



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

February 4, 2010

Evaluation Section

SUBJECT: Permit Application # SWG 2009-00833

Mr. Michael E. Trudnak
Taylor Engineering, Inc.
10151 Deerwood Park Boulevard
Building 300, Suite 300
Jacksonville, Florida 32258

Dear Mr. Trudnak:

This is in reference to your recent permit application package submitted to us on January 14, 2010. You are requesting a permit on behalf of the Texas General Land Office, for work in wetlands and waters of the United States, in conjunction with the closure of Rollover Pass, in Galveston County, Texas.

Upon review, we concur with your assessment that the application package is incomplete. In order to process the application and determine the applicable Department of the Army permit requirements, and to initiate coordination with the appropriate resource agencies, more information is required.

An application for an individual Department of the Army permit under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 will be determined to be complete when the Galveston District Corps of Engineers receives sufficient information to issue a public notice (see 33 CFR 325.1(d) and 325.3(a) for details and supporting information on what is required to make an application complete). The application should address all activities that you plan to undertake that are reasonably related to the same project and for which a Department of the Army permit would be required. Additional necessary information would include:

- As requested in our January 14, 2010, meeting, a complete description and precise location of all proposed activities proposed in waters or wetlands, including necessary drawings, sketches, or plans necessary for public notice on 8.5- x 11-inch sheets. These drawings should clearly depict the mean high water mark and, on beach areas, the high tide line.
- Plan view and cross-section/elevation/profile drawings showing the general and specific site location and character of all proposed activities.

- For activities involving the discharge of dredged material into waters of the United States, a description of the type and quantity of the material; including appropriate dredged material testing data.
- A delineation of any Special Aquatic Sites (SAS), such as wetlands or mudflats, which may be impacted by the proposal. There appear to be some potential wetland areas on the southeast and southwest corners of the project (bay side) which appear to be part of the overall project. These areas, if present, would also need to be clearly shown on the permit application drawings.
- A discussion of all attempts to avoid impacts to SAS where practicable to do so, minimize impacts to unavoidable impacts to SAS areas; especially wetlands and compensate for unavoidable wetland losses, considering the project's overall primary purpose. A discussion of alternatives considered during your review process and an explanation of your choosing this alternative is also required.
- A conceptual mitigation plan to off-set unavoidable habitat impacts to jurisdictional areas.
- We understand that you are proposing a fishing pier at some point in the future to mitigate impacts to the recreational fishing industry that may occur. Please also submit any plans for this structure. If you have not yet decided on its location, a list of possible locations and approximate dimensions and appurtenances, such as parking areas, should be provided to assist us in looking at overall project impacts.

All maps must include, at a minimum, a title block with the title, date, number scheme (sheet ___ of ___), and source; a north indicator; a scale or explicit dimensions, the map creator, the project or study area boundary, and a legend that clearly identifies features presented. Maps should be developed so that information presented is clearly marked and shown in relation to the nearest roads, water features, and cities and towns. All maps must be in black and white on 8.5- by 11-inch paper.

Plan view drawings must clearly show the existing and proposed plan view for each element of work, structure, fill and excavation proposed located with respect to a fixed point such as a plat line, set of UTM coordinates, set of latitude/longitude coordinates, or some fixed, immovable object. Plan view drawings must clearly indicate the direction of water flow. Match-line drawings may be used for projects requiring a larger size than 8.5 x 11 inches, in order to be clear and legible. Match-line drawings must be labeled clearly. Plan view drawings must clearly show a delineation/determination of water features within the permit area that are potential waters of the United States.

Please reference SWG-2009-00833 in any future correspondence pertaining to this project. If you do not submit the requested information within 30 days from the date of this letter, we will assume that you no longer wish to pursue this permit and your application will be withdrawn. We are ready to assist you in whatever way possible. If you have any questions, please call me at 409-766-3125. You may also email me at steven.e.walls@usace.army.mil if you prefer.

To assist us in improving our service to you, please complete the survey found at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



Steven E. Walls
Project Manager

Enclosure

Copy Furnished:

Mr. Larry L. Laine
Texas General Land Office
1700 North Congress Avenue; Suite 935
Austin, TX 78701