



# Coastal Environments, Incorporated

April 28, 2020

**Services:**

Applied Science  
& Planning

Environmental  
Restoration &  
Monitoring

Cultural Resources  
Management

Geographic  
Information  
Services (GIS)

Litigation Support

**Website:**

[www.coastalenv.com](http://www.coastalenv.com)

**Corporate Office:**

1260 Main Street  
Baton Rouge, LA 70802  
Ph (225) 383-7455  
Fx (225) 383-7925  
[bmanly@coastalenv.com](mailto:bmanly@coastalenv.com)

**Other Locations:**

2045 Lakeshore Drive  
CERM RM 315  
New Orleans, LA 70122  
Ph (504) 516-2435  
Fx (504) 516-2433  
[bhaley@coastalenv.com](mailto:bhaley@coastalenv.com)

812 Water Street  
Biloxi, MS 39530  
Ph (228) 385-5547  
Fx (228) 385-5548

525 South Carancahua Street  
Corpus Christi, TX 78401  
Ph (361) 854-4885  
Fx (361) 884-1844  
[chart@coastalenv.com](mailto:chart@coastalenv.com)

2313 Brun Street  
Houston, TX 77019  
Ph (713) 861-2323  
Fx (713) 861-8627  
[gcosta@macenv.com](mailto:gcosta@macenv.com)

Mr. Scott Cross – Director  
Nueces County Coastal Parks  
P.O. Box 18608  
Corpus Christi, Texas 78480

RE: Environmental and Regulatory Permitting for dredging of an approximate 17-acre canal and associated dredge-material placement areas on North Beach, Nueces County, Texas.

Dear Mr. Cross,

Thank you for the opportunity to submit the following proposal for dredging of an approximate 17-acre canal and associated dredge-material placement areas on North Beach, Nueces County, Texas.

Based on information provided to CEI, the canal will involve development of portions of the property for residential purposes. It is our understanding that the project area may potentially contain jurisdictional waters and wetlands and a USACE Individual Permit will be needed. To this end, we propose to perform the following services.

**Task 1: Joint Evaluation Meeting (JEM)**

An initial site visit will be conducted in order to gain understanding of the potential environmental and regulatory issues that may be encountered as a result of this project. Based on those observations, a joint evaluation meeting (JEM) will be requested with the pertinent regulatory agencies to address such issues in an attempt to streamline the permitting process.

**Task 2: Wetland Delineation and Threatened & Endangered (T&E) Species Survey**

The wetland delineation will be initiated with a review of pertinent information, including shapefiles of site location, access permission contacts, and site data (i.e., topographic maps, digital orthophoto quarter quads, aerial photographs, soils, infrastructure and hydrologic conditions). The potential for T&E species will be researched on the U.S. Fish and Wildlife Service (USFWS) and Texas Parks & Wildlife Department (TPWD) websites.

A qualified CEI biologist with expertise in delineating wetlands will conduct the wetland field investigation using various digital map layers. Transects will be run across the site to identify vegetative communities, soil series, wetland hydrology and evidence of human disturbances affecting these criteria. The sample plot location will be recorded with a GPS and data entered onto standard data forms used by the U. S. Army Corps of Engineers (USACE; Corps), Galveston

District. Each sample plot site will be photographed to show soil type and vegetation community and these data will be used to map the extent of wetlands.

CEI will also examine the project site for signs and habitat indicating the presence of T&E species listed by the USFWS and TPWD for this area in Texas. Evidence of T&E species will be recorded, photographed and mapped with a GPS. Detection of these species may require additional surveys. Should survey protocol require additional surveys, time and expenses for these surveys, undertaken with the client's written authorization, will be billed according to rates shown in the attached fee schedule. Field surveys to delineate wetlands and search for T&E species should take approximately 2 weeks to complete. The processing of field-derived data, map preparation and preparation of draft reports (wetland delineation and biological survey) for review is estimated to require approximately three weeks.

The field investigation will be conducted according to criteria included in the *Corps of Engineers Wetlands Delineation Manual (The 1987 Manual)* and the *Atlantic and Gulf Coast Plain Regional Supplement*. The results of the investigation will be documented in a succinct report. The wetland delineation map derived from data generated by the field investigations, plus and a site location map suitable for submittal with a Corps permit application, will be incorporated into the report. Data forms will be included in the report to document site-specific conditions in order to aid the Corps in their jurisdictional wetland determination of the study site. The report will be forwarded to the client for initial review. With the client's approval, CEI will submit two copies of the wetland delineation report to the Corps, Galveston District, which has final jurisdiction in delineating wetlands. CEI will track this review until the Corps renders a decision.

Findings for the T&E survey will be summarized in a brief report and submitted to the client for review. If T&E species are identified in the project area, the biological survey will be forwarded to the USFWS with the client's authorization, for further coordination on avoidance of impacts. The biological report (if necessary) will be prepared concurrently with, but separate from, the wetland-delineation report.

### **Task 3: USACE Permitting**

CEI will prepare a permit application package for the Corps with associated exhibits. The package will include a cover letter, permit application, associated drawings, alternatives analysis, Coastal Zone Management application, TCEQ 401 Water Quality Certification application, and mitigation plan (if necessary). This cost estimate assumes that mitigation is necessary and includes the development of a mitigation plan but does not include monitoring. Costs associated with actual construction of the mitigation site are not included as it is unclear as to what will be required. The mitigation plan will be a conceptual representation of how the County intends to compensate for impacts to jurisdictional wetlands. The mitigation plan is not intended for use as any plans, specifications, or other construction documents. It is assumed that the County will be able to provide acceptable mitigation on readily available property. If finding suitable mitigation becomes more difficult than anticipated, additional fees may be required.

CEI will coordinate with the local USACE Regulatory Field Office to have the Public Notice published, expedite the permit process and to answer any questions regarding the permit request. This may include revisions to the permit application package.

CEI will review any comments provided by the public and regulatory agencies and discuss an approach on how to proceed with the applicant. CEI will prepare a response to the comments on behalf of the applicant and submit the response to the USACE. If comments include requests for additional studies or extensive fieldwork, additional fees will be required to address them. Only one Public Notice is anticipated. If additional Public Notices are issued by the USACE, additional fees may be required.

CEI will negotiate final permit conditions to expedite the conclusion of the permitting process.

#### **Task 4: Cultural Resources Assessment and Survey**

CEI proposes to conduct a desk-based assessment to review the potential to encounter intact cultural resources within the canal footprint and dredge-material placement areas. As the undertaking is by a political subdivision of the State, any ground-disturbing activities fall under the jurisdiction of the Texas Historical Commission (THC) in compliance with the Antiquities Code of Texas (ACT) (Texas Natural Resource Code, Title 9, Chapter 191). As this desk-based review is being submitted with documentation for Federal permitting (i.e., USACE Individual Permit), the project may be subject to review under Section 106 of the National Historic Preservation Act (NHPA) (16 United States Code 470) and its implementing regulations (36 Code of Federal Regulation 800). This proposal assumes that an archaeological survey within the project footprint will be necessary under the ACT. If it is determined that the project is subject to Section 106 of the NHPA, then a larger survey of the area of potential effect which would include indirect impacts, such as anticipated future development of the area by either public or private entities, will be necessary. This larger survey area is not included within the present budget.

***Task 4A: Desk Based Cultural Resources Assessment.*** A desk-based assessment is proposed in order to inform the Client regarding potential significant cultural resources within the project area and to determine the level of effort needed during potential field investigations. The proposed assessment will include the following data sources: records of the Texas Archaeological Research Laboratory (TARL), the Texas Archeological Sites Atlas maintained by the THC in Austin, historic maps, aerial photographs, environmental data, and archival documentation. These sources will be used to identify previously recorded archeological and historic sites, previous investigations within and in the vicinity of the project area, and any previous impacts to subsurface deposits within the project area. The assessment will identify locations within the project area that have the potential to contain intact cultural deposits.

The assessment will result in the production of a letter report summarizing the resources reviewed, findings, and recommendations regarding the scope of field investigations. Once the Client approves the draft report, a final report will be prepared for transmittal to the appropriate agency for consultation.

***Task 4B: Cultural Resources Survey.*** The purpose of this task is to conduct a cultural resources survey to locate and delineate potential archaeological sites or other cultural resources within the project footprint. The survey will include both a visual inspection of the ground surface supplemented by shovel testing, as well as a survey of any standing structures that might be impacted. All work will comply with Texas Historical Commission (THC) and Council of Texas Archaeologists (CTA) survey standards. All shovel tests will be approximately 30 cm by 30 cm in size and will extend to a maximum depth of 100 centimeters below the surface (ca. 3 feet), unless the water table is encountered. All matrix will be screened through ¼-inch wire mesh. All shovel test locations will be recorded using a GPS, and data pertaining to the shovel test will be recorded on a field form. Texas Historic Resource Inventory (THRI) forms will be completed for any structures that will meet the 50-year age requirement (+/- 5 years). This is assumed to include structures built in or before 1975. The five-year buffer is necessary to allow for changes to the project before construction begins. It is anticipated that approximately 20 previously unrecorded structures will be recorded as part of this survey. In addition to THRI forms being completed in the field, the data from the forms will be entered into THC's historic resources survey Access database. Maps showing the location of each recorded structure will also be compiled.

CEI advocates for a limited collection policy for artifacts identified in the field. If artifacts are identified during field investigations, they will be counted and documented on field logs. Artifacts will be photographed and their locations documented using a handheld GPS. Significant diagnostic artifacts (up to 40) will be collected for curation with the project paperwork. All other artifacts will be returned to their original locations.

This survey will result in the production of a preliminary report summarizing the field investigation

methodologies, findings, and recommendations regarding identified cultural resources. Once the Client approves the preliminary report, a draft report will be produced for submission to the appropriate regulatory agency/agencies. Following approval of the draft report, a final report will be prepared and submitted to the necessary agencies.

If it is determined that the entire area of potential effect must be surveyed, a new budget encompassing the entire area will be drafted. Any studies, field visits, or other activities requested by the Client or other parties that are not included in this proposal are excluded from this scope of work. In the event that human remains are encountered, all work will stop immediately, and a new proposal and fee will be submitted to ensure compliance with the amended Texas Health and Safety Code (Title 8 Chapter 711) for unmarked burials.

#### **Task 5: Texas General Land Office (TGLO) Coordination**

CEI will coordinate with TGLO to prepare a coastal lease application package, if necessary, concurrent with the Corps application and associated exhibits for authorization. If an LSLS survey is necessary, additional fees may be required.

#### **Project Cost, Additional Services and Invoicing**

The total cost of providing these services *will not exceed \$188,989.00*. All charges will be based on actual work and expenses incurred. CEI will not charge for services not rendered. Direct expenses are charged as shown on the Fee Schedule (Attachment 1) or upon receipts. Should additional services or meetings be required, CEI is available to render this assistance on an hourly basis according to the fees and conditions depicted in the attached Fee Schedule. There may be multiple fees associated with the permitting work. It is understood that the client will be responsible for any and all fees assessed during the permitting process and possible compensatory wetland mitigation. The client will send checks made out to each of the agencies for appropriate fees to be submitted along with the permit applications. This will provide savings to the client during the permitting process.

Invoices will be submitted by CEI on a monthly basis. Invoices are derived from time sheets maintained by each employee of the firm. Invoices are submitted to the client on the basis of work completed and direct costs incurred and payment is due within 30 days of date of receipt of invoice. In the event that payment is not made within 30 days, the account will be considered delinquent. A delinquent account will accrue interest at 12% per annum and may be transferred to an agent for collection. Legal fees associated with collection of delinquent accounts are to be paid by the client. Conversely, should additional work be required, it will only be conducted at your authorization and at the salaries and rates in use.

Thank you for this opportunity to provide you with a proposal for our services. If the proposal is acceptable, the return of a signed copy of this letter proposal will serve as authorization to proceed. If you have any questions, please call me at (361) 854-4885 or email me at [chart@coastalenv.com](mailto:chart@coastalenv.com). CEI is committed to south Texas and would very much appreciate your business. Thank you for your consideration.

Sincerely,



Sandi Hart  
Sr. Environmental Project Manager

Coastal Environments, Inc.

Accepted by: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_