



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

April 20, 2018

Evaluation Branch

SUBJECT: Permit No. SWG-2017-00516; Nationwide Permit Verification

Mr. Mark Dumesnil
The Nature Conservancy
205 N. Carrizo Street
Corpus Christi, TX 78401

Dear Mr. Dumesnil,

This is in reference to your request, dated July 25, 2017, submitted on your behalf by HDR Engineering, Inc., to construct an 8.2 acre bird rookery island by discharging an estimated total of 239,500 cubic yards of fill material and rock rip rap into the waters of San Antonio Bay. The project components consist of four acres of habitat above the shoreline and one acre of submerged reef habitat. A containment berm, using insitu excavated and side cast sediment, will be created with a crest elevation of 4.5 feet above mean high tide and a width of 5 feet at the top. Rock rip rap will be discharged on most side of the containment berm to provide stabilization. Additional rock rip rap will be discharged to create submerged reef habitat. A decant structure with a flap gate will be placed in the earthen berm to remove excess water from placement of fill material within the containment berm. The project site is located in within eight acres of the waters of San Antonio Bay at a point located 1.3 miles southwest of the City of Seadrift, in Calhoun County, Texas.

This request is verified by Nationwide Permit (NWP) 27 pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899. This NWP verification is valid provided the activity is compliant with the enclosed plans, in 6 sheets. In addition, the activity must be in compliance with the NWP General/Regional Conditions, Section 401 Water Quality Certification, and the Coastal Management Program, which can be found at: <http://www.swg.usace.army.mil/Business-With-Us/Regulatory/Permits/Nationwide-General-Permits/>. A hard copy can be provided to you upon request.

NWP 27. Aquatic Habitat Restoration, Enhancement, and Establishment Activities: Activities in waters of the United States associated with the restoration, enhancement, and establishment of tidal and non-tidal wetlands and riparian areas.

The NWP verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2022. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

The impacts to waters of the United States (U.S.) associated with this NWP verification are based upon an Approved Jurisdictional Determination (AJD); specifically, federal jurisdiction under the statute of Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899. The determination that the waters on this project site are waters of the U.S. is based upon the fact that they are: waters that are subject to the ebb and flow of the tide and/or waters that are, were historically, or may be susceptible, for use to transport interstate or foreign commerce. This AJD is valid for 5 years from the date of this letter unless new information warrants a revision prior to the expiration date.

If you disagree with this AJD, you may appeal the AJD under the Corps of Engineers Administrative Appeal Process (33 CFR Part 331) by completing Section II of the enclosed Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this AJD, you must submit the completed RFA form to the Southwestern Division Office at the following address:

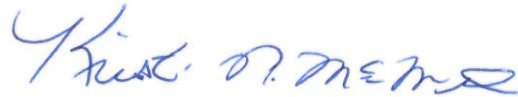
Mr. Elliott Carman
Regulatory Appeals Officer
Southwest Division USACE (CESWD-PD-O)
1100 Commerce Street, Suite 831
Dallas, Texas 75242-1317
Telephone: 469-487-7061; FAX: 469-487-7199

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 accept this AJD in its entirety.

Corps determinations are conducted to identify the limits of the Corps Clean Water Act jurisdiction for particular sites. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

If you have any question regarding this verification please contact Elizabeth Shelton at the letterhead address or by telephone at 409-766-3937. Please notify the Chief of the Compliance Branch in the Galveston District Regulatory Division in writing at the letterhead address, upon completion of the authorized project.

FOR THE DISTRICT COMMANDER:



Kristi N. McMillan
Leader, Central Evaluation Unit

cc w/Encl:

Mr. Cameron Perry
HDR Engineering, Inc.
555 N. Carancahua, Suite 1600
Corpus Christi, TX 78401-0049

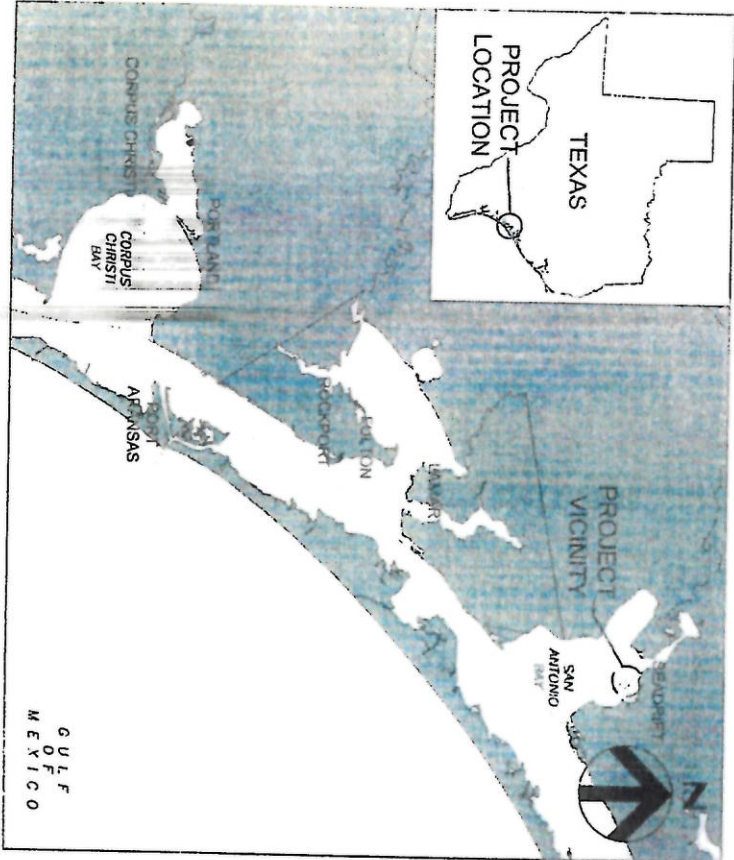
Eighth Coast Guard District, New Orleans, LA

National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), Coast & Geodetic Survey, Silver Spring, MD

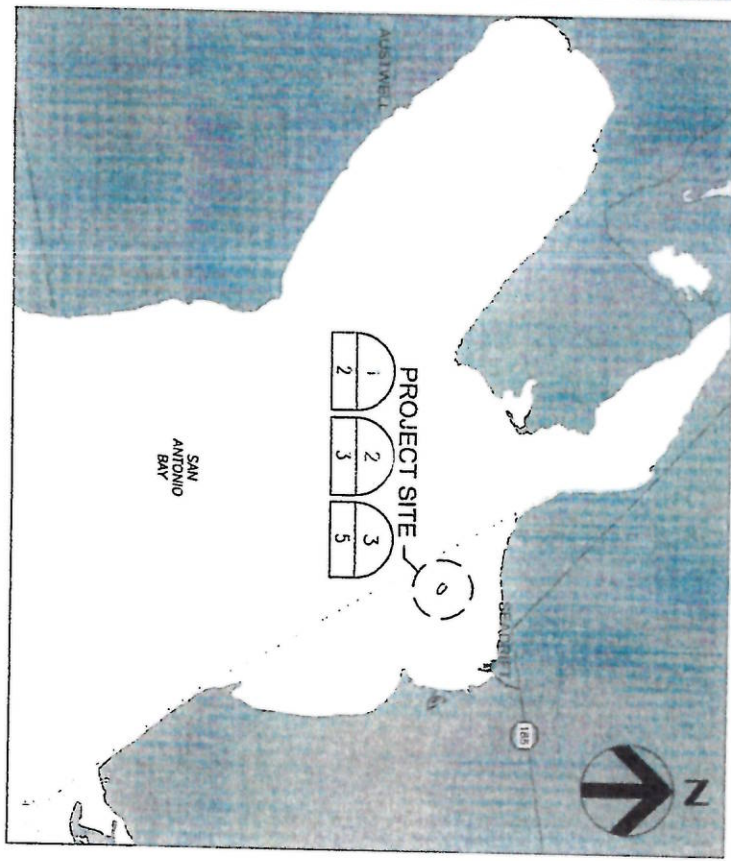
Texas Commission on Environmental Quality

Texas General Land Office

JUL 25 2017



VICINITY MAP



LOCATION MAP

THIS DRAWING IS FOR REGULATORY PURPOSES ONLY AND IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION

FOR COE USE ONLY
 PERMIT APPLICATION NO.: _____
 APPLICANT NAME: _____
 SHEET _____ OF _____

ACTIVITY: MID-COAST BIRD ROOKERY ISLAND

APPLICANT: THE NATURE CONSERVANCY OF TEXAS

DATE: 07-24-2017

HDR PROJECT NO: 10020996

DATUM:

REV. DATE:

SHEET 1 OF 6



Texas P.E. Firm
 Registration No. F-754

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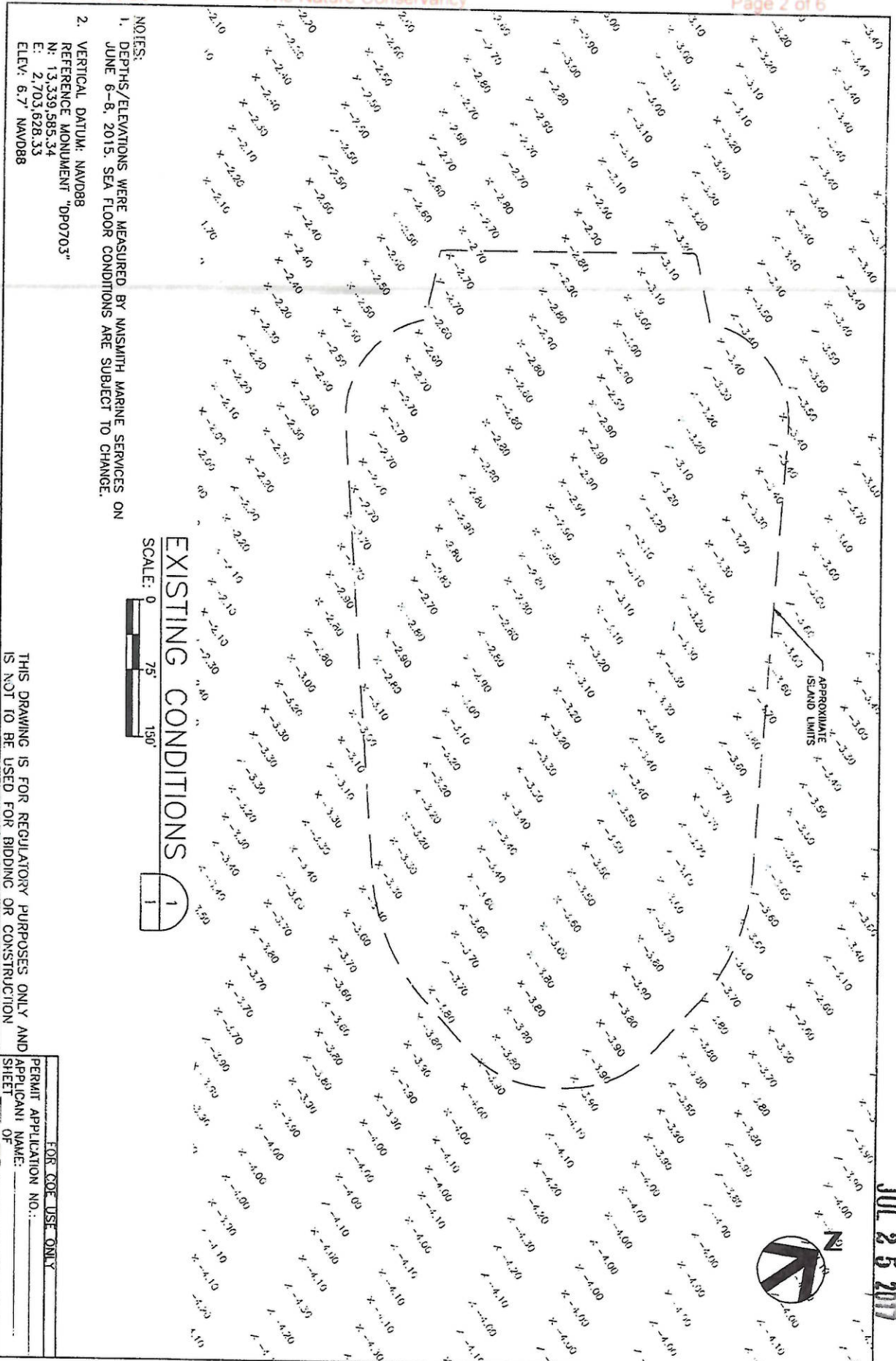
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HDR PROJECT NO: 10020996

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REV. DATE:

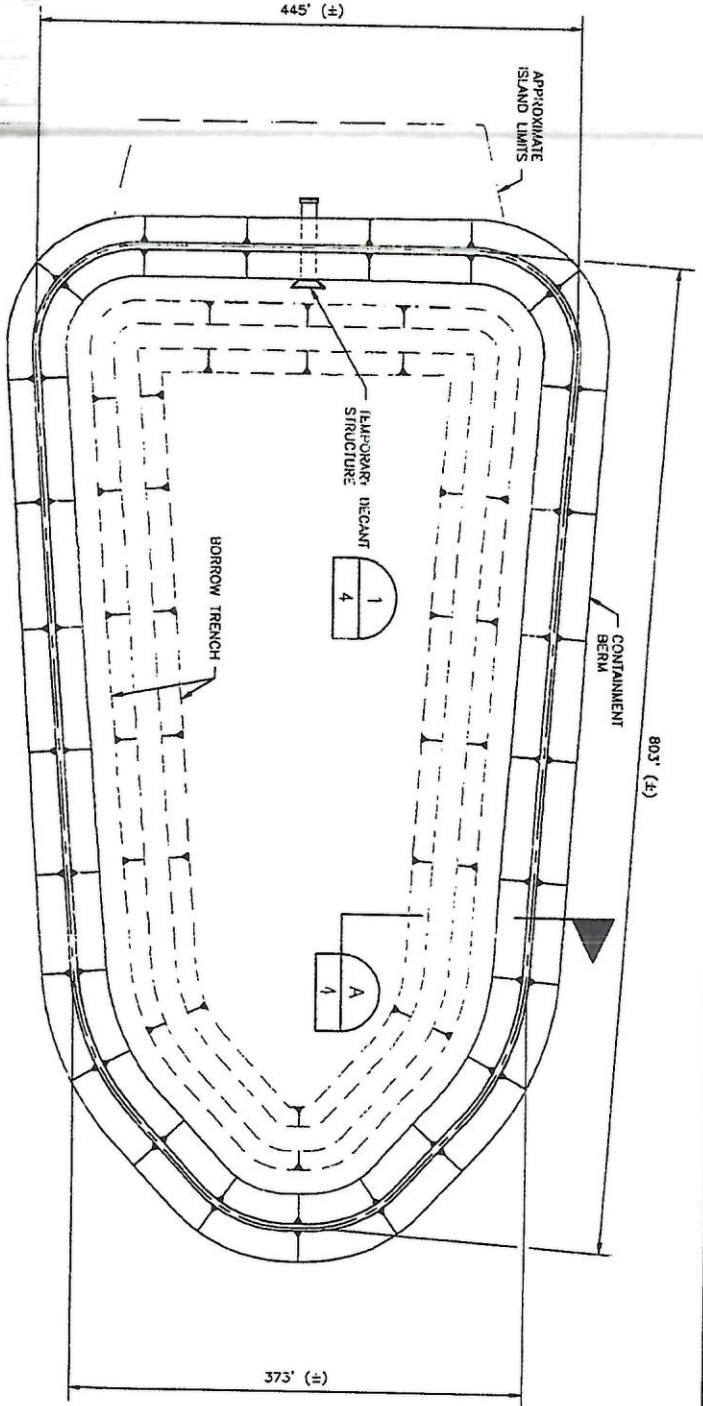
SHEET 2 OF 6



- NOTES:
1. DEPTHS/ELEVATIONS WERE MEASURED BY NWSMITH MARINE SERVICES ON JUNE 6-8, 2015. SEA FLOOR CONDITIONS ARE SUBJECT TO CHANGE.
 2. VERTICAL DATUM: NAVD88
 REFERENCE MONUMENT "DP0703"
 N: 13,539,585.34
 E: 2,703,628.33
 ELEV: 6.7' NAVD88

JUL 25 2017

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NOTE - TEMPORARY LAYOUT DURING CONSTRUCTION

CONTAINMENT BERM - PROJECT LAYOUT

SCALE: 0 75' 150'



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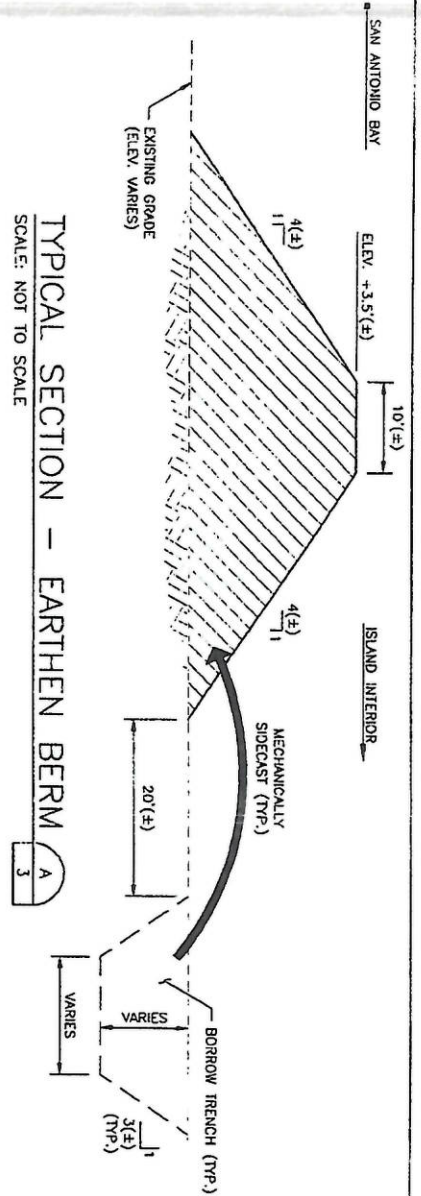
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REV. DATE:

SHEET 3 OF 6

HDR
 Texas P.E. Firm
 Registration No. F-754

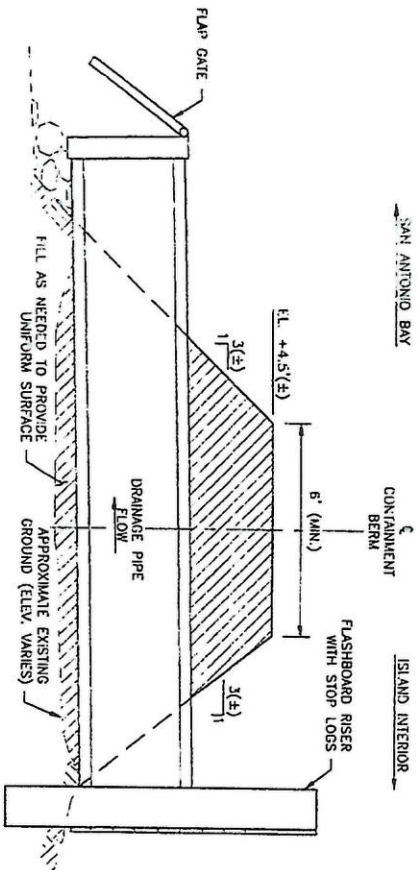
JUL 25 2017



TYPICAL SECTION - EARTHEN BERM
SCALE: NOT TO SCALE



PLAN - DECANT STRUCTURE
SCALE: NOT TO SCALE



TYPICAL SECTION - DECANT STRUCTURE
SCALE: NOT TO SCALE

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SHEET 4 OF 6



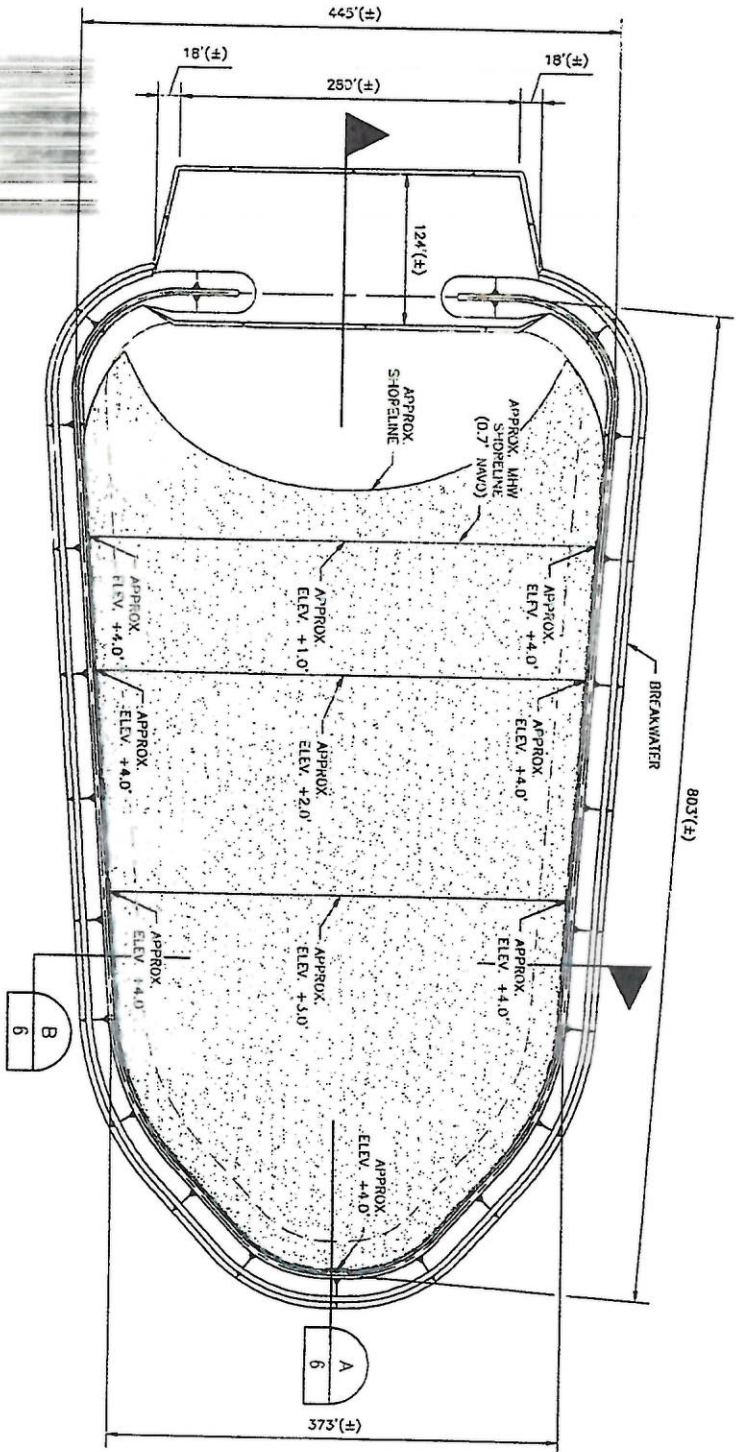
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REVETMENT -- PROJECT LAYOUT



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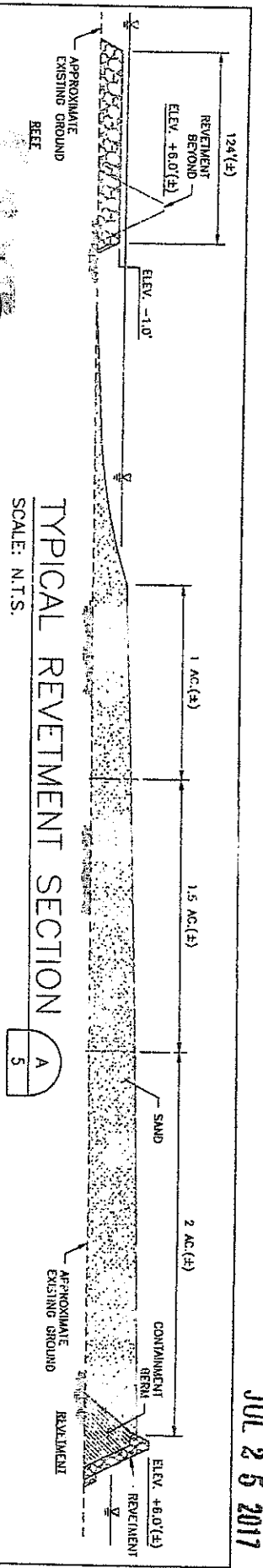
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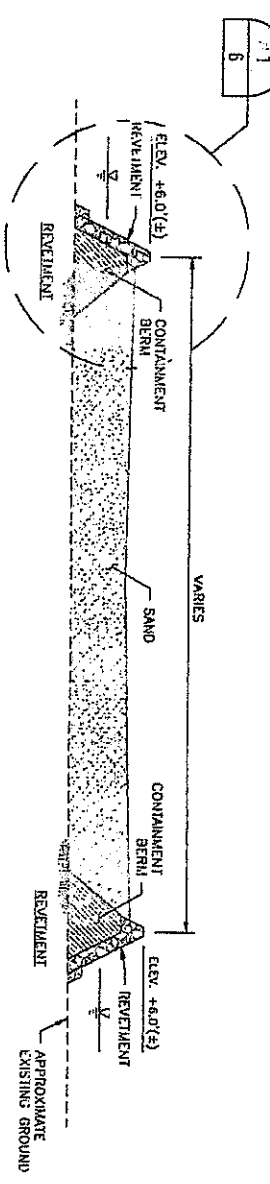
SHEET 5 OF 6

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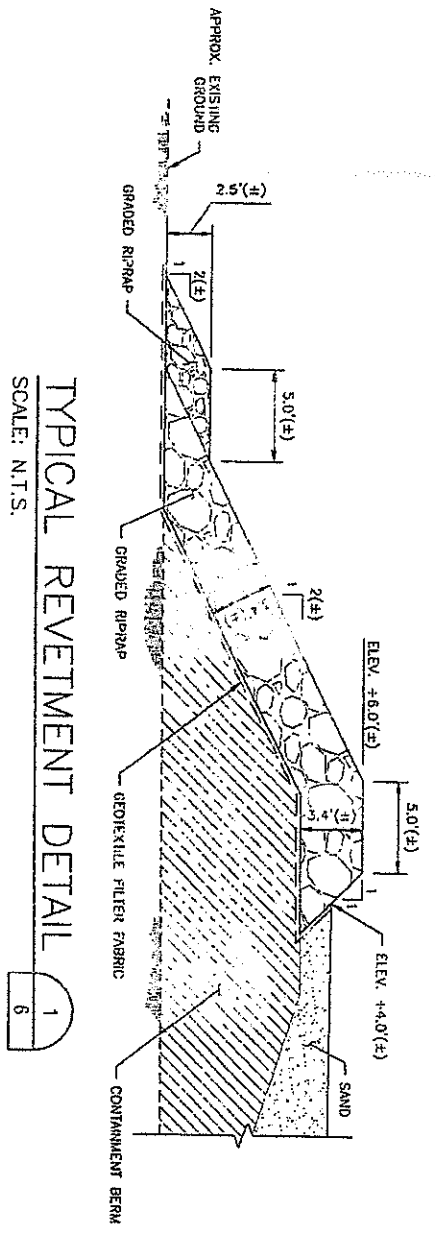
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TYPICAL REVETMENT SECTION
SCALE: N.T.S.



TYPICAL REVETMENT SECTION
SCALE: N.T.S.



TYPICAL REVETMENT DETAIL
SCALE: N.T.S.

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