



**US Army Corps
of Engineers** ®
Fort Worth District

Public Notice

Number: SWF-2010-00244

Activity: Regional Environmental Impact Statement for Surface
Coal and Lignite Mining

Date: April 29, 2016

The purpose of this public notice is to inform you of availability of a Final Regional Environmental Impact Statement being prepared by the U.S. Army Corps of Engineers Fort Worth District.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States*. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands*. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

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PUBLIC NOTICE

REGIONAL ENVIRONMENTAL IMPACT STATEMENT FOR SURFACE COAL AND LIGNITE MINING

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

Subject: The U.S. Army Corps of Engineers, Fort Worth District (USACE) is releasing this Public Notice to announce the availability of the Final Regional Environmental Impact Statement (FREIS) for Surface Coal and Lignite Mining in Texas. The FREIS was prepared to analyze potential impacts within defined geographic regions in Texas that may be affected by future USACE permit decisions for future surface coal and lignite mine expansions within the District's area of responsibility. The FREIS analyzes the potential future direct, indirect, and cumulative impacts to waters of the U.S. and all other relevant environmental and human resources, and will facilitate the District's formulation of a categorized permit process. Information pertaining to the REIS can be found at <http://www.swf.usace.army.mil/Missions/Regulatory/Permitting/REISforLigniteMininginTexas.aspx>.

DATE ISSUED: April 29, 2016

LOCATION: The FREIS analyzes potential impacts within defined geographic regions in Texas that may be affected by future USACE permit decisions for future surface coal and lignite mine expansions within the District's area of responsibility (detailed maps are contained with the FREIS).

SUMMARY: Surface coal and lignite mining projects in the USACE Fort Worth's area of responsibility typically conduct work that results in impacts to waters of the U.S. Such work requires authorization under Section 404 of the Clean Water Act, and for projects affecting navigable waters, authorization under Section 10 of the Rivers and Harbors Act of 1899. These programs are administered by the USACE. The anticipated number of future permit applications requiring the USACE compliance with the National Environmental Policy Act (NEPA), along with agency resource constraints, could result in lengthy review times. Historic permit evaluations associated with mine expansions have required substantial time periods. These timeframes have been influenced in part by the need to develop resource information, undertake data gathering efforts, as well as coordination with various agencies and their permit review processes. The USACE also needs to ensure it can adapt and efficiently respond to multiple concurrent requests for permits that may occur in the future.

The USACE is undertaking a REIS to streamline the NEPA aspect of the Section 404/10 permitting process, as well as to develop information, data, and analyses to be used in 404(b)(1) guidelines and public interest review analyses for future coal and lignite mine expansions in Texas subject to permitting by the USACE. The REIS is intended to provide an environmental evaluation focusing on the potential direct, indirect, and cumulative aquatic resource impacts, in addition to other relevant environmental and human resources, that could be affected by future surface coal and lignite mining within defined geographic regions in Texas. The REIS would facilitate future tiering or supplementation of the NEPA analysis in the REIS in the evaluation of future project-specific Section 404/10 permit applications. It also is intended to provide a cohesive framework for stream mitigation, establishment of sound performance metrics, and enhance project monitoring efforts associated with these types of activities. The REIS is intended to avoid duplication and provide efficiency and effectiveness with future decisions. **The REIS does NOT render any project-specific decision(s).**

Copies of the FREIS may be obtained by contacting USACE Fort Worth District Regulatory Division at (817) 886-1744 or viewed/downloaded/printed from the Fort Worth District USACE internet website at: <http://www.swf.usace.army.mil/Missions/Regulatory/Permitting/REISforLigniteMininginTexas.aspx>

Alternatively, you may visit the Regulatory Division in Room 3A37 of the Lanham Federal Building at 819 Taylor Street in Fort Worth, Texas, between 8:00 A.M. and 4:00 P.M., Monday through Friday to pick up an electronic media (cd) copy of the FREIS.

Copies of the FREIS are also available for review at the locations identified below:

Pittsburg-Camp County Public Library, 613 Quitman Street, Pittsburg, TX 75686
Sammy Brown Library, 319 S. Market St., Carthage, TX 75633
Franklin County Library, 100 Main Street East, Mt. Vernon, TX 75457
Rusk County Library, 106 East Main St., Henderson, TX 75652
Sulphur Springs Public Library, 611 Davis St. North, Sulphur Springs, TX 75482
Fannie Brown Booth Library, 619 Tenaha Street, Center, TX 75935
Rains County Public Library, 150 Doris Briggs Parkway, Emory, TX 75440
Tyler Public Library, 201 S. College Ave., Tyler, TX 75702
Mount Pleasant Public Library, 601 North Madison Ave., Mount Pleasant, TX 75455
Palestine Public Library, 2000 S. Loop 256, Ste. 42, Palestine, TX 75801
Quitman Public Library, 202 East Goode Street, Quitman, TX 75783
Marlin Public Library, 400 Oaks St., Marlin, TX 76661
Singletary Memorial Library, 207 E 6th St, Rusk, TX 75785
Mary Moody Northen Municipal Library, 350 West Main Street, Fairfield, TX 75840
Longview Public Library, 222 W. Cotton St., Longview, TX 75601
Clint W. Murchinson Memorial Library, 121 S. Prairieville, Athens, TX 75751
Marshall Public Library, 300 S. Alamo Blvd., Marshall, TX 75670
Elmer P. & Jewel Ward Memorial Library, 207 E St Mary's St, Centerville, TX 75833
Goesbeck Maffett Public Library, 601 W. Yeagua St., Goesbeck, TX 76642
Georgetown Public Library, 402 W. 8th St., Georgetown, TX 78626
Jourdanton Community Library, 1101 Cambell Ave., Jourdanton, TX 78026
Carnegie Library, 315 E. Decherd Street, Franklin, TX 77856
Live Oak County Library, 102 Le Roy St, Three Rivers, TX 78071
Van Zandt County Public Library, 317 First Monday Ln, Canton, TX 75103
Dimmit County Public Library, 200 N. 9th Street, Carrizo Springs, TX 78834
Bastrop Public Library, 1100 Church Street, Bastrop, TX 78602
Kinney County Public Library, 510 South Ellen St., Bracketville, TX 78832
Harrie P. Woodson Memorial Library, 704 W. Hwy. 21, Caldwell, TX 77836
Eagle Pass Main Library, 589 East Main, Eagle Pass, TX 78852
Giddings Public Library, 276 North Orange St., Giddings, TX 78942
Crystal City Memorial Library, 101 E Dimmit, Crystal City, TX 78839
Cameron Public Library, 304 East 3rd Street, Cameron, TX 76520

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