

Port of **Houston** Authority

THE PERMITTING JOURNEY

Deepening and widening a Federal Navigation Channel
with Alternate Financing

David Casebeer, PE

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AGENDA

- Introduction
- PHA's Path
- Partnering Successes
- Lessons Learned
- Conclusion



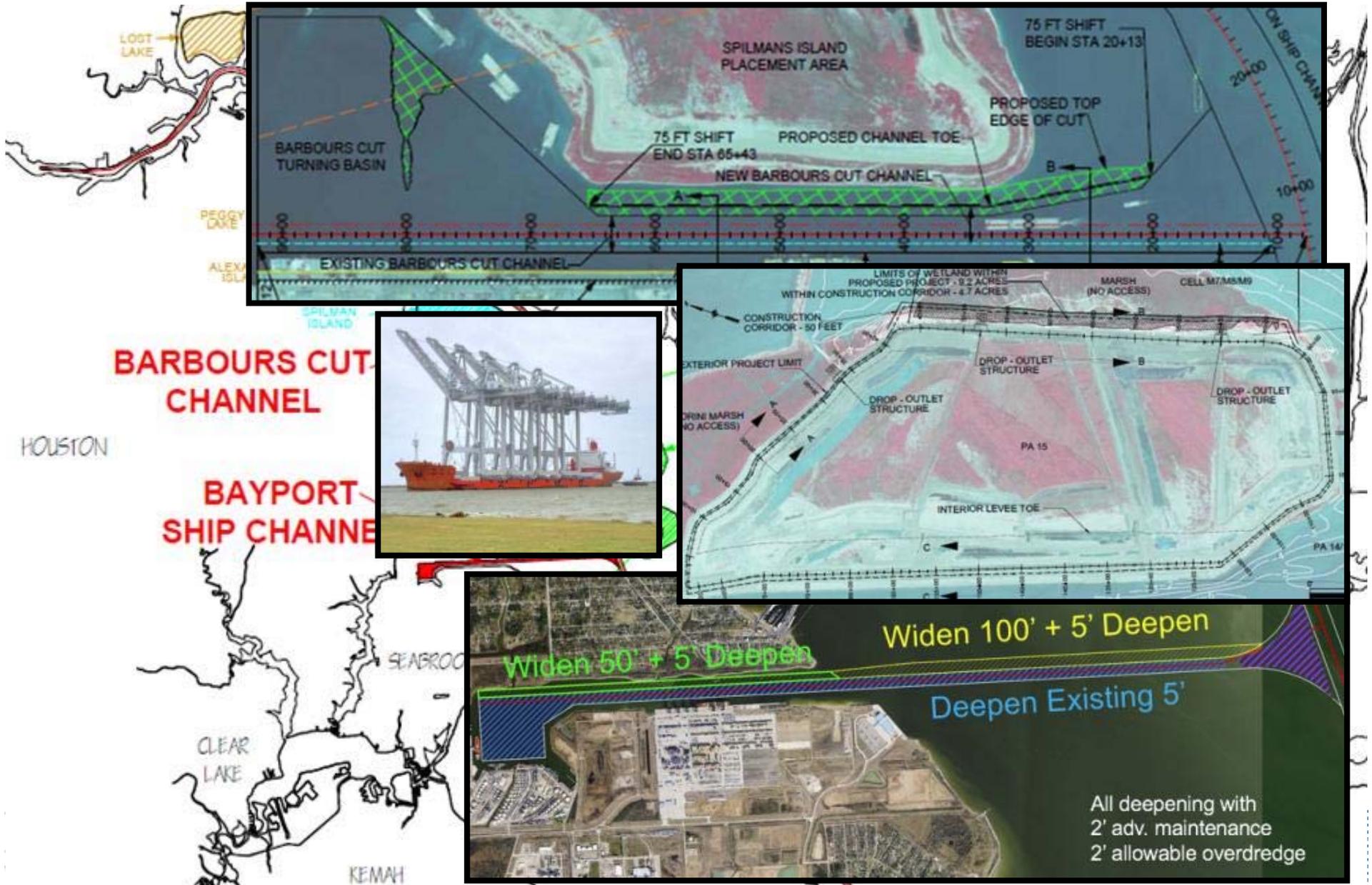
INTRODUCTION

Modification and Federal Approval

- The channels were inadequate for current and future ships
- Most deep draft navigation channels are usually built or maintained by USACE
- Normal federal process would take too long so the PHA provided the funding for the projects and assisted with expediting the approval to meet the aggressive timeline required by industry



PROJECT OVERVIEW



PHA'S PATH - CONSTRAINTS

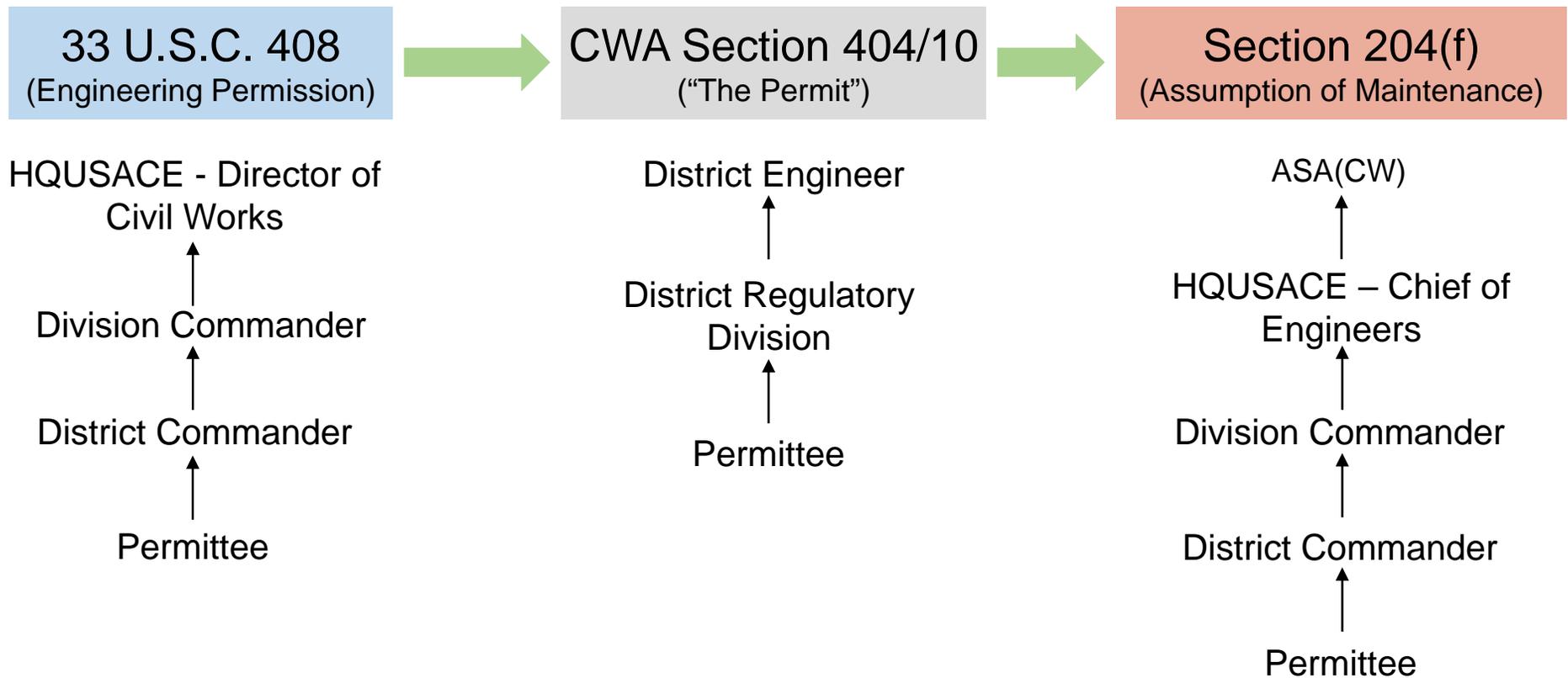
Time

- Current and growing traffic demand and vessel fleet change required improved channels sooner than the federal process could provide
- Reliance on Bayport Terminal to accommodate future growth
- Barbours Cut Cranes Delivery
- Co-execution of both projects

Policy

- Multiple Decision Documents requiring some form of NEPA documentation
 - Each managed by different organizations, chains of command at start
 - Different levels and types of review along the way
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SEQUENCE OF APPROVAL FOR FEDERAL CHANNEL MODIFICATION



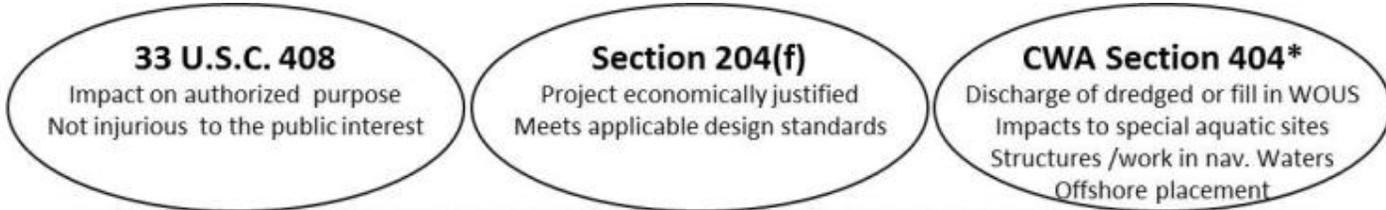
PHA'S PATH - CONSTRAINTS

Approach to Constraints

- Minimize sequential review
 - Though approvals have to occur sequentially, reviews don't
 - Reviews for approvals that focus on different purposes, should be able to progress concurrently for the most part
 - Discuss with USACE which reviews can occur concurrently
- Minimize separate documentation
- Assist with the engineering design and creation of needed reports
- Award a contract using PHA funding and procurement procedures to allow for quicker award of a contract



REPORT SCHEME



Blue = 408

Pink = 204(f)

Green = NEPA

Grey = 404



PARTNERING SUCCESSES

Parallel Review

- Review time was considerably reduced

Planning Charette

- This helped set the path to avoid rework by clearly laying out a schedule for production and review

Team Communication

- This was constant under our compressed time schedule

Policy Grey Area Answers

- Policy changed during our process
- Grey areas were identified and resolved

Exemptions and exclusions

- Exemptions and exclusions were identified and allowed for lower levels of approvals which shortened approval time
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LESSONS LEARNED

Ask questions and get firm commitments

- 408 was added as a requirement after the process was underway for months

Understand that the requirements for Non-fed lead will be different that when Corps is the lead

- NEPA, engineering, mitigation

Agree on which party will tale the lead on coordination with the resource agencies

- This will help avoid confusing messaging in discussions with them



LESSONS LEARNED

Work to keep Corps activities local

- If they are farmed out to different districts, schedule and cost could be impacted

Note that federal responsibilities for the existing channel are not suspended during non-federal work

Identify “grey area” terminology

- It took 2 months of discussion to resolve the meaning of “before construction”

Get a firm commitment from the Corps on a schedule



CONCLUSION

Section 408, 204(f) and 404 approval processes can be done simultaneously for channel improvements

Go for an aggressive schedule

Strong early integration of NFS and Corps leadership will increase your chance for success

The importance of consistent and clear communication between all combined team members cannot be emphasized enough



QUESTIONS



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