

ENVIRONMENTAL ASSESSMENT
AND
STATEMENT OF FINDINGS

1. Name and Address of Applicant.

Texas Parks and Wildlife Department
Artificial Reef Program
1502 Pine Drive (FM 517)
Dickinson, Texas 77539

2. Project and Site Description. The Texas Parks and Wildlife Department (TPWD) proposes to construct an artificial reef, using concrete culverts, obsolete oil and gas production structures, obsolete or surplus vessels and other approved artificial reef materials. All floatable materials will be removed prior to placement. All tanks, compartments and enclosures will be permanently opened to provide water circulation and cleaned to EPA standards prior to placement. The approved materials will be placed within the confines of a designated 2640- by 2640-foot area and clustered around a center point. The proposed reef site is greater than 7 nautical miles distance from any safety fairway and will have 50 foot clearance over structure(s). Additionally, the site is not near any natural hard bottom areas. The reef will be, at a minimum, 1000-feet away from any active pipelines. The site is located offshore of Matagorda County located in OCS Block Brazos 439 (BA-439), Matagorda County, Texas.

3. Corps Authority. Under the authority of Section 10 of the Rivers and Harbors Act of 1899, we have reviewed and evaluated the documents and factors concerning this permit application, as well as the stated views of other interested Federal and non-Federal agencies and the concerned public, relative to the proposed artificial islands and fixed structures located on the outer continental shelf.

4. Environmental Impacts. The possible consequences of this proposed work have been studied for siting, constructing, monitoring, operating, maintaining and managing the proposed artificial reef and in accordance with regulations published in 33 C.F.R. 320-330. No permit will be granted unless its issuance is found to be in the public interest.

5. Coordination. In evaluation of this work and consideration of comments received from coordination of Public Notice Number SWG-2009-01139 dated 19 April 2010 the following points are considered pertinent:

a Federal Agencies. The U.S. Fish and Wildlife Service (FWS) submitted a comment via e-mail, dated 30 April 2010, stating that no significant adverse effects on fish and wildlife, their

habitats, and human uses thereof, are expected to result from the proposed work activity.

There were no comments received from the National Marine Fisheries Service (NMFS) or any other Federal agency.

The proposed action was processed internally by our Internal Review notice dated 11 March 2010. The Programs and Project Management Division, Northern Area Office Engineer, Real Estate Division, Engineering Division and the Planning and Environmental Branch Offices responded to the notice stating that they had no objection to the proposed work.

b. State and Local Agencies. The Coastal Coordination Council submitted a letter on 10 September 2010 stating that the project is consistent with the Coastal Management Program goals and policies. The State Historical Preservation Office submitted a letter dated 28 April 2010 stating that no survey is required. No other comments were received from any other State or Local Agency.

c. Individual and Organized Groups. We received one letter from a private individual dated 29 April 2010 stating they were in support of the proposed project.

6. Findings. This particular project will result in the creation of an artificial reef to augment natural fisheries habitat for juvenile reef fish and for the benefit for the public. There are no existing reefs located within the project site. Construction of the reef will enhance the fish and wildlife values of the site. In addition, sport and recreational fishing will be enhanced in the area. There will be minimal cumulative environmental impacts from this project. The following special condition will be added to the authorization:

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.

7. Other Considerations. Evaluation of activities involving the placement of structures as artificial reefs for the enhancement of marine organisms into waters of the United States will include the application of guidelines established by the National Artificial Reef Plan.

8. Conclusion. We find that the decision to issue this permit, as prescribed by regulations

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enumerated above; that the issuance of the permit is consonant with National policy statutes, and administrative directives; and that on balance, the total public interest should be best served by issuance of a Department of the Army Permit for the proposed work.

FOR THE COMMANDER:

17 November 2010
(Date)

Janet Thomas Botello
Janet Thomas Botello
Leader, Central Evaluation Unit