



Public Notice

**U.S. Army Corps
Of Engineers
Galveston District**

Permit Application No: SWG-2004-02523
Liquefaction Work Space Amendment
Date Issued: 28 November 2012
Comments Due: 31 December 2012

U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

PURPOSE OF PUBLIC NOTICE: To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. The U.S. Army Corps of Engineers (Corps) is not the entity proposing or performing the proposed work, nor has the Corps taken a position, in favor or against the proposed work.

AUTHORITY: This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

CO-APPLICANTS: Sabine Pass LNG, LP
Sabine Pass Liquefaction, LLC
Cheniere Trail Pipeline, LP
700 Milam Street, Suite 800
Houston, Texas 77002-2835
Telephone: 713-375-5399
POC: Cathy Rourke

AGENT: SWCA Environmental Consultants
7255 Langtry Street, Suite 100
Houston, Texas 77040
Telephone: 713-934-9900
POC: Catherine Mayhew

LOCATION: The project is located in wetlands adjacent to Sabine Pass, south of State Highway 82, and just east of the Sabine Pass Bridge, in Cameron Parish, Louisiana. The site can be located on the U.S.G.S. quadrangle map titled: Port Arthur South, Texas. Approximate UTM Coordinates in NAD 83 (meters): Zone 15; Easting: 415067; Northing: 3291717.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 29.754682 North; Longitude: -93.878141 West

PROJECT DESCRIPTION: The applicant proposes to modify their existing Liquefaction Permit Amendment to add additional work spaces and structures. Subsequent to the Corps issuance of the Liquefaction Permit Amendment (SWG-2004-02523) on 15 March 2012, the applicant determined that additional work activities were necessary to accommodate construction and operation of the liquefaction facility. In order to accommodate these activities, the applicant proposes to place fill material into a previously authorized mitigation area, referred to as “Mitigation Area D”, to place fill material into wetlands to create additional workspaces around the liquefaction site, to install a stack guy wire foundation, and to install two additional potable water lines under Sabine Lake via horizontal directional drill. A total of 132,704 cubic yards of fill material, in the form of native material, stabilized native material, and gravel, is proposed to be placed into 58.04 acres of wetlands. Impacts associated with the proposed work are listed as follows:

Proposed work	Wetland ID	Wetland Acreage Impacted
Relocate Mitigation Area D	Wetland 16	15.55*
Stack Guy Wire	Wetland 17	0.69
Work Site 1A and 1B	Wetland 16	48.95
Work Site 2	Wetland 16	4.03
Work Site 3	Wetland 17	3.34
Work Site 4	Wetland 8	1.03
Water Supply Lines	-	-
Total Wetland Impacts		58.04

** Acreage represents the original acreage of impacts, for which Compensatory Mitigation Area D was created, during Phase 1 of the Sabine Pass LNG facility construction.*

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by restricting the placement of fill material to a previously disturbed, former dredged material placement area. Impacts to previously undisturbed wetland habitats were limited to a 1.03 acre area. The applicant stated that they considered several alternatives near the site to minimize wetland impacts. However, the site is located in a region that is predominantly coastal marsh.

MITIGATION: The applicant proposes to mitigate for impacts to jurisdictional areas by purchasing the remaining 74.5 available credits from Petit Bois Mitigation Bank (PBMB) to compensate for 62.08 acres of impact. The applicant states they determined the appropriate number of credits via iHGM calculations, and the replacement acreage is 120% of the original impact acreage. To compensate for the remaining 11.51 acres of impacts, the applicant proposes to purchase 12.8 credits from the Grand Canard Mitigation Bank (GCMB). This purchase represents replacement of 111% of the original impact acreage.

The applicant states they chose PBMB and GCMB to maintain the hierarchical preference, as discussed in the 2008 Mitigation Final Rule. In addition, the project impacts will occur in the Level 3 Ecoregion “Western Coastal Gulf Plain” and both PBMB and GCMB are located within the Western Coastal Gulf Plain. PBMB is the closest mitigation bank to the project site, and it can functionally support the out-of-kind wetland replacement, GCMB is the next-closest bank to the project site.

CURRENT SITE CONDITIONS: The southern portion of the project site is currently a functional LNG Facility owned by Cheniere Energy. The undeveloped tracts of land surrounding the facility have been used for placement of dredged material to create wetland mitigation areas for previously permitted impacts.

NOTES: This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. The applicant’s plans are enclosed in 7 sheets.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the Clean Water Act (CWA).

OTHER AGENCY AUTHORIZATIONS: State of Louisiana Coastal Zone Management Consistency is required.

Louisiana Department of Environmental Quality (LDEQ) water quality certification is required. Concurrent with processing of this application, the LDEQ is reviewing this application under Section 401 of the CWA and in accordance with LRS 30:2074A(3) 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 Corps and the LDEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the LDEQ a decision on water quality certification under such act. Comments concerning this application should be filed within 30 days from the date of this notice with the Office of Environmental Services using the above permit application number as reference. Comments should be sent to: Louisiana Department of Environmental Quality, Office of Environmental Services, Attn: Water Quality Certifications, P.O. Box 4313, Baton Rouge, LA 70821-4313. Additional information is on file with LDEQ, and may be inspected at any time between 8:00 A.M. and 4:30 P.M. weekdays. Copies may be obtained upon payment of cost of printing. A final decision on this application will be made within 60 days after the date of this notice. The LDEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting 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 requester, or of persons represented by the requester; and a brief description of how the application, if granted, would adversely affect such interest.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

The permit area has been so extensively modified that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat or Federally-managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Programs of the Corps, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those 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 and, in general, the needs and welfare of the people.

SOLICITATION OF COMMENTS: The Corps 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 proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. 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 Impact 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 proposed activity.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps 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: The purpose of a public hearing is to solicit additional information to assist in the evaluation of the proposed project. 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 if the reasons identified for holding a public hearing are sufficient to warrant that a public hearing be held. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this public notice must reach this office on or before **31 December 2012**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting 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 reference our file number, **SWG-2004-02523**, and should be submitted to:

Felicity Dodson
Regulatory Branch, CESWG-PE-RE
U.S. Army Corps of Engineers
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Galveston, Texas 77553-1229
409-766-3105 Phone
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS