



**US Army Corps
of Engineers®**

Fort Worth District

Joint Public Notice

Number: CESWF-25-RGP 12 (SWF-2024-00484)

Activity: Modification and/or Alteration of Corps of Engineers
Projects and Associated Regulated Activities

Date: December 17, 2024

This public notice is to inform you of the proposed reissuance of Regional General Permit (RGP) 12 which allows the discharge of dredge and/or fill material into waters of the U.S. as well as other activities in navigable waters, a proposal for work in which you might be interested and to solicit your comments to better enable us to make a reasonable decision on factors affecting the public interest. We encourage you to participate in the process.

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 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.

**JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS,
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AND
RAILROAD COMMISSION OF TEXAS**

SUBJECT: Evaluation of the proposed reissuance of a U. S. Army Corps of Engineers (USACE) Regional General Permit (RGP) under Section 404 of the Clean Water Act (CWA) for discharges of dredged or fill material into waters of the United States and Section 10 of the Rivers and Harbors Act of 1899 for work in, or affecting, navigable waters of the United States and application for water quality certification under Section 401 of the CWA for Section 404 discharges associated with projects and/or activities where USACE-SWF non-Regulatory Division is the authorizing and/or funding entity and the action is subject to NEPA evaluation and compliance, including actions that have been determined by USACE-SWF to be categorically excluded. This includes, but is not limited to, real estate actions and activities conducted under Sections 14, 205, 206 and/or 1135 authorities that are undertaken and rendered by USACE-SWF that also require authorization under Section 404 and/or 10. An RGP may not be used to authorize work subject to regulation under Section 404 of the CWA until water quality certification has been issued or waived.

PERMIT NUMBER: This version of the proposed Regional General Permit 12 has been designated CESWF-25-RGP-12 (2024-00484) in the Fort Worth District. The existing RGP expires March 31, 2025.

LOCATION: The provisions of this regional general permit would be applicable to all waters of the United States, including all navigable waters of the United States, in the Fort Worth District of the USACE, within the states of Texas (see "Location of Work" and Appendixes B and C of the Proposed Regional General Permit).

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification from the State of Texas.

PROJECT DESCRIPTION: This proposed RGP if reissued, would continue to eliminate unnecessary duplication of work where the environmental consequences of an action are concluded as being individually and cumulatively minimal for the Regulatory action informed by other USACE-SWF environmental evaluations completed for USACE-SWF NEPA triggering actions. This RGP contains provisions intended to protect the environment, including natural and cultural resources. Work that does not comply with these provisions may require evaluation through the individual permit process. Work or structures that would have unacceptable impacts upon the public interest are not authorized. An RGP serves to reduce administrative procedures and expedite decisions for routine permit actions. The attached information and appendices detail the proposed scope of activities to be covered, location, terms and conditions, and notification requirements associated with the proposed permit.

PUBLIC INTEREST REVIEW FACTORS: The proposed RGP will be reviewed in accordance with 33 CFR 320-332, the Regulatory Program of the U.S. Army Corps of

Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. The decision whether to authorize this RGP will be based upon an evaluation of the probable impact, including cumulative impact, of the proposal on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among the factors addressed are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposal. Any comments received will be considered by the USACE in determining whether to adopt the proposed RGP. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposal.

STATE WATER QUALITY CERTIFICATION: The Texas Commission of Environmental Quality (TCEQ) and the Railroad Commission of Texas (RRC) are responsible for certification of work under Section 401 of CWA for activities to be approved under this permit for Section 404 of the CWA.

Actions under this RGP require certification from TCEQ for work within the state of Texas that is subject to Section 404 of the Clean Water Act. Concurrently with the processing of this Department of the Army proposal, the TCEQ is reviewing this proposal under Section 401 of the Clean Water Act, and Title 31, Texas Administrative Code Section 279.1-.13 to determine if the work authorized by this RGP would comply with State water quality standards. By virtue of an agreement between the USACE and the TCEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. **Any comments concerning the application may be submitted to the Texas Commission on Environmental Quality, 401 Coordinator, MC-150, P.O. Box 13087, Austin, Texas 78711-3087 or by e-mail at 401CERTS@tceq.texas.gov.** The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with the proposed RGP is made available for review in the TCEQ's Austin Office. The complete application must be reviewed in the USACE's office. The TCEQ may conduct a public hearing to

consider all comments concerning water quality if requested in writing. A request for a public hearing must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requestor, or of persons represented by the requestor; and a brief description of how the application, if granted, would adversely affect such interest.

Certain actions under this RGP require certification from the RRC within the state of Texas that are subject to Section 404 of the CWA. Concurrent with processing of this application, the RRC is reviewing this proposal under Section 401 of the CWA and in accordance with 16 TAC 3.93 and 16 TAC 4.197 to determine if the work would comply with State water quality standards and other applicable provisions of the CWA. By virtue of an agreement between the USACE and the RRC, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the RRC a decision on water quality certification under such act. **Any comments concerning the application may be submitted to the Railroad Commission of Texas, Manager of Environmental Permits, PHYSICAL ADDRESS or by e-mail at enviro.permits@rrc.texas.gov**. The public comment period extends 30 days from the publication date of this notice. A copy of the public notice with a description of work is available for review between 8:00 AM and 4:30 PM weekdays at the RRC office at Environmental Permits and Support, P.O. Box 12967, Austin, Texas 78711-2967. Copies may be obtained upon payment of cost of printing. A final decision on RRC water quality certification will be made within 60 days after the date of this notice.

THREATENED AND ENDANGERED SPECIES: No authorization would be granted under this RGP for an activity that is likely to jeopardize the continued existence of an endangered or threatened species or a species proposed for such designation, as identified under the Endangered Species Act, or for an activity that is likely to destroy or adversely modify the critical habitat of such species. Any activity that may affect an endangered or threatened species would require review by the USACE and consultation with the U. S. Fish and Wildlife Service.

NATIONAL REGISTER OF HISTORIC PLACES: The USACE will take into account the impact of activities authorized by this RGP on cultural resources listed, or eligible for listing, in the National Register of Historic Places (NRHP). If known or previously unknown cultural resources are encountered during work authorized by this permit, the permittee shall notify the appropriate USACE district, and the resources shall be avoided until the USACE can assess their eligibility for listing in the NRHP. Sites determined to be eligible for listing in the NRHP shall be mitigated in consultation with the USACE. Cultural resources include prehistoric and historic archeological sites, and areas or structures of cultural interest that occur in the permit area.

SOLICITATION OF COMMENTS: This public notice is being released in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed

work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location of the hearing.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before January 16, 2025, the closing date of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the closing date. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to **Mr. Joseph L. Shelnut**, Regulatory Division, CESWF-DE-R, U.S. Army Corps of Engineers, P.O. Box 17300, Fort Worth, Texas 76102 or by email at Joseph.L.Shelnutt@usace.army.mil. You may visit the Regulatory Division in Room 3A37 of the Federal Building at 819 Taylor Street in Fort Worth during regular business hours, Tuesday through Wednesday. Telephone inquiries may be directed to Mr. Shelnut at (817) 886-1738.

DISTRICT ENGINEERS
FORT WORTH DISTRICT
CORPS OF ENGINEERS

REGIONAL GENERAL PERMIT (RGP) 12
(SWF-2024-00484)
MODIFICATION AND/OR ALTERATION OF CORPS OF ENGINEERS
PROJECTS AND OTHER REGULATED ACTIVITIES

In accordance with 33 CFR 322.2(f), 323.2(h), and 325.2(e)(2) published in the Federal Register November 13, 1986, this regional general permit (RGP) authorizes the work described herein pursuant to Section 404 of the Clean Water Act (Section 404) and Section 10 of the Rivers and Harbors Act of 1899 (Section 10).

This RGP authorizes the discharge of dredge and/or fill material into waters of the U.S. under Section 404 of the Clean Water Act and activities in navigable waters of the U.S. for the purposes of Section 10 of the Rivers and Harbors Act associated with projects and/or activities where USACE-SWF non-Regulatory Division is the authorizing and/or funding entity and the action is subject to NEPA evaluation and compliance, including actions that have been determined by USACE-SWF to be categorically excluded. This includes, but is not limited to, real estate actions and activities conducted under Sections 14, 205, 206 and/or 1135 authorities that are undertaken and rendered by USACE-SWF that also require authorization under Section 404 and/or 10.

The purpose of this RGP is to eliminate unnecessary duplication of work where the environmental consequences of an action are concluded as being individually and cumulatively minimal for the Regulatory action informed by other USACE-SWF environmental evaluations completed for USACE-SWF NEPA triggering actions. This RGP contains provisions intended to protect the environment, including natural and cultural resources. Work that does not comply with these provisions may require evaluation through the individual permit process. Work or structures that would have unacceptable impacts on the public interest are not authorized.

SCOPE OF WORK

This RGP authorizes activities involving the discharge of dredged or fill material into waters of the United States (U.S.), including wetlands, under Section 404, and work in, or affecting navigable waters of the U.S. under Section 10, that could result in modification and/or alteration of Corps of Engineers Projects that receive permission under Section 14 of the Rivers and Harbors Act (33 USC 408) (Section 408 permission) and other USACE authorizations requiring NEPA evaluations and determinations conducted by non-regulatory elements of the Fort Worth District. Activities must occur in the USACE-SWF area of responsibility in Texas and meet the conditions of this permit.

USACE-SWF actions and related processes associated with the programs and authorities previously referenced usually include a written submission by requestors and other interests for approval of projects and/or activities. These submittals can contain a physical and functional description of the existing Federal project or proposed activity requiring approval or funding by USACE-SWF; a detailed description of the proposed project or activity; the purpose/need for the action; a description of any related ongoing Corps studies/efforts in the watershed; a Public Interest Determination; appropriate NEPA documentation (Environmental Impact Statement, Environmental Assessment or Categorical Exclusion); Endangered Species Act compliance, National Historic Preservation Act compliance, a discussion of indirect effects; a discussion of

Executive Order 11990 and 11988 considerations; Technical Analysis, and an Administrative Record; which can include;

- Sufficient detail to ensure technical adequacy of the design,
- Assessment of anticipated local and system-wide resultant impacts,
- Changes in water surface profiles and flow distribution,
- Upstream and downstream impacts of the proposed alterations, including potential impacts to existing floodplain management features and water control management plans of Federal projects within the basin,
- Discussion of residual risk.

The Regulatory Division will ensure that projects or activities authorized by the RGP include specific information to allow an adequate and appropriate level of review. At a minimum, this will include:

- Permit applicant name and address
- Project purpose
- Delineation of waters of the U.S. in the proposed project/activity boundary
- Appropriate assessment of condition and impacts (not just loss) to waters of the U.S.
- Proposed mitigation to offset impacts to waters of the U.S.

The activities listed above are authorized by this RGP provided they meet all the following criteria:

1. The Regulatory Division of the Fort Worth District responsible for authorizing permits under Section 404 and Section 10 shall be involved in the USACE-SWF NEPA and project review process.
2. Adverse impacts to waters of the U.S., including wetlands, shall be avoided and minimized to the extent practicable through the use of on-site alternatives that have less adverse impact on the aquatic environment.
3. Appropriate and practicable compensatory mitigation is included for unavoidable adverse impacts to waters of the U.S. as defined in 33 CFR Part 332 Compensatory Mitigation for Losses of Aquatic Resources; Final Rule: Federal Register, Vol. 73, No. 70, Thursday, April 10, 2008.
4. Any verification letter and/or special conditions required by the Regulatory Division element of the Fort Worth District must be included in the USACE-SWF authorization.

CONDITIONS OF THE RGP

In addition to the limitations in the scope of work, work authorized by this RGP is subject to the general conditions listed in Appendix A and applicable water quality certification requirements in Appendix D. References in the general conditions to “completion of construction” refer to completion of work within the permit area for the activity.

LOCATION OF WORK

The provisions of this RGP will be applicable to all waters of the U.S., including all navigable waters of the U.S., within the regulatory boundary of the Fort Worth District of the USACE within

the state of Texas (Appendix B).

WATER QUALITY CERTIFICATION

The Texas Commission on Environmental Quality (TCEQ) has certified pursuant to Section 401 of the Clean Water Act (CWA) and Title 30, Texas Administrative Code, Chapter 279, for activities for which it is responsible, and that result in the loss of less than 3.0 acres of Waters of the United States or less than 1500 linear feet of streams in waters of the state, that activities conducted under this RGP should not result in a violation of established Texas Water Quality Standards provided that the Standard Provisions are followed (Appendix D). For projects that result in the permanent loss of 3.0 acres or greater of Waters of the United States or 1500 linear feet or greater of streams, project specific Section 401 Water Quality Certification will be acquired under the Section 408 review process.

The Railroad Commission of Texas (RRC) has granted certification pursuant to Section 401 of the CWA, for the activities associated with the exploration, development, and production, including pipeline transportation, of oil, gas, or geothermal resources that may result in a discharge to waters of the United States, that activities conducted under this RGP will comply with applicable water quality laws (Appendix D).

EVALUATION AND VERIFICATION PROCEDURES

Prior to commencing construction the applicant must receive formal authorization (e.g., 408 permission, real estate instrument, or other non-Regulatory Division instrument) and construction approval (as needed) from the USACE, which must include Section 404 and/or Section 10 verification under the provisions of this RGP.

It is the permit applicant's responsibility to ensure that all authorized fills, structures and activities continue to meet the terms and conditions set forth herein; failure to abide by them will constitute a violation of the Clean Water Act and/or the Rivers and Harbors Act of 1899. Projects outside the scope of this RGP may be considered for authorization under other permitting mechanisms including individual permit review.

This RGP shall become effective on the date of expiration of the previous version of RGP 12 which expires March 31, 2025, and will automatically expire five years from that date unless the permit is modified, revoked, or extended before that date. Verifications by the USACE that an activity is authorized by this RGP are valid until the expiration date of this RGP unless this RGP is modified, revoked, or extended before that date. Activities that have been verified by the USACE as authorized under this RGP, and have commenced, i.e. are under construction, or are under contract to commence, by the verification expiration date, will remain authorized provided the activity is completed within twelve months of the date of expiration, modification, or revocation of the RGP, or by another date determined by the USACE for the specific case, whichever is later, unless discretionary authority is exercised on a case-by-case basis to modify, suspend, or revoke the authorization.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

FOR THE DISTRICT ENGINEER:

Signed:

Calvin A. Kroeger
Colonel, U.S. Army
District Commanding
Fort Worth District

Date

Attachments:

Appendix A – General Conditions

Appendix B – Area of RGP 12 Applicability

Appendix C – Navigable Waters of the U.S. in SWF RGP 12 is Applicable To

Appendix D – Water Quality Certifications from Texas Commission on Environmental
Quality and Railroad Commission of Texas

APPENDIX A

GENERAL CONDITIONS

REGIONAL GENERAL PERMIT

Modification and/or Alteration of Corps of Engineers Projects and Other Regulated Activities

1. In verifying authorization under this regional general permit (RGP), the Department of the Army has relied in part on the information provided by the permittee. If, subsequent to verifying authorization, such information proves to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part.
2. Permittees shall ensure that all structures and activities authorized by this RGP comply with all terms and conditions herein. Failure to abide by such conditions invalidates the authorization and may result in a violation of the law, requiring restoration of the site or other remedial action.
3. This RGP is not an approval of the design features of any authorized project or an implication that such project is adequate for the intended purpose. A Department of the Army Section 10 and/or Section 404 permit merely expresses the consent of the Federal Government to conduct the proposed work insofar as public rights are concerned. This RGP does not grant any property rights or exclusive privileges; does not authorize any injury to the property or rights of others; and does not authorize any damage to private property, invasion of private rights, or any infringement of federal, state or local laws or regulations.
4. This RGP does not relieve the permittee from the requirement to obtain a local permit from the jurisdiction within which the project is located.
5. This RGP may be modified or suspended in whole or in part if it is determined that the individual or cumulative impacts of work that would be authorized using this procedure are contrary to the public interest. The authorization for individual projects may also be summarily modified, suspended, or revoked, in whole or in part, upon a finding by the District Engineer that such action would be in the public interest.
6. Modification, suspension or revocation of the District Engineer's authorization shall not be the basis for any claim for damages against the United States.
7. No attempt shall be made by permittees to prevent the full and free public use of any navigable water of the U.S.
8. Permittees shall not cause any unreasonable interference with navigation.
9. Permittees understand and agree 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 USACE, 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.

10. Permittees shall make every reasonable effort to conduct the activities in a manner that will minimize any adverse impact of the work on water quality, fish and wildlife, and the natural environment, including adverse impacts to migratory waterfowl breeding areas, spawning areas, and trees, particularly hard-mast-producing trees such as oaks and hickories. Permittees shall normally maintain existing buffers around waters of the U.S. and create and/or expand buffers around waters of the U.S. when practicable.

11. Permittees shall allow the District Engineer, and/or his authorized representative(s) to make periodic inspections at any time deemed necessary to ensure that the activity is being performed in accordance with the terms and conditions of this RGP.

12. During the Section 408 or other authorization process permittees must evaluate the effect that the proposed work would have on historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) prior to the initiation of work. Historic properties include prehistoric and historic archeological sites, and areas or structures of cultural interest that occur in the permit area. If a known historic property would be encountered, the permittee shall notify the USACE and shall not conduct any work in the permit area that would affect the property until the requirements of 33 CFR Part 325, Appendix C, and 36 CFR Part 800 have been satisfied. If a previously unknown historic property is encountered during work authorized by this RGP, the permittee shall immediately notify the USACE and avoid further impact to the site until the USACE has verified that the requirements of 33 CFR Part 325, Appendix C, and 36 CFR Part 800 have been satisfied.

13. Materials to be placed into waters of the U.S. are restricted to clean native soils and concrete, sand, gravel, rock, other coarse aggregate, and other suitable material that are free of toxic pollutants in toxic quantities.

14. Activities that are likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Endangered Species Act (ESA), or that are likely to destroy or adversely modify the critical habitat of such species are not authorized. Permittees shall notify the District Engineer if any federally listed threatened or endangered species or critical habitat may be affected by, or is in the vicinity of, the project and shall not begin work until notified by the District Engineer that the requirements of the ESA have been satisfied and that the activity is authorized.

15. Permittees shall place all heavy equipment working in wetlands on mats or take other appropriate measures to minimize soil disturbance.

16. Permittees shall use and maintain appropriate erosion and siltation controls in operating condition during construction and permanently stabilize all exposed soil at the earliest practicable date, using native vegetation to the maximum extent practicable. Permittees shall remove all excess material and temporary fill and structures placed in waters of the U.S., including wetlands, to upland areas and stabilize all exposed slopes and stream banks immediately upon completion of construction. Permittees shall return all areas affected by temporary fills and/or structures to preconstruction conditions or better, including revegetation with native vegetation.

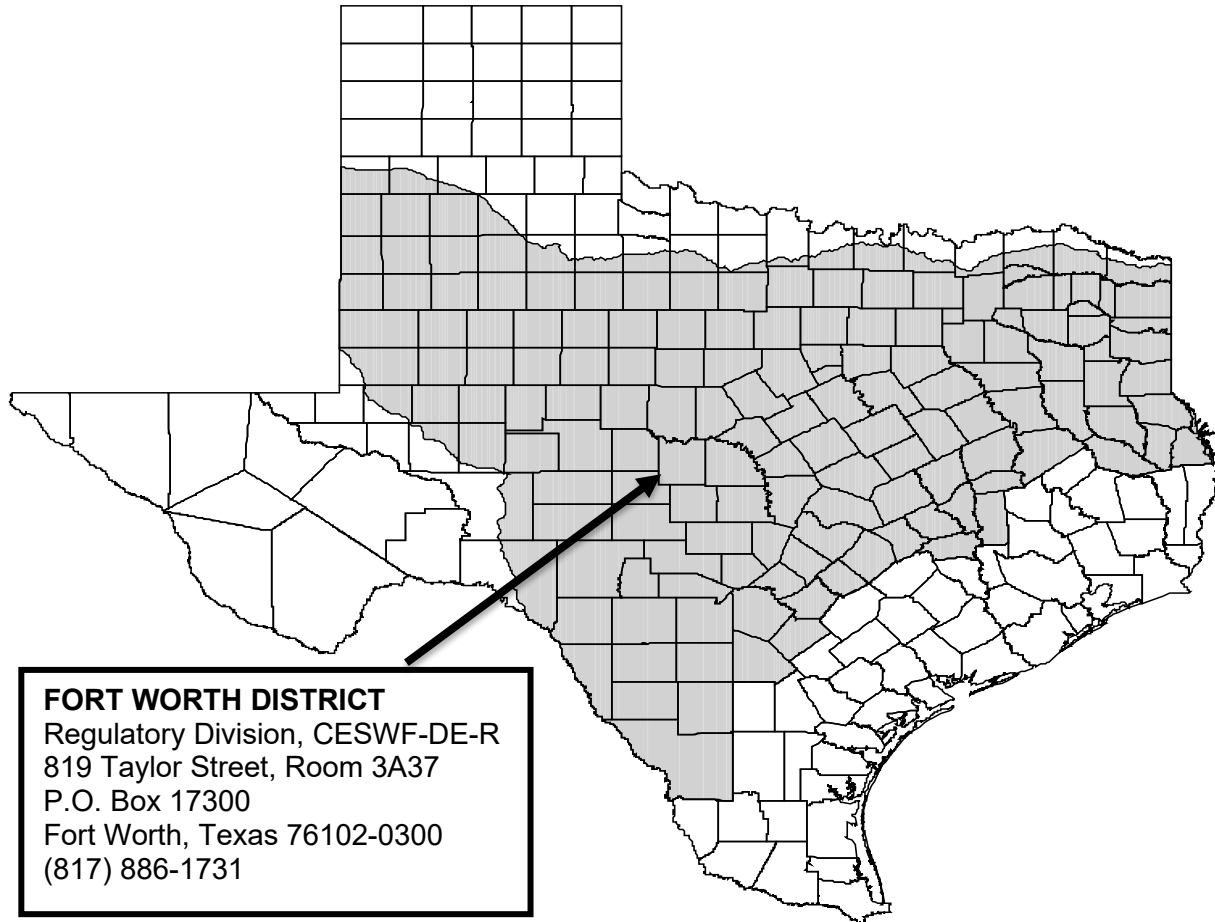
17. Permittees shall not significantly disrupt the movement of those species of aquatic life indigenous to the water body or those species that normally migrate through the project area during construction or with post-construction conditions.

18. Permittees shall not permanently restrict or impede the passage of normal or expected high flows unless the primary purpose of the activity is to impound water or for authorized detention ponds for stormwater management.
19. Permittees shall properly maintain all structures and fills to ensure public safety.
20. Permittees shall ensure that projects have no more than minimal adverse impacts on public water supply intakes.
21. Permittees shall design facilities to be stable against the forces of flowing water, wave action, and the wake of passing vessels.
22. Permittees shall not use a jet barge or similar equipment for trench excavation.
23. Permittees shall mark structures and fills, particularly in navigable waters of the U.S., when appropriate, so that their presence will be known to boaters.
24. Permittees shall mark intake and/or outfall structures and other fills and structures in navigable waters, when appropriate, so that boaters will notice their presence.
25. This permit does not authorize work in a park, wildlife management area, refuge, sanctuary, or similar area administered by a federal, state, or local agency without that agency's approval.
26. Permittees are responsible for compliance with all terms and conditions of this RGP for all activities within the Department of the Army permit area of a project authorized by this RGP, including those taken on behalf of the permittee by other entities such as contractors and subcontractors. Permittees assume all liabilities associated with fills and impacts that are incurred by individuals and/or organizations working under contracts with the permittee. Before beginning the work authorized herein, or directing a contractor to perform such work, permittees shall ensure that all parties read, understand, and comply with the terms and conditions of this permit.
27. Permittees shall conduct dredging and excavation activities with land-based equipment rather than from the water body whenever practicable.
28. For all discharges proposed for authorization in the State of Texas in Dallas, Denton, and Tarrant Counties that are within the study area of the "Final Regional Environmental Impact Statement (EIS) Trinity River and Tributaries" (May 1986), unless modified, amended, or revoked, permittees shall meet the criteria or follow the guidelines specified in Section III of the Record of Decision for the EIS during the Section 408 permission or other authorization process. A copy of these guidelines is available at: <https://www.swf.usace.army.mil/Missions/Regulatory/Permitting/Trinity-River-EIS-and-ROD/>.
29. The permittee shall implement best management practices to reduce the risk of transferring invasive plant and animal species to or from project sites. Information concerning state specific lists can be found at: <https://www.invasivespeciesinfo.gov/us/texas>. Known zebra mussel waters can be found at: <https://tpwd.texas.gov/huntwild/wild/species/exotic/zebramusselmap.phtml>. Best management practices at: https://www.forestasyst.org/invasive_species.cfm.

APPENDIX B

FORT WORTH DISTRICT REGULATORY JURISDICTION MAP FOR TEXAS

THE SHADING INDICATES THE AREA WHERE RGP-12 IS AUTHORIZED FOR USE



APPENDIX C

NAVIGABLE WATERS OF THE U.S.

For purposes of Section 10 of the Rivers and Harbors Act of 1899, the following sections of rivers, including their lakes and other impoundments, are considered to be navigable waters of the U.S. that fall within the jurisdiction of the Fort Worth District of the U.S. Army Corps of Engineers in the states of Texas and Louisiana.

ANGELINA RIVER: From the Sam Rayburn Dam in Jasper County upstream to U. S. Highway 59 in Nacogdoches and Angelina counties and all U. S. Army Corps of Engineers lands associated with B. A. Steinhagen Lake in Tyler and Jasper counties, Texas.

BIG CYPRESS BAYOU: From the Texas-Louisiana state line in Marion County, Texas, upstream to Ellison Creek Reservoir in Morris County, Texas.

BRAZOS RIVER: From the point of intersection of Grimes, Washington, and Waller counties upstream to Whitney Dam in Hill and Bosque counties, Texas.

COLORADO RIVER: From the Bastrop-Fayette County line upstream to Longhorn Dam in Travis County, Texas.

NECHES RIVER: U. S. Army Corps of Engineers lands associated with B. A. Steinhagen Lake in Jasper and Tyler counties, Texas.

RED RIVER: From Denison Dam on Lake Texoma upstream to Warrens Bend which is 7.25 miles northeast of Marysville, Texas, and from the U. S. Highway 71 bridge north of Texarkana, Texas, to the Oklahoma-Arkansas Border.

RIO GRANDE: From the Zapata-Webb county line upstream to the point of intersection of the Texas-New Mexico state line and Mexico.

SABINE RIVER: From the point of intersection of the Sabine-Vernon parish line in Louisiana with Newton County, Texas upstream to the Sabine River-Big Sandy Creek confluence in Upshur County, Texas.

SULPHUR RIVER: From the Texas-Arkansas state line upstream to Wright Patman Dam in Cass and Bowie counties, Texas.

TRINITY RIVER: From the point of intersection of Houston, Madison, and Walker counties upstream to Riverside Drive in Fort Worth, Tarrant County, Texas.

APPENDIX D

401 WATER QUALITY CERTIFICATIONS