIT INDEX	
SECTION	EXHIBIT
A-A'	EXHIBIT 12-1
B-B'	EXHIBIT 12-2
C-C'	EXHIBIT 12-3
D-D'	EXHIBIT 12-4
E-E'	EXHIBIT 12-5
F-F'	EXHIBIT 12-6
G-G'	EXHIBIT 12-7
H-H'	EXHIBIT 12-8
I-I'	EXHIBIT 12-9
J-J'	EXHIBIT 12-10
K-K'	EXHIBIT 12-11
L-L'	EXHIBIT 12-12
M-M'	EXHIBIT 12-13
N-N'	EXHIBIT 12-14
O-O'	EXHIBIT 12-15
P-P'	EXHIBIT 12-16
Q-Q'	EXHIBIT 12-17
R-R'	EXHIBIT 12-18
S-S'	EXHIBIT 12-19
BULKHEAD	CU601

WETLAND AREAS IMPACTED BY FILL			
WETLAND	SQUARE FT.	ACRES	SUBCYARDS
B-2	4,300	0.10	80
B-3	31	0.00	1
B-4	3,171	0.07	72
B-5	16,300	0.37	359
B-6	4,354	0.10	179
TOTAL	78,065	1.81	692

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LEGEND
 FILL AREA

BROWN & GAY ENGINEERS, P.C. Brown & Gay Engineers, Inc. 7600 North Loop, Suite 250, Austin, TX 78757 Tel: 512-479-0600 Fax: 512-479-0606 - Civil Engineers and Surveyors - TYPE REGISTRATION NO. F-1048		
TEXAS PARKS AND WILDLIFE DEPARTMENT SEA RIM STATE PARK REDEVELOPMENT WETLAND FILL CROSS SECTIONS		
Date	Job No.	Sheet
MAY, 2011	00003311-05	11

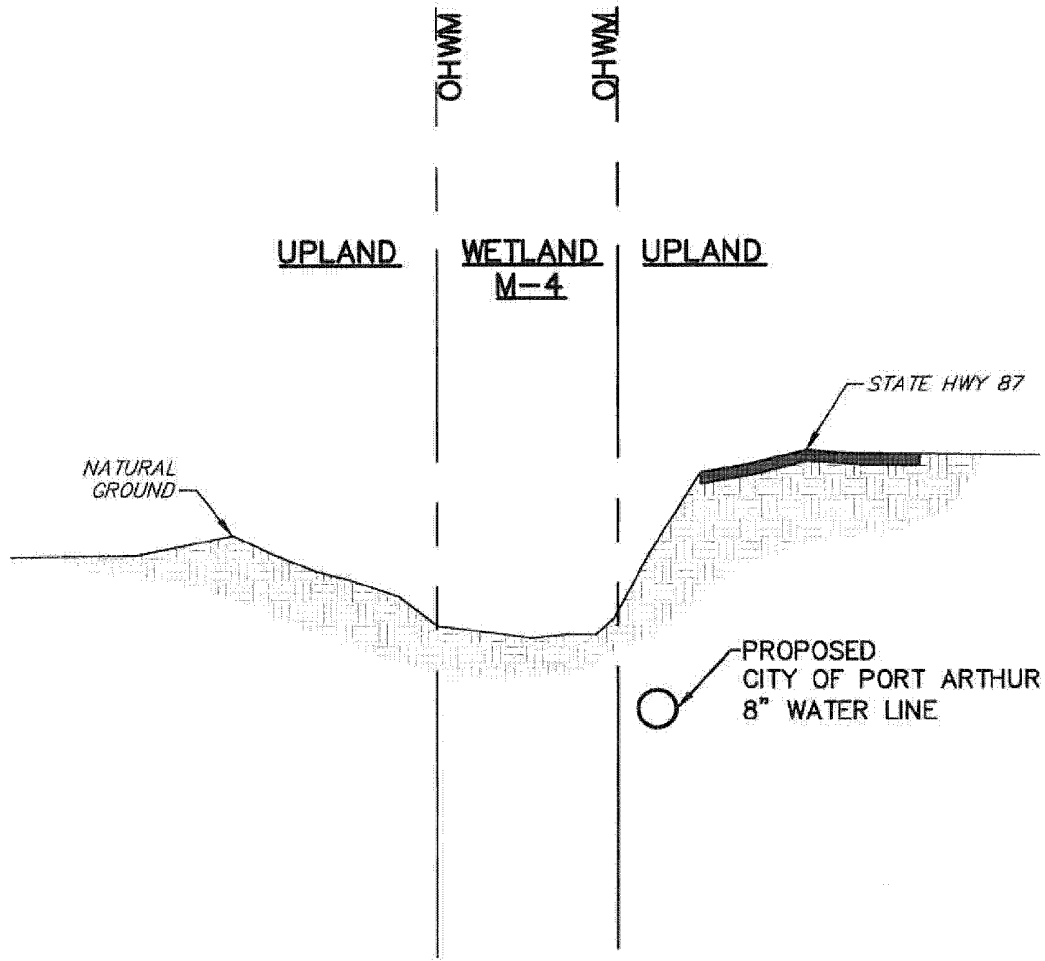
MAY 30 2011

PERMITTED PLAN

PLAN WETLAND FILL CROSS SECTIONS FOR EXHIBITS 12-1 THROUGH 12-19 AND BULKHEAD CU601. DATE: 07/14/2011.

NOTE:

- 1. OHWM — ORDINARY HIGH WATER MARK



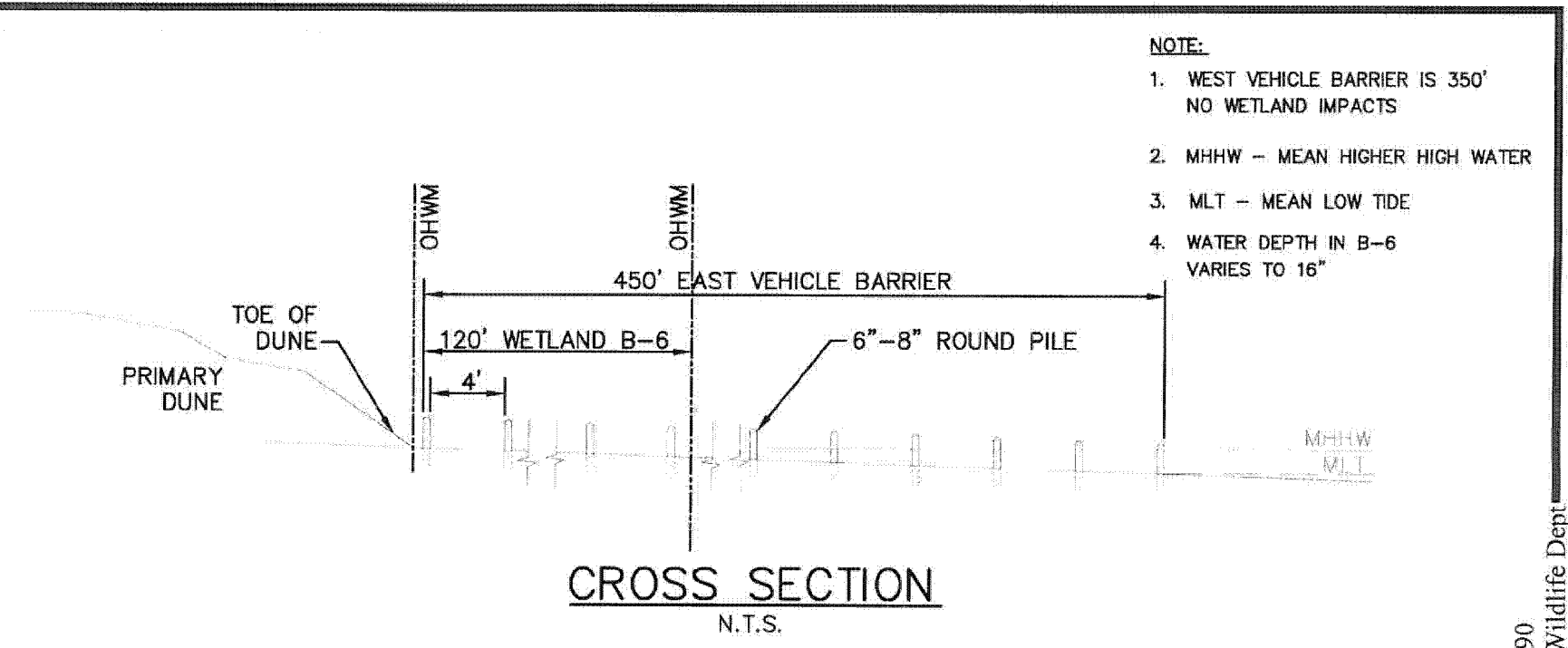
CROSS SECTION

PERMITTED PLANS

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BROWN & GAY <small>ENGINEERS, INC.</small>		
Brown & Gay Engineers, Inc. 7000 North Mopac, Suite 330, Austin, TX 78731 Tel: 512-879-0400 Fax: 512-879-0498 — Civil engineers and surveyors — TBPE REGISTRATION NO. F-1046		
TEXAS PARKS AND WILDLIFE DEPARTMENT		
SEA RIM STATE PARK REDEVELOPMENT		
CROSS SECTION OF THE WATER LINE		
Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 14

MAY 30 2011



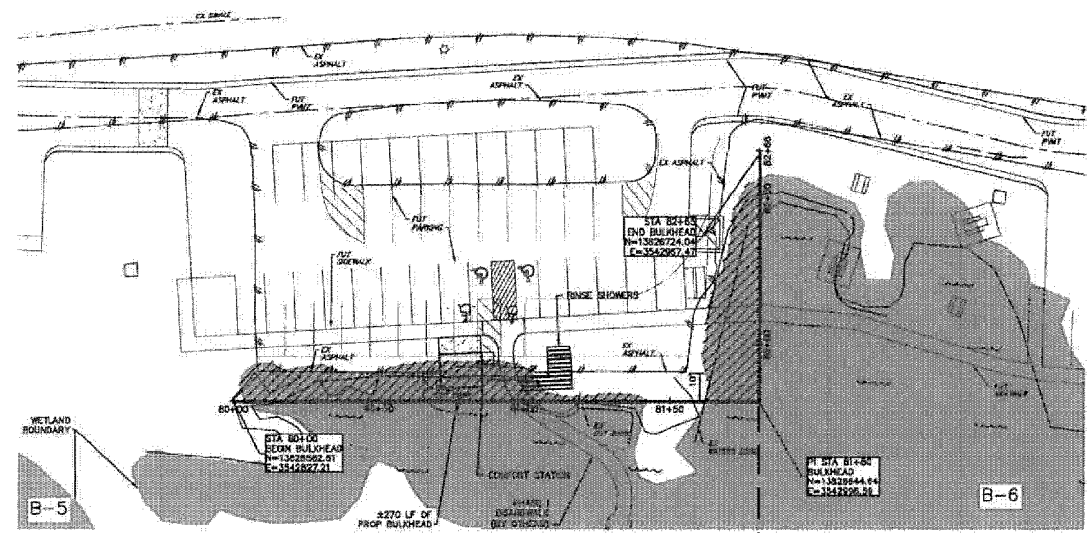
- NOTE:**
1. WEST VEHICLE BARRIER IS 350' NO WETLAND IMPACTS
 2. MHHW – MEAN HIGHER HIGH WATER
 3. MLT – MEAN LOW TIDE
 4. WATER DEPTH IN B-6 VARIES TO 16"

PERMITTED PLATE

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BROWN & GAY <small>ENGINEERS, INC.</small>			<small>Brown & Gay Engineers, Inc. 7000 North Mopec, Suite 330, Austin, TX 78731 Tel: 512-879-0400 Fax: 512-879-0499 — Civil engineers and surveyors — TBPE REGISTRATION NO. F-1046</small>		
TEXAS PARKS AND WILDLIFE DEPARTMENT					
SEA RIM STATE PARK REDEVELOPMENT					
EAST VEHICLE BARRIER CROSS SECTION					
Date: MAY, 2011		Job No.: 00000311-05		Exhibit: 13	

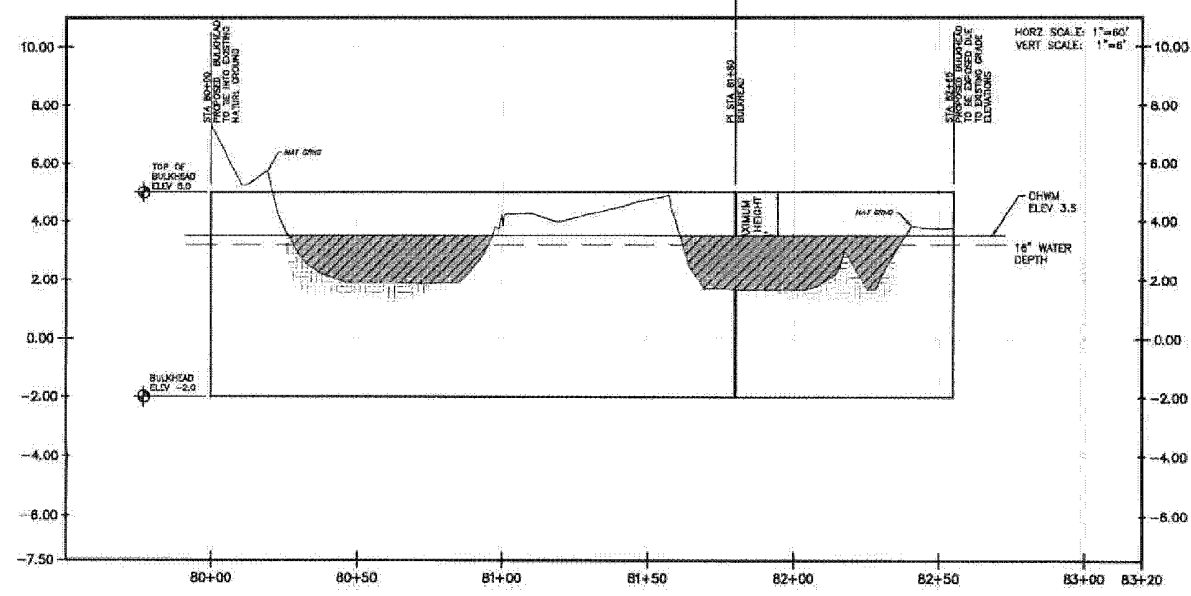
MAY 30 2011



NOTE:
1 OHWM - ORDINARY HIGH WATER MARK.

LEGEND
 FILL PLACED IN WETLANDS

WETLAND AREAS IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-6	2,460	0.05	137



ONE-CALL NOTIFICATION SYSTEM
 CALL BEFORE YOU DIG!!!
 STATEWIDE NUMBER
 1-800-545-6005

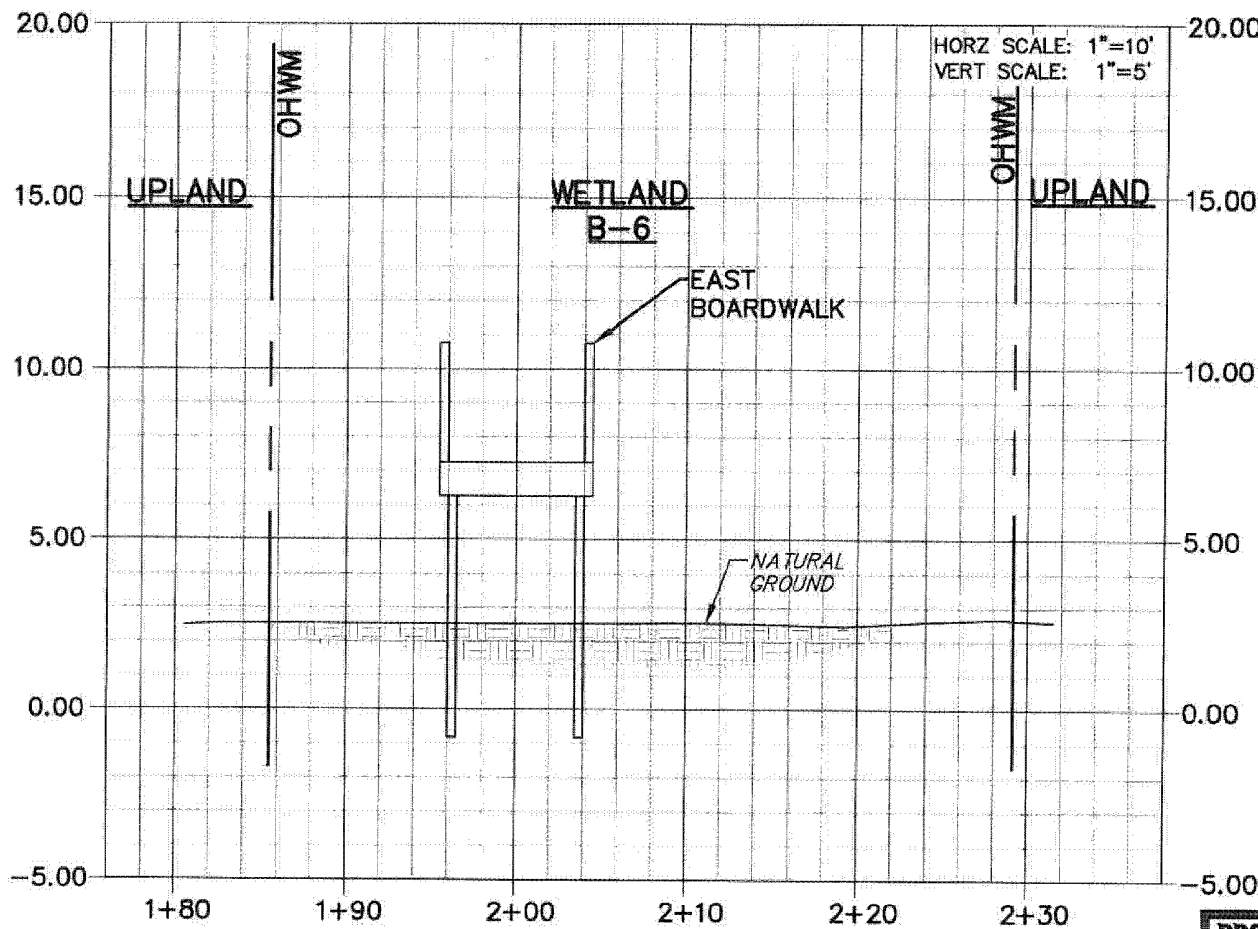
BROWN & GAY ENGINEERS, P.C.
 Brown & Gay Engineers, Inc.
 7000 North Mopac, Suite 330, Austin, TX 78731
 Tel: 512-879-0400 Fax: 512-879-0469
 — Civil engineers and surveyors —
 TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT
SEA RIM STATE PARK REDEVELOPMENT
BULKHEAD

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: CU401
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- NOTE:**
1. OHWM - ORDINARY HIGH WATER MARK
 2. B-6 WATER DEPTH IS NEGLIGIBLE

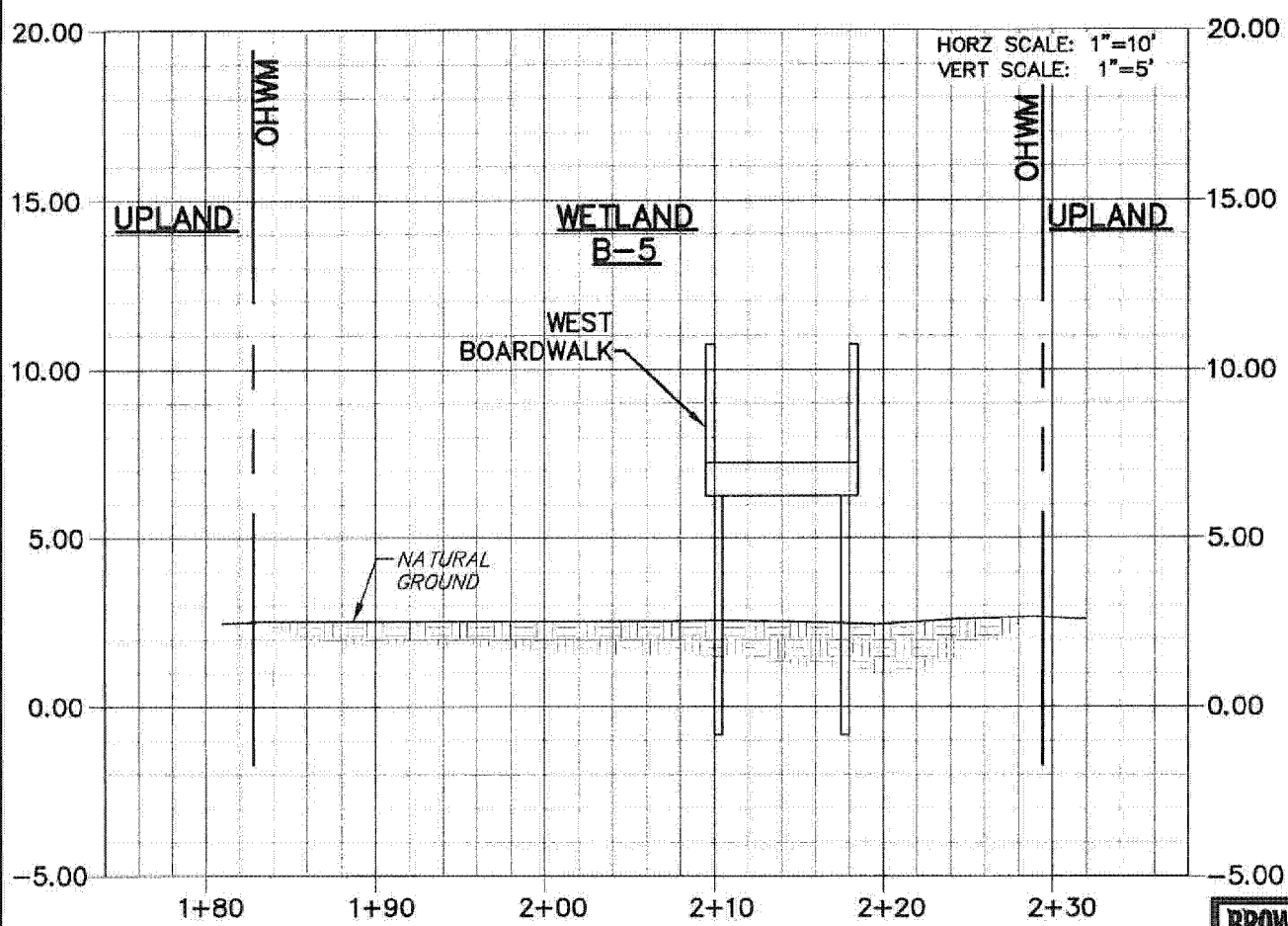
SECTION R-R'
EAST BOARDWALK
WETLAND B-6

PERMITTED PLANS

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<p>Brown & Gay Engineers, Inc. 2000 North Mopac, Suite 350, Austin, TX 78731 Tel: 512-879-0400 Fax: 512-879-0469 Civil engineers and surveyors TBPE REGISTRATION NO. F-1046</p>		
<p>TEXAS PARKS AND WILDLIFE DEPARTMENT</p>		
<p>SEA RIM STATE PARK REDEVELOPMENT</p>		
<p>STRUCTURE CROSS SECTION WETLAND B-6</p>		
Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-18

MAY 30 2011



HORZ SCALE: 1"=10'
 VERT SCALE: 1"=5'

- NOTE:**
1. OHWM — ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION S-S'
 WEST BOARDWALK
 WETLAND B-5

PERMITTED PLANS

BROWN & GAY
 ENGINEERS, INC.
 Brown & Gay Engineers, Inc.
 7000 North Mopac, Suite 330, Austin, TX 78731
 Tel: 512-879-0400 Fax: 512-879-0499
 — Civil engineers and surveyors —
 TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

SEA RIM STATE PARK REDEVELOPMENT

STRUCTURE CROSS SECTION WETLAND B-5

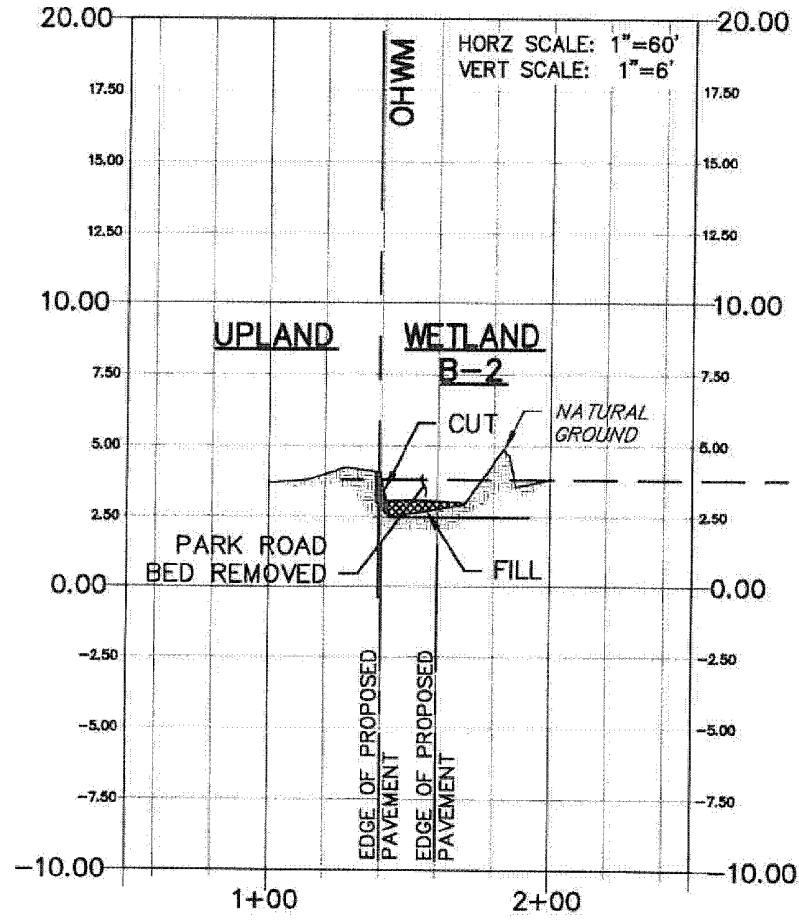
Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-19
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NOTE:

1. OHWM - ORDINARY HIGH WATER MARK
2. B-2 WATER DEPTH IS NEGLIGIBLE



WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-2	4,309	0.016	80

SECTION A-A'
FILLED WETLANDS
WETLAND B-2
FAR EAST PARK LOOP

PERMITTED PLANS

BROWN & GAY
ENGINEERS, INC.

Brown & Gay Engineers, Inc.
7000 North Mopac, Suite 330, Austin, TX 78731
Tel: 512-879-0400 Fax: 512-879-0499
— Civil engineers and surveyors —
TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

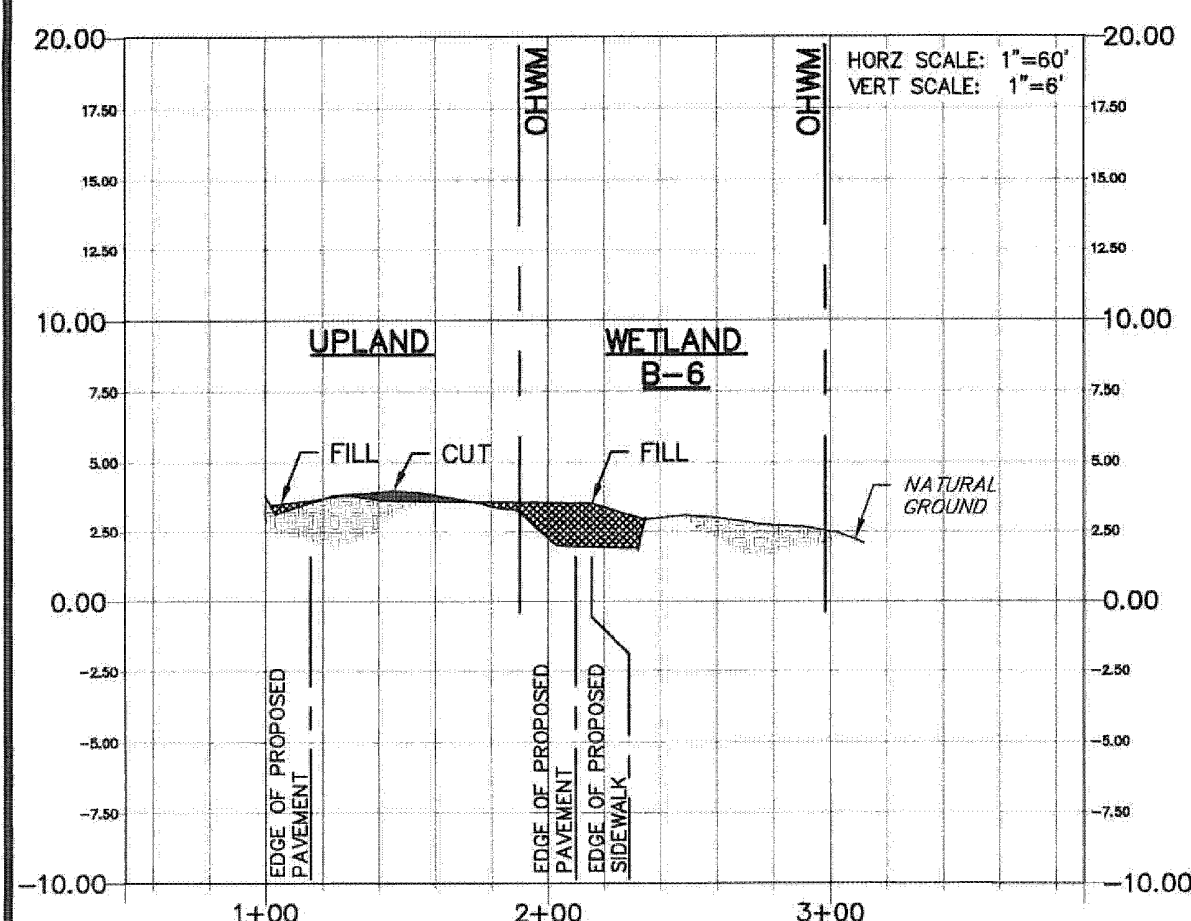
SEA RIM STATE PARK REDEVELOPMENT

WETLAND FILL CROSS SECTION WETLAND B-2

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-1
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- NOTE:**
1. OHWM - ORDINARY HIGH WATER MARK
 2. B-6 WATER DEPTH IS NEGLIGIBLE

SECTION B-B'
FILLED WETLANDS
WETLAND B-6

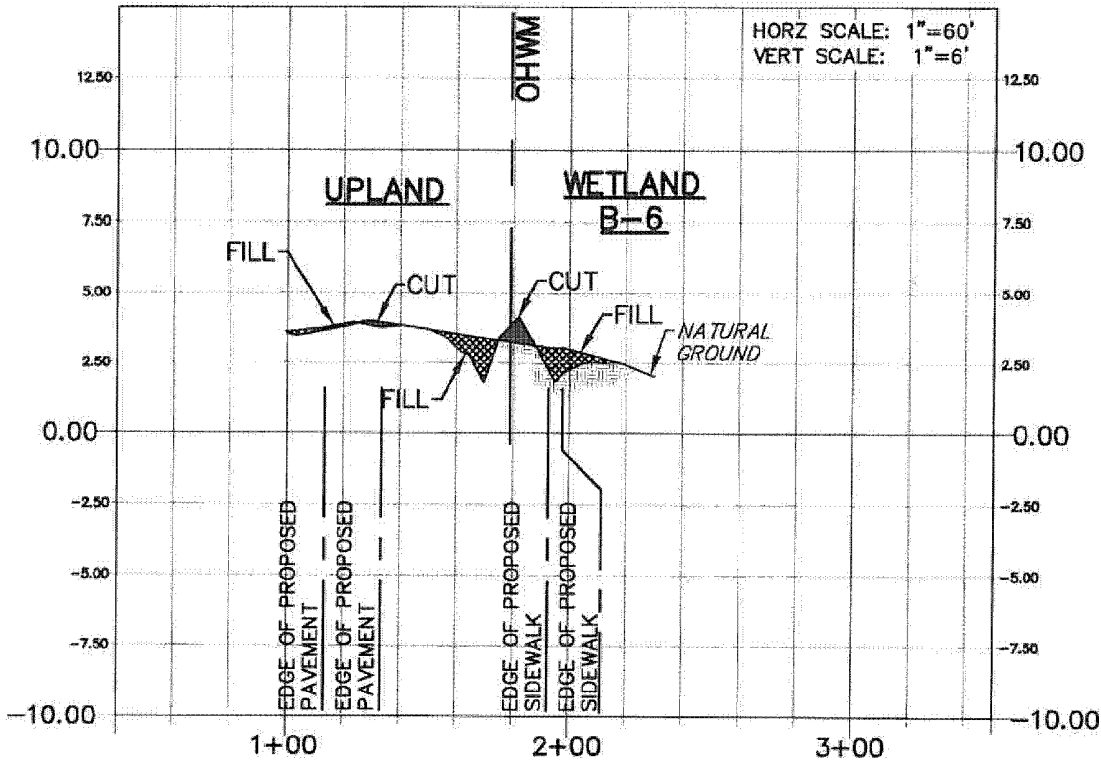
PERMITTED PLANS

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-6	687	0.01	13

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<p>BROWN & GAY ENGINEERS, INC.</p> <p>Brown & Gay Engineers, Inc. 7000 North Meopac, Suite 330, Austin, TX 78731 Tel: 512-879-0400 Fax: 512-879-0499 — Civil engineers and surveyors — TBPPE REGISTRATION NO. F-1046</p>		
<p>TEXAS PARKS AND WILDLIFE DEPARTMENT</p>		
<p>SEA RIM STATE PARK REDEVELOPMENT</p>		
<p>WETLAND FILL CROSS SECTION WETLAND B-6</p>		
Date:	Job No.:	Exhibit:
MAY, 2011	00000311-05	12-2

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- NOTE:**
1. OHWM - ORDINARY HIGH WATER MARK
 2. B-6 WATER DEPTH IS NEGLIGIBLE

SECTION C-C'
FILLED WETLANDS
WETLAND B-6

PERMITTED PLANE

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-6	1,039	0.02	19

BROWN & GAY
ENGINEERS, P.C.

Brown & Gay Engineers, Inc.
7000 North Mopac, Suite 330, Austin, TX 78731
Tel: 512-879-0400 Fax: 512-879-0499
— Civil engineers and surveyors —
TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

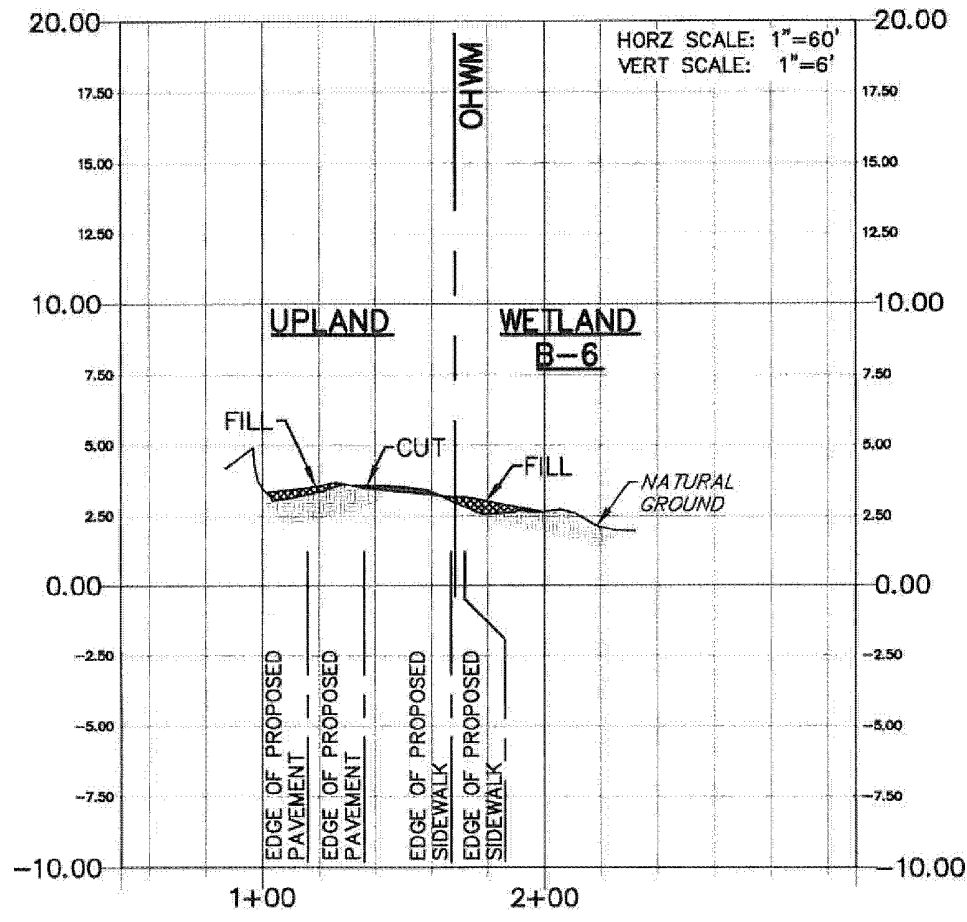
SEA RIM STATE PARK REDEVELOPMENT

WETLAND FILL CROSS SECTION WETLAND B-6

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-3
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- NOTE:**
1. OHWM — ORDINARY HIGH WATER MARK
 2. B-6 WATER DEPTH IS NEGLIGIBLE

SECTION D-D'
 FILLED WETLANDS
 WETLAND B-6

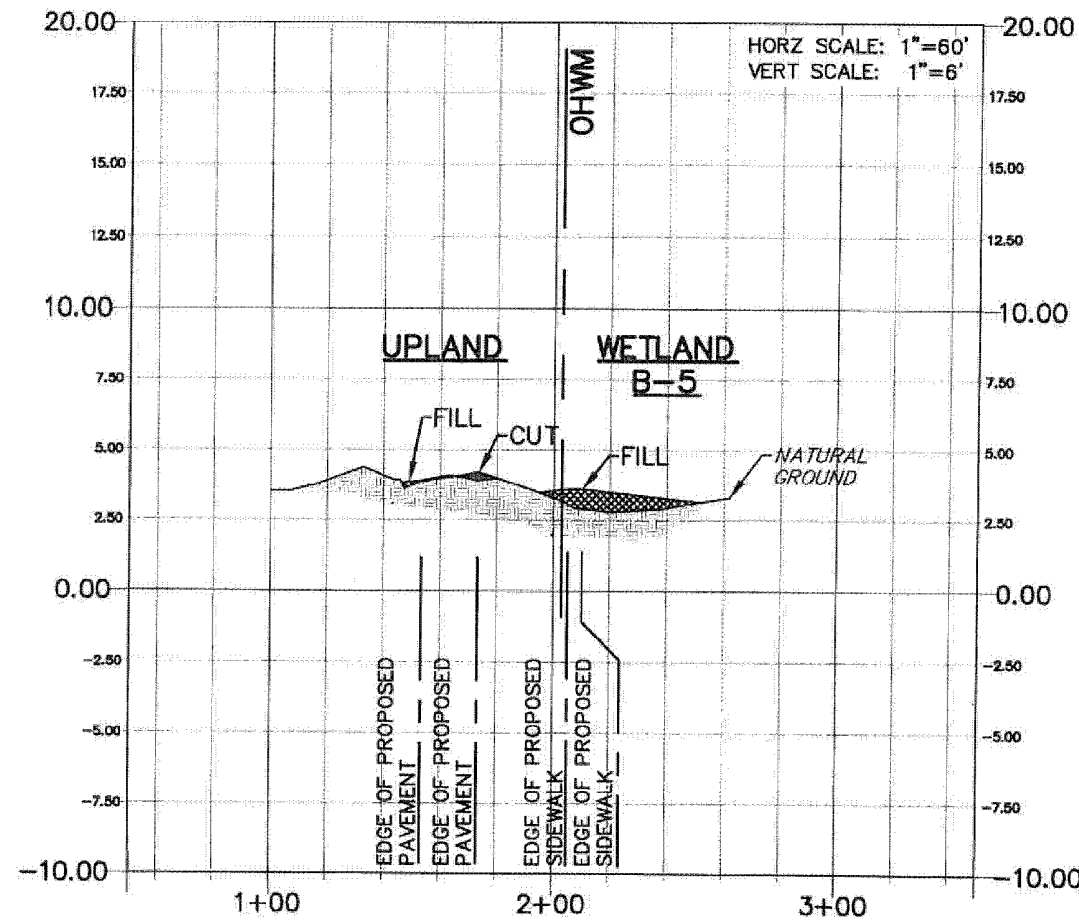
PERMITTED PLAN

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-6	68	0.002	1

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BROWN & GAY ENGINEERS, INC. Brown & Gay Engineers, Inc. 7000 North Mopac, Suite 330, Austin, TX 78731 Tel: 512-870-0400 Fax: 512-879-0499 — Civil engineers and surveyors — TBPE REGISTRATION NO. F-1048		
TEXAS PARKS AND WILDLIFE DEPARTMENT SEA RIM STATE PARK REDEVELOPMENT		
WETLAND FILL CROSS SECTION WETLAND B-6		
Date:	Job No.:	Exhibit:
MAY, 2011	00000311-05	12-4

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HORZ SCALE: 1"=60'
VERT SCALE: 1"=6'

- NOTE:**
1. OHWM – ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION E-E'

FILLED WETLANDS
WETLAND B-5

PERMITTED FILL

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-5	718	0.016	13

BROWN & GAY
ENGINEERS, INC.

Brown & Gay Engineers, Inc.
7000 North Mopac, Suite 330, Austin, TX 78731
Tel: 512-879-0400 Fax: 512-879-0499
Civil engineers and surveyors —
TBPE REGISTRATION NO. F-1048

TEXAS PARKS AND WILDLIFE DEPARTMENT

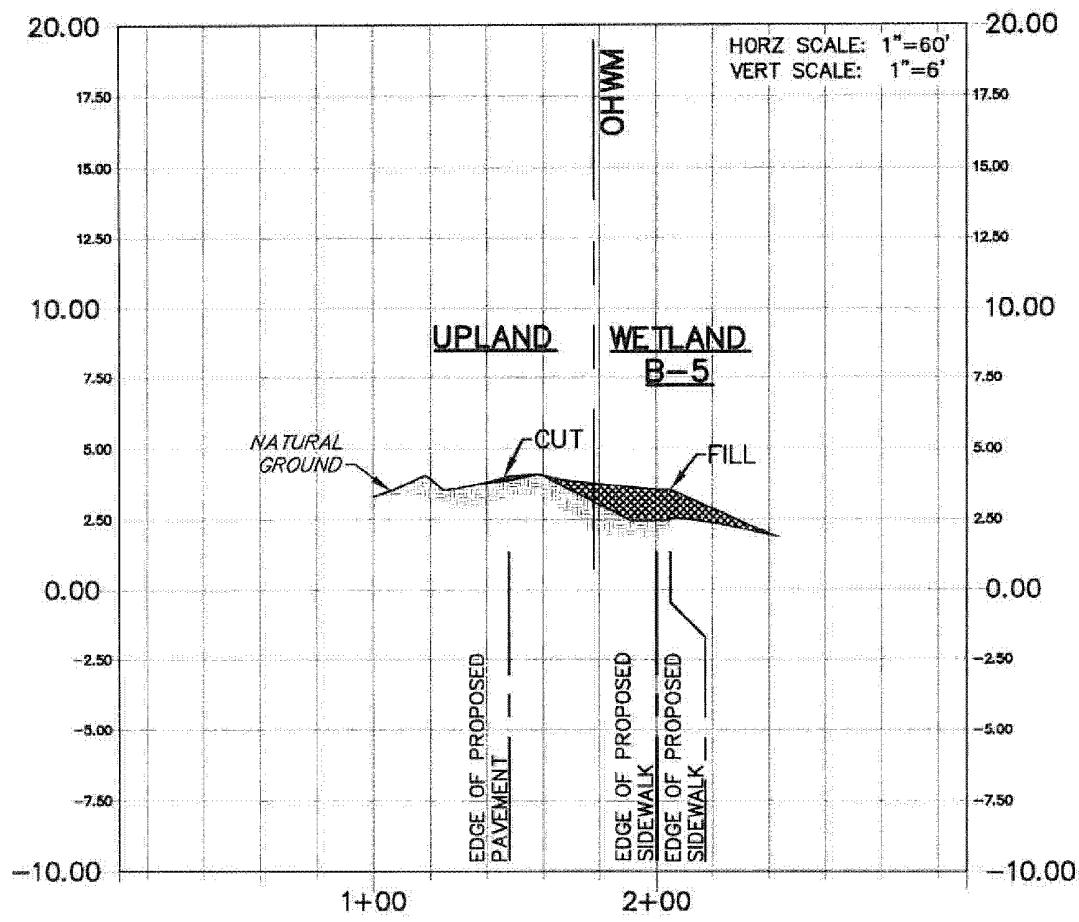
SEA RIM STATE PARK REDEVELOPMENT

WETLAND FILL CROSS SECTION WETLAND B-5

Date: MAY, 2011 Job No.: 00000311-05 Exhibit: 12-5

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HORZ SCALE: 1"=60'
VERT SCALE: 1"=6'

- NOTE:**
1. OHWM — ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION F-F'
FILLED WETLANDS
WETLAND B-5

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-5	1,980	0.05	37

BROWN & GAY
ENGINEERS, INC.

Brown & Gay Engineers, Inc.
7000 North Mopec, Suite 330, Austin, TX 78731
Tel: 512-879-0400 Fax: 512-879-0409
— Civil engineers and surveyors —
TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

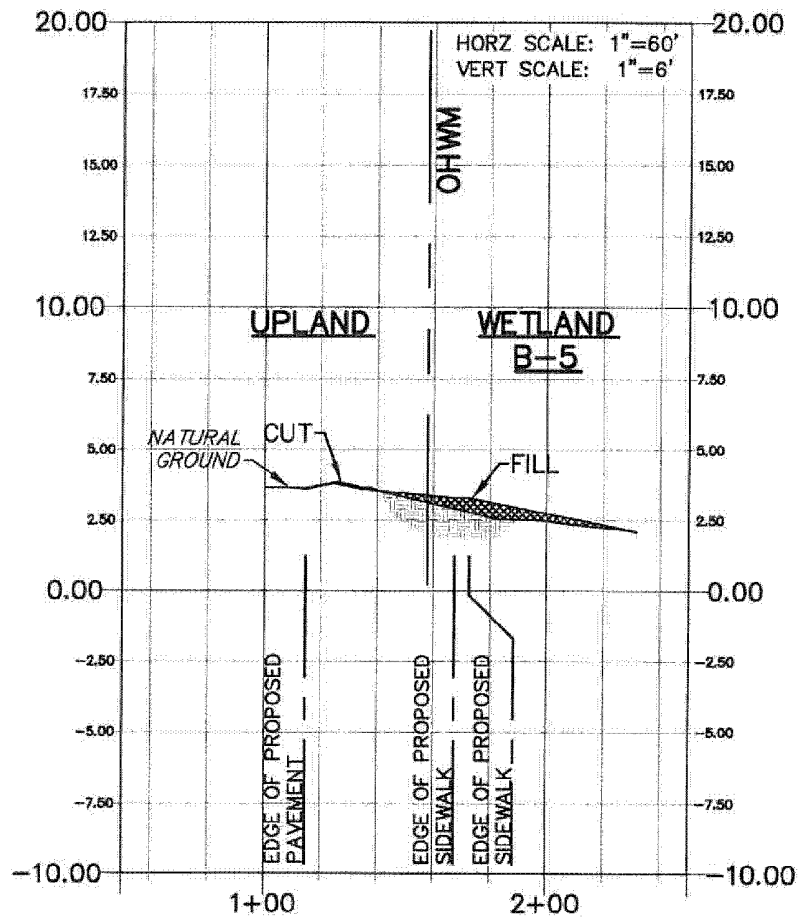
SEA RIM STATE PARK REDEVELOPMENT

WETLAND FILL CROSS SECTION WETLAND B-5

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-6
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- NOTE:**
1. OHWM – ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION G-G'
 FILLED WETLANDS
 WETLAND B-5

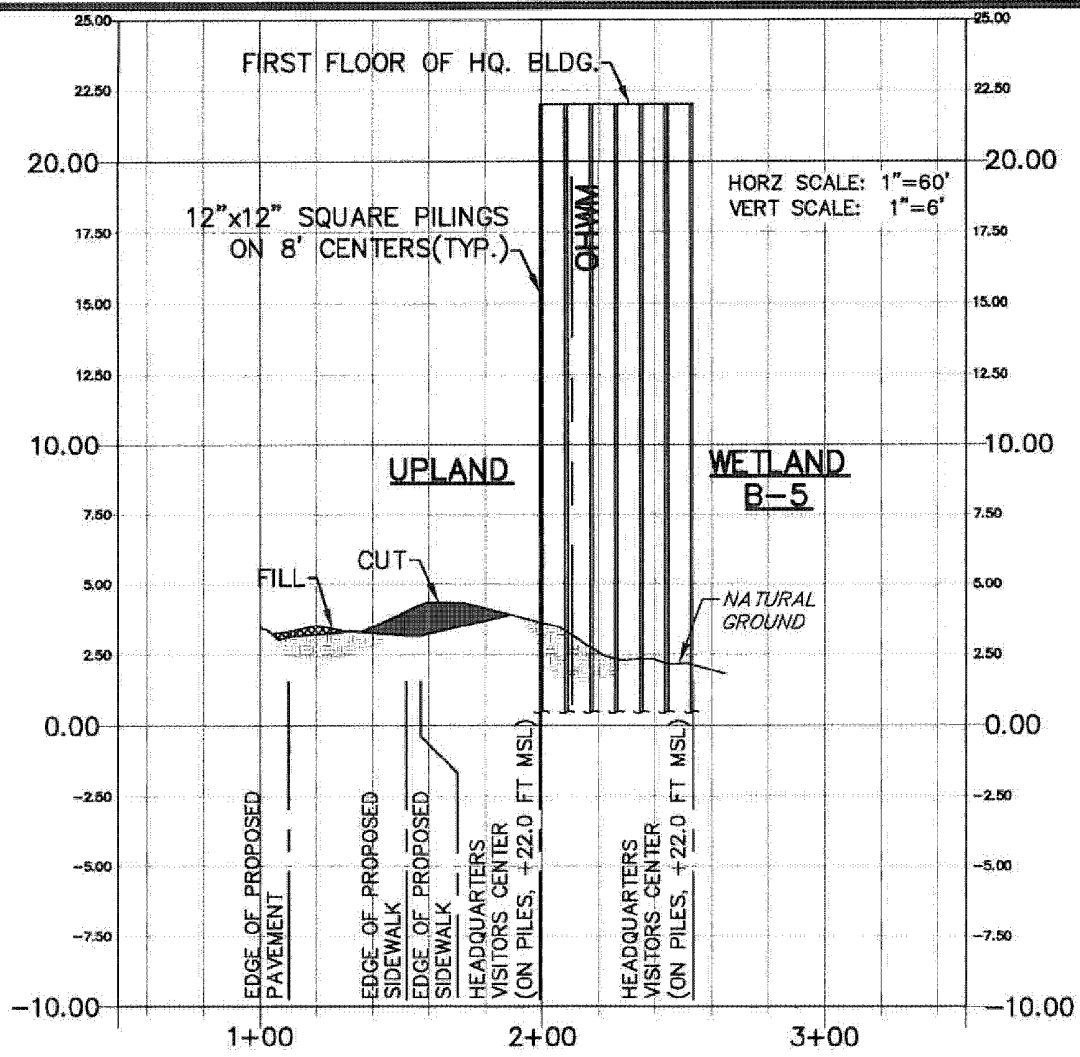
PERMITTED PLANS

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT.	ACRES	CUBIC YARDS
B-5	1,499	0.03	28

BROWN & GAY <small>ENGINEERS, INC.</small>			<small>Brown & Gay Engineers, Inc. 7000 North Mopac, Suite 330, Austin, TX 78731 Tel: 512-879-0400 Fax: 512-879-0499 — Civil engineers and surveyors — TBPE REGISTRATION NO. F-1046</small>
TEXAS PARKS AND WILDLIFE DEPARTMENT			
SEA RIM STATE PARK REDEVELOPMENT			
WETLAND FILL CROSS SECTION WETLAND B-5			
Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-7	

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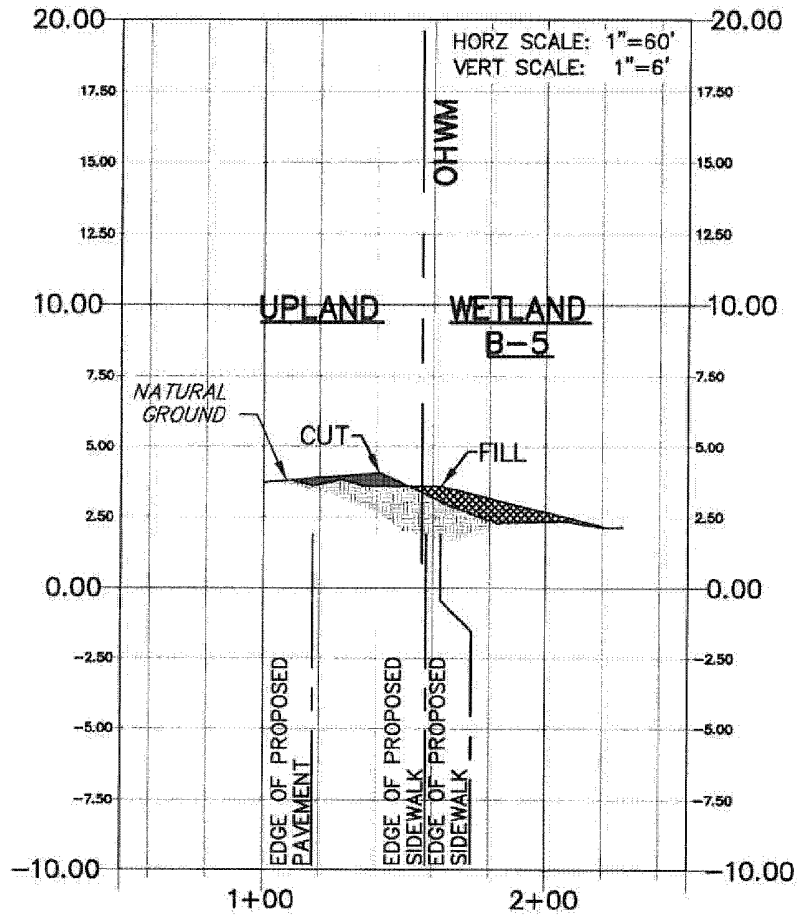
- NOTE:**
1. OHWM — ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION H-H'
 STRUCTURE — HQ/VISITORS BLDG
 WETLAND B-5

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<p>Brown & Gay Engineers, Inc. 7000 North Mcspac, Suite 330, Austin, TX 78731 Tel: 512-879-0400 Fax: 512-879-0499 — Civil engineers and surveyors — TBPE REGISTRATION NO. F-1046</p>		
<p>TEXAS PARKS AND WILDLIFE DEPARTMENT</p>		
<p>SEA RIM STATE PARK REDEVELOPMENT</p>		
<p>STRUCTURE CROSS SECTION WETLAND B-5</p>		
Date:	Job No.:	Exhibit:
MAY, 2011	00000311-05	12-8

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NOTE:

1. OHWM -- ORDINARY HIGH WATER MARK
2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION 1-1'
 FILLED WETLANDS
 WETLAND B-5

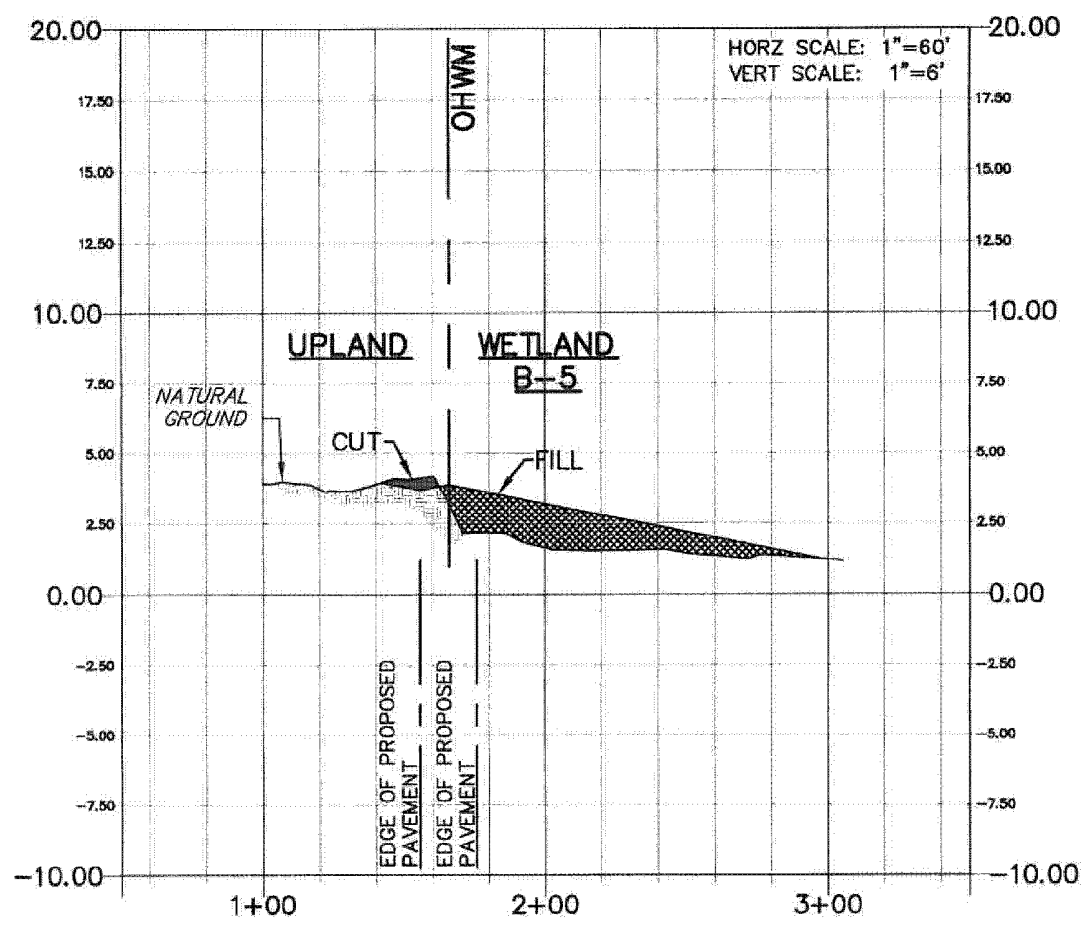
PERMITTED PLANS

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-5	168	0.004	3

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BROWN & GAY <small>ENGINEERS, INC.</small>	<small>Brown & Gay Engineers, Inc. 7000 North Mopac, Suite 330, Austin, TX 78731 Tel: 512-879-0400 Fax: 512-879-0499 — Civil engineers and surveyors — TBPE REGISTRATION NO. F-1046</small>	
	TEXAS PARKS AND WILDLIFE DEPARTMENT	
SEA RIM STATE PARK REDEVELOPMENT		
WETLAND FILL CROSS SECTION WETLAND B-5		
Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-9

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- NOTE:**
1. OHWM - ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION J-J'
 FILLED WETLANDS
 WETLAND B-5

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-5	853	0.02	16

BROWN & GAY ENGINEERS, INC.
 Brown & Gay Engineers, Inc.
 7000 North Mopec, Suite 330, Austin, TX 78731
 Tel: 512-879-0400 Fax: 512-879-0499
 — Civil engineers and surveyors —
 TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

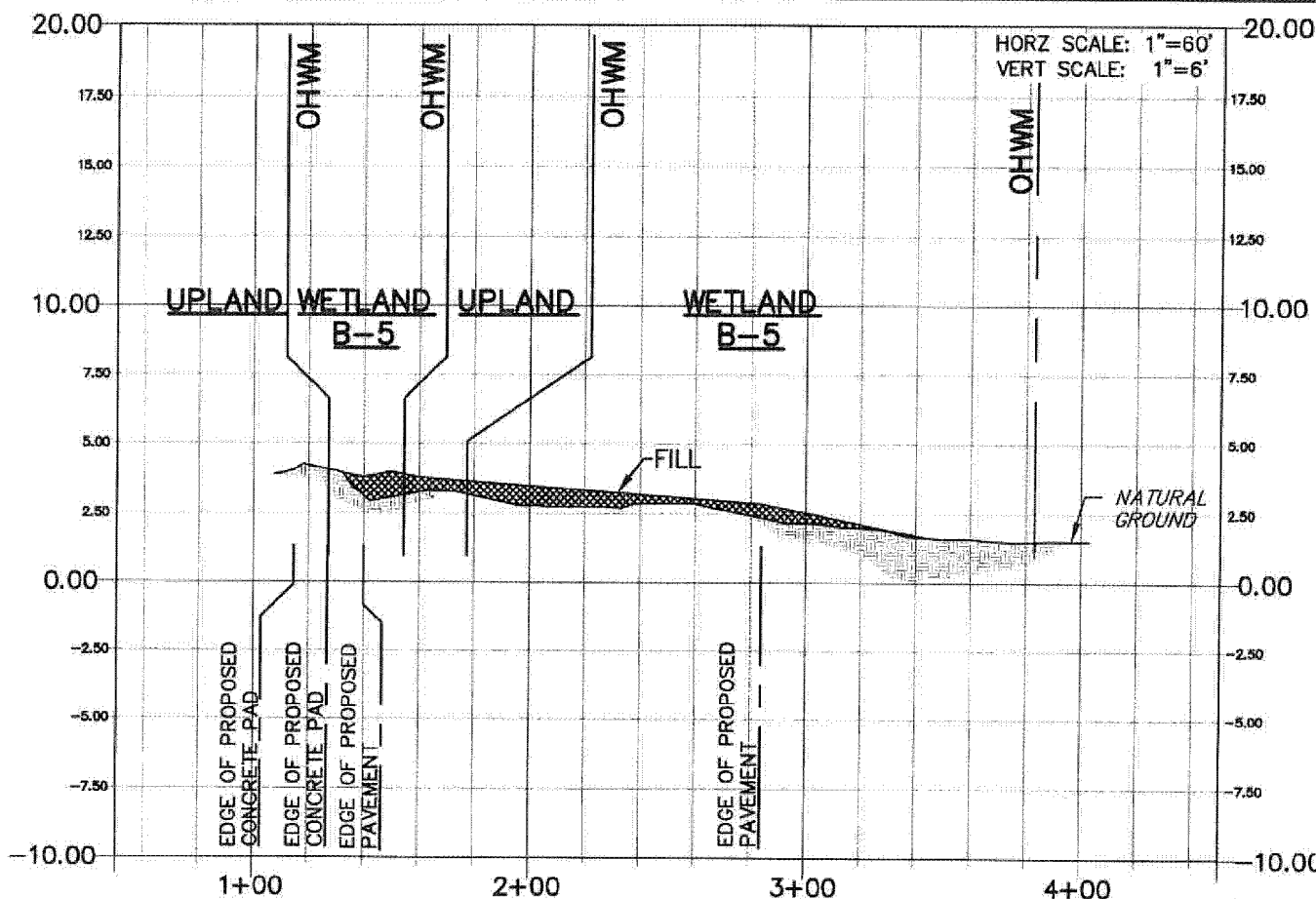
SEA RIM STATE PARK REDEVELOPMENT

WETLAND FILL CROSS SECTION WETLAND B-5

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-10
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HORZ SCALE: 1"=60'
VERT SCALE: 1"=6'

- NOTE:**
1. OHWM - ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION K-K'
PERMITTED PLANS
FILLED WETLANDS
WETLAND B-5

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-5	11,586	0.27	215

BROWN & GAY
ENGINEERS, INC.

Brown & Gay Engineers, Inc.
7000 North Meopac, Suite 330, Austin, TX 78731
Tel: 512-879-0400 Fax: 512-879-0499
Civil engineers and surveyors
TBPB REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

SEA RIM STATE PARK REDEVELOPMENT

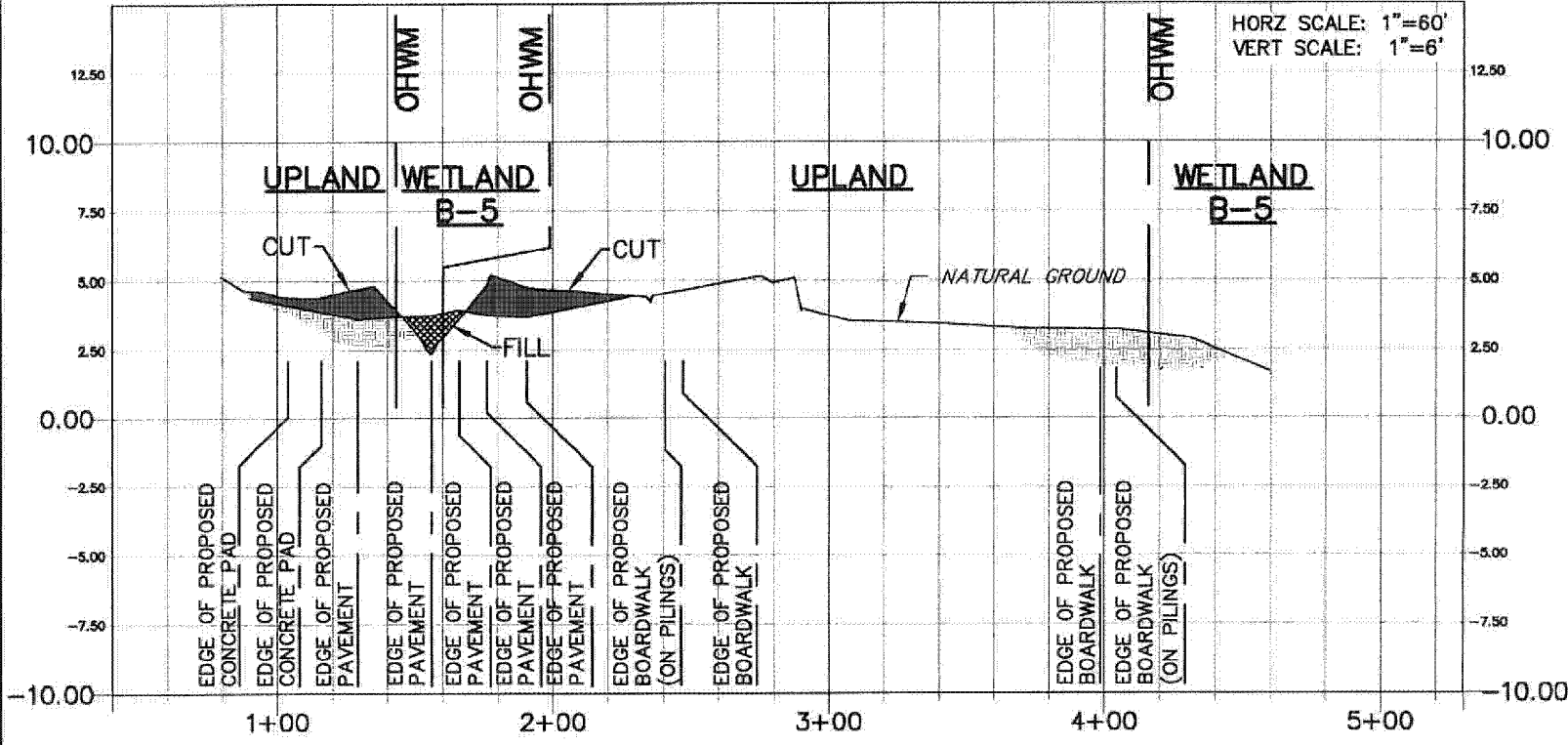
WETLAND FILL CROSS SECTION WETLAND B-5

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-11
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NOTE:
 1. OHWM - ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE



HORZ SCALE: 1"=60'
 VERT SCALE: 1"=6'

SECTION L-L *PERMITTED PLANS*

FILLED WETLANDS
 WETLAND B-5

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-5	1,063	0.02	20

BROWN & GAY ENGINEERS, INC.
 Brown & Gay Engineers, Inc.
 7000 North Moopas, Suite 330, Austin, TX 78731
 Tel: 512-879-0400 Fax: 512-479-0499
 - Civil engineers and surveyors -
 TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

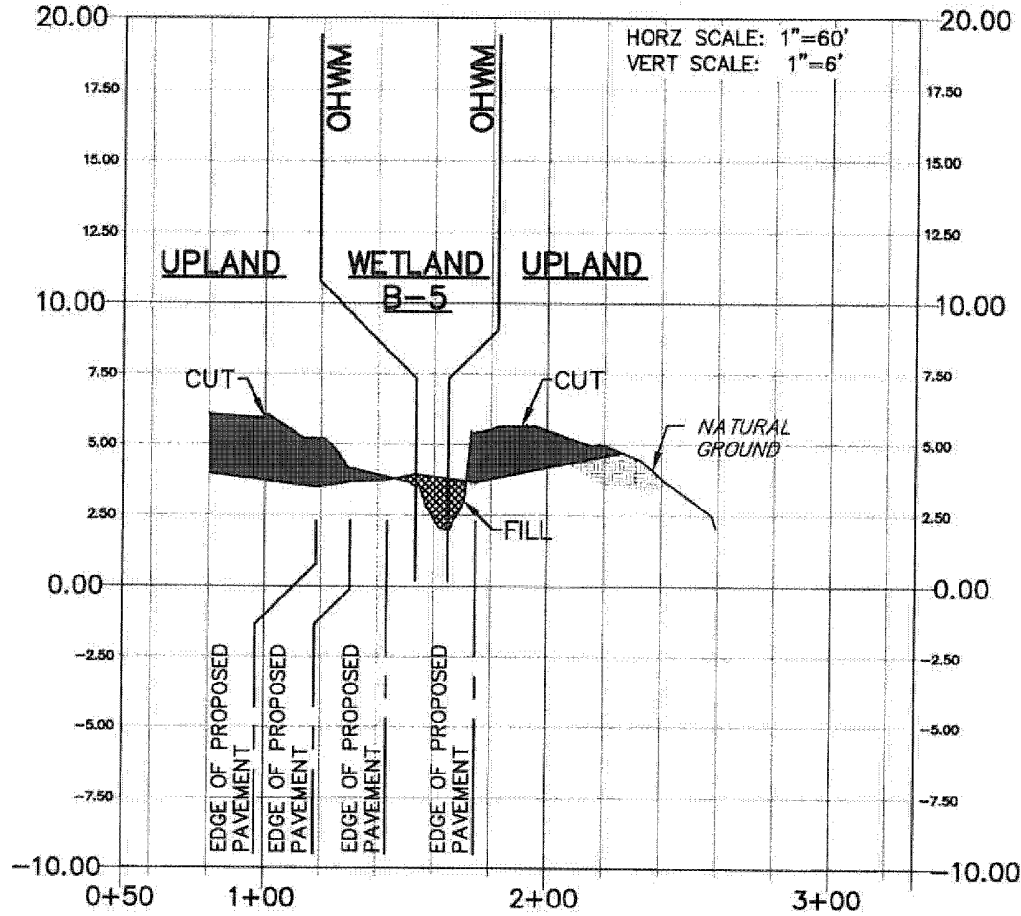
SEA RIM STATE PARK REDEVELOPMENT

WETLAND FILL CROSS SECTION WETLAND B-5

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-12
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NOTE:

1. OHWM – ORDINARY HIGH WATER MARK
2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION M-M'

FILLED WETLANDS
WETLAND B-5

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-5	814	0.019	15

BROWN & GAY
ENGINEERS, P.C.

Brown & Gay Engineers, Inc.
7000 North Mopac, Suite 330, Austin, TX 78731
Tel: 512-879-0400 Fax: 512-879-0499
Civil Engineers and Surveyors
TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

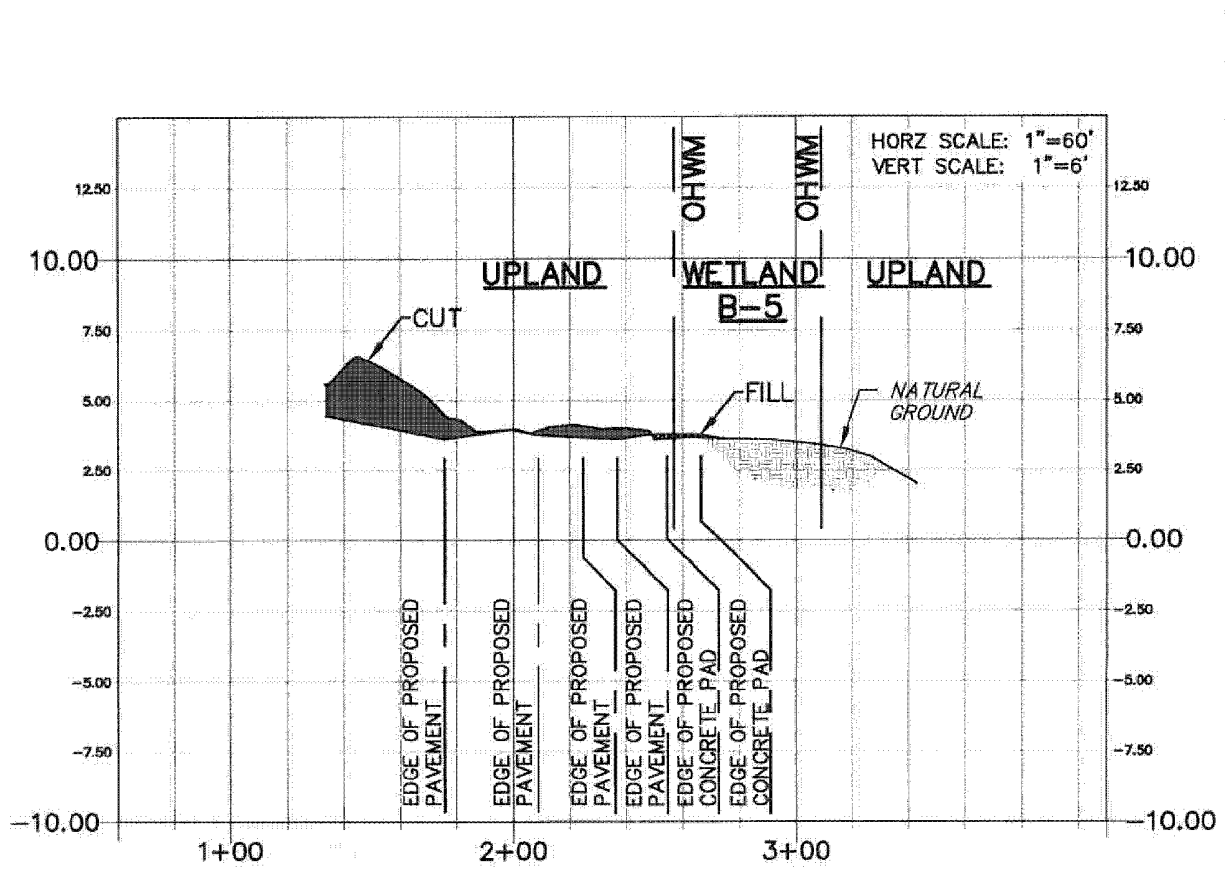
SEA RIM STATE PARK REDEVELOPMENT

WETLAND FILL CROSS SECTION WETLAND B-5

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-13
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- NOTE:**
1. OHWM - ORDINARY HIGH WATER MARK
 2. B-5 WATER DEPTH IS NEGLIGIBLE

SECTION N-N'
FILLED WETLANDS
WETLAND B-5

PERMITTED PLANE

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-5	621	0.014	12

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BROWN & GAY
ENGINEERS, INC.

Brown & Gay Engineers, Inc.
7000 North Meopac, Suite 330, Austin, TX 78731
Tel: 512-879-0400 Fax: 512-879-0499
— Civil engineers and surveyors —
TBPE REGISTRATION NO. F-1046

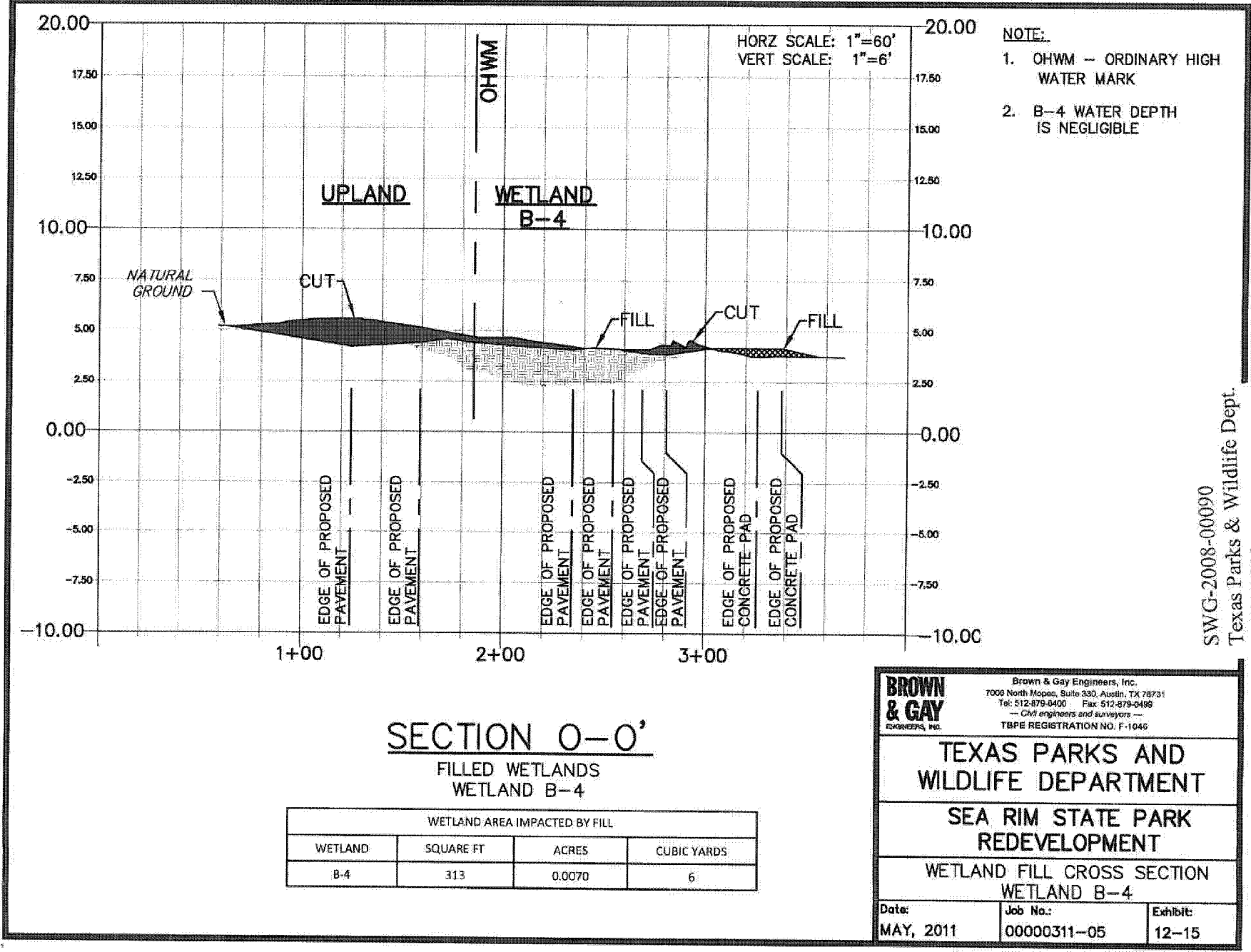
TEXAS PARKS AND WILDLIFE DEPARTMENT

SEA RIM STATE PARK REDEVELOPMENT

WETLAND FILL CROSS SECTION WETLAND B-5

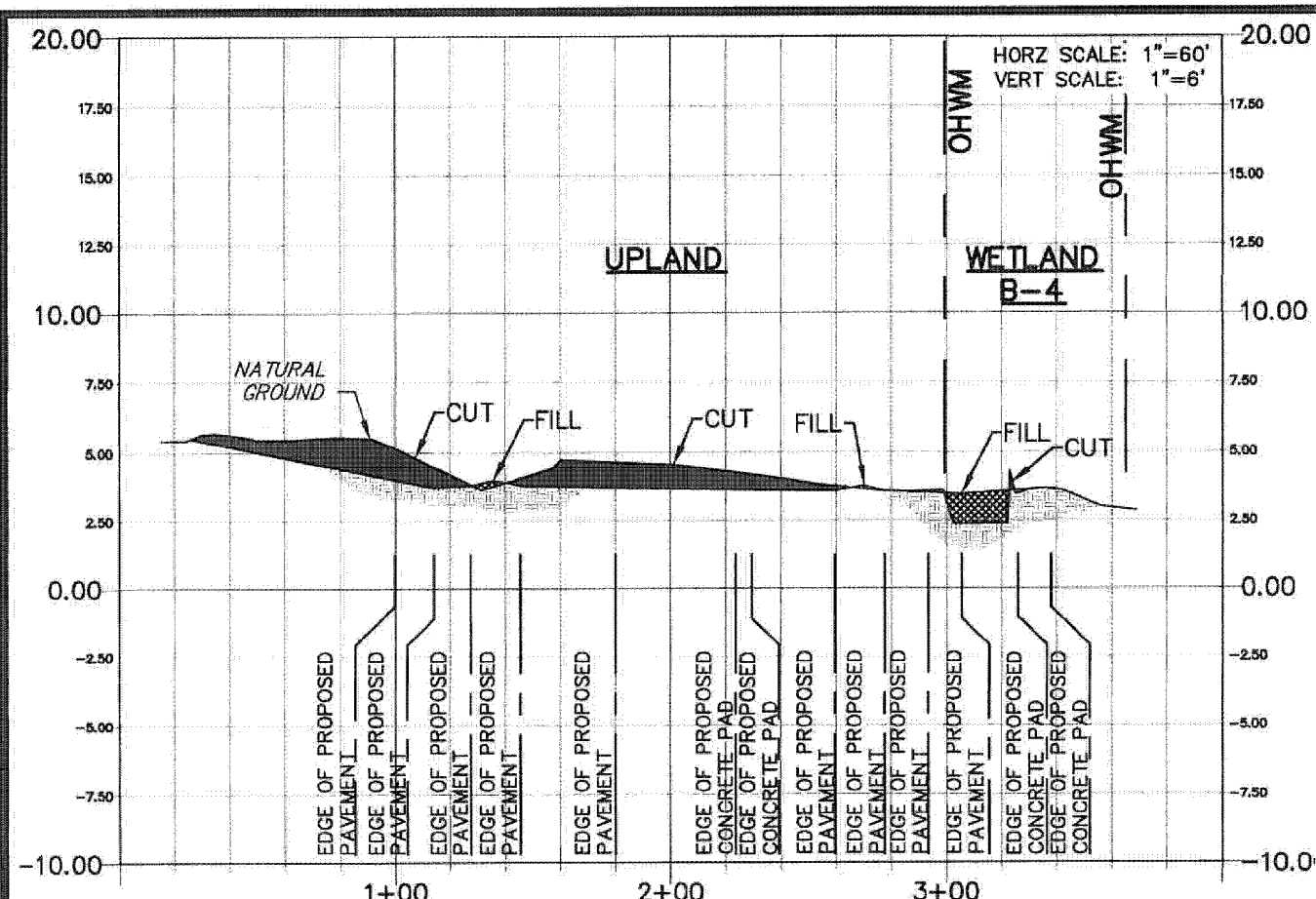
Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-14
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- NOTE:**
1. OHWM - ORDINARY HIGH WATER MARK
 2. B-4 WATER DEPTH IS NEGLIGIBLE

SECTION P-P'
 FILLED WETLANDS
 WETLAND B-4

PERMITTED PLAN

WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-4	859	0.019	16

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BROWN & GAY ENGINEERS, INC.
 Brown & Gay Engineers, Inc.
 7000 North Mopac, Suite 330, Austin, TX 78731
 Tel: 512-879-0400 Fax: 512-879-0498
 — Civil engineers and surveyors —
 TBPE REGISTRATION NO. F-1046

TEXAS PARKS AND WILDLIFE DEPARTMENT

SEA RIM STATE PARK REDEVELOPMENT

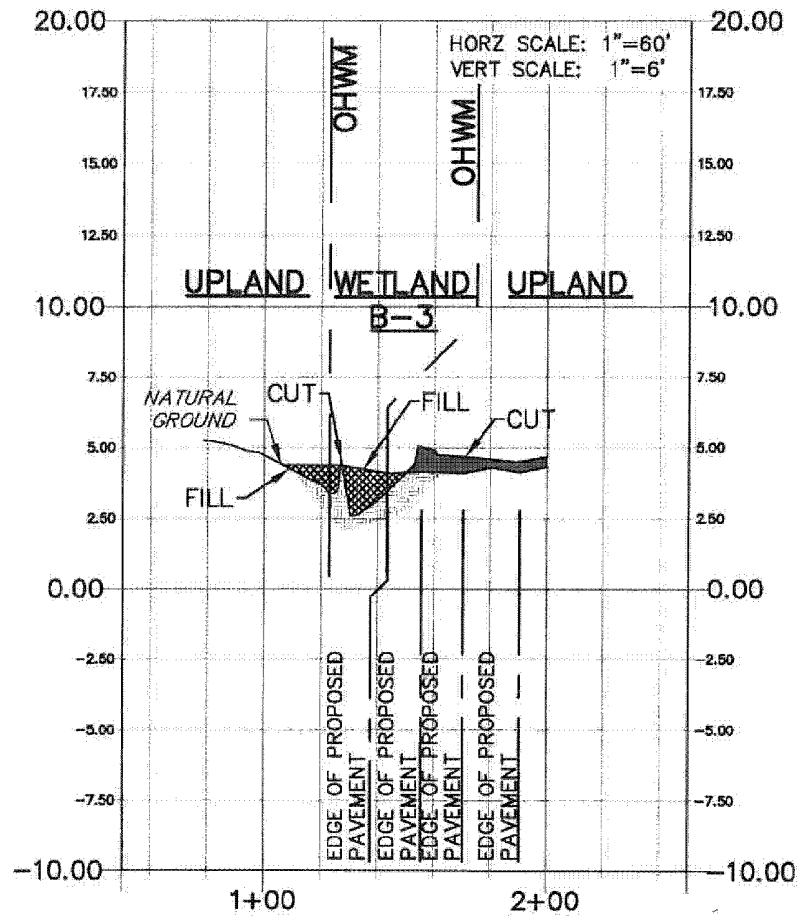
WETLAND FILL CROSS SECTION WETLAND B-4

Date: MAY, 2011	Job No.: 00000311-05	Exhibit: 12-16
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MAY 30 2011

NOTE:

1. OHWM - ORDINARY HIGH WATER MARK
2. B-3 WATER DEPTH IS NEGLIGIBLE



WETLAND AREA IMPACTED BY FILL			
WETLAND	SQUARE FT	ACRES	CUBIC YARDS
B-3	81	0.0007	1

SECTION Q-Q'
 FILLED WETLANDS
 WETLAND B-3

PERMITTED PLANS

Brown & Gay Engineers, Inc. 7000 North Mopac, Suite 330, Austin, TX 78731 Tel: 512-879-0400 Fax: 512-879-0499 — Civil engineers and surveyors — TBPE REGISTRATION NO. F-1046		
TEXAS PARKS AND WILDLIFE DEPARTMENT		
SEA RIM STATE PARK REDEVELOPMENT		
WETLAND FILL CROSS SECTION WETLAND B-3		
Date:	Job No.:	Exhibit:
MAY, 2011	00000311-05	12-17

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Conditions for Letter of Permission:

General Conditions:

1. The time limit for completing the activity authorized ends on 31 December 2016. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee understands and agrees that if future operations by the United States require the removal, relocation or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate or alter the structural work or obstructions caused thereby without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
2. The permittee must install and maintain, at their own expense, any safety lights and signals prescribed by the United States Coast Guard (USCG) through regulations or otherwise on the authorized facilities. The USCG may be reached at the following address: Commander (dph), Eighth Coast Guard District, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, Louisiana 70130-3396, or by telephone at 504-589-6198.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization:
 - a. This permit does not obviate the need to obtain other Federal, state or local authorizations required by law.
 - b. This permit does not grant property rights or exclusive privileges.

- c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. **Limits of Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension or revocation of this permit.
4. **Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete or inaccurate (See 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions:** General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of time limit.

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree)

(DATE)

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Texas Parks and Wildlife Department | File Number: SWG-2008-00090 | Date: 9/2/11

Attached is:		See Section below
X	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved jurisdictional determination (JD) or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
Elizabeth A. Shelton, Regulatory Specialist
CESWG-PE-RE, P.O. Box 1229
Galveston, Texas 77553-1229
Telephone: 409-766-3937; FAX: 409-766-6301

If you only have questions regarding the appeal process you may also contact:
Elliott N. Carman, Appeal Review Officer
CESWD-PD-O, 1100 Commerce Street, Suite 831
Dallas, Texas 75242-1317
Telephone: 469-487-7061; FAX: 469-487-7199
Email: Elliott.N.Carman@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or authorized agent.	Date:	Telephone number:
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