TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Tier II 401 Certification Questionnaire
(Attachment 2)

The following questions seek to determine how adverse impacts will be avoided during construction or upon completion of the project. If any of the following questions are not applicable to your project, write not applicable (ANA@) and continue.

Please include the applicant=s name as it appears on the Corps of Engineers= permit application (and permit number, if known) on all material submitted. The material should be sent to:

Texas Commission on Environmental Quality
Attn: 401 Coordinator (MC-150)
P.O. Box 13087
Austin, TX 78711-3087

I. Impacts to surface water in the state, including wetlands

A. What is the area of surface water in the state, including wetlands, that will be disturbed, altered or destroyed by the proposed activity?

B. Is compensatory mitigation proposed? If yes, submit a copy of the mitigation plan. If no, explain why not.

3. Please complete the attached Alternatives Analysis Checklist

II. Disposal of waste materials

A. Describe the methods for disposing of materials recovered from the removal or destruction of existing structures.

B. Describe the methods for disposing of sewage generated during construction. If the proposed work establishes a business or a subdivision, describe the method for disposing of sewage after completing the project.

C. For marinas, describe plans for collecting and disposing of sewage from marine sanitation devices. Also, discuss provisions for the disposing of sewage generated from day-to-day activities.

III. Water quality impacts

A. Describe the methods to minimize the short-term and long-term turbidity and suspended solids in the waters being dredged and/or filled. Also, describe the type of sediment (sand, clay, etc.) that will be dredged or used for fill.

B. Describe measures that will be used to stabilize disturbed soil areas, including: dredge material mounds, new levees or berms, building sites, and construction work areas. The description should address both short-term (construction related) and long-term (normal operation or maintenance) measures. Typical measures might include containment structures, drainage modifications, sediment fences, or vegetative cover. Special construction techniques intended to minimize soil or sediment disruption should also be described.

C. Discuss how hydraulically dredged materials will be handled to ensure maximum settling of solids before discharging the decant water. Plans should include a calculation of minimum settling times with supporting data. (Reference: Technical Report, DS-7810, Dredge Material Research Program, GUIDELINES FOR DESIGNING, OPERATING, AND MAINTAINING DREDGED MATERIAL CONTAINMENT AREAS) If future maintenance dredging will be required, the disposal site should be designed to accommodate additional dredged materials. If not, please include plans for periodically removing the dried sediments from the disposal area.

D. Describe any methods used to test the sediments for contamination, especially when dredging in an area known or likely to be contaminated, such as downstream of municipal or industrial wastewater discharges.

Tier II
Alternatives Analysis Checklist

I. Alternatives
   A. How could you satisfy your needs in ways which do not affect surface water in the state?
   B. How could the project be re-designed to fit the site without affecting surface water in the state?
   C. How could the project be made smaller and still meet your needs?
   D. What other sites were considered?
      1. What geographical area was searched for alternative sites?
      2. How did you determine whether other non-wetland sites are available for development in the area?
      3. In recent years, have you sold or leased any lands located within the vicinity of the project? If so, why were they unsuitable for the project?
   E. What are the consequences of not building the project?

II. Comparison of alternatives
   A. How do the costs compare for the alternatives considered above?
   B. Are there logistical (location, access, transportation, etc.) reasons that limit the alternatives considered?
   C. Are there technological limitations for the alternatives considered?
   D. Are there other reasons certain alternatives are not feasible?

III. If you have not chosen an alternative, which would avoid impacts to surface water in the state, explain:
   A. Why your alternative was selected, and
   B. What you plan to do to minimize adverse effects on the surface water in the state impacted.

IV. Please provide a comparison of each criteria (from Part II) for each site evaluation in the alternatives analysis.