Public Notice

U.S. Army Corps Of Engineers

Galveston District

Permit Application No: SWG-2018-00789

Date Issued: 8 August 2019

Comments Due: 9 September 2019

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.

APPLICANT:
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LOCATION: The proposed project is located in several towns, waterways, and counties including Taft, Gregory, Ingleside, and Aransas Pass, in San Patricio County, Texas; the Gulf Intracoastal Waterway (GIWW); Redfish Bay; the Corpus Christi Ship Channel (CCSC); and terminates on Harbor Island in Port Aransas, Nueces County Texas. The project can be located on the U.S.G.S. quadrangle maps entitled: Taft, Gregory, Aransas Pass, Ingleside-On-the-Bay, and Port Aransas, Texas.

PROJECT DESCRIPTION: The applicant (Axis Midstream Holdings, LLC) proposes to construct a series of facilities and pipelines to store, transport, and load crude oil into marine transport vessels. The proposed project components are composed of:

a. The Midway Tank Farm (Midway Facility) located south of the City of Taft, Texas.
b. The Aransas Pass Staging Facility (Aransas Facility) located west of the City of Aransas Pass.

c. A pipeline bundle that would connect the Aransas and Midway Facilities. This pipeline bundle would consist of
    i. one (1) 2-inch fiber optic;
    ii. one (1) 6-inch gas supply (last mile); and
    iii. two (2) 36-inch crude oil pipelines.
d. Harbor Island Loading Terminal (Harbor Island Terminal) located on the west side of the CCSC on Harbor Island in Port Aransas, Texas.
e. A pipeline bundle that would connect the Aransas and Harbor Island Facilities. This pipeline bundle would consist of:
    i. one (1) 2-inch fiber optic;
    ii. one (1) 6-inch gas supply;
    iii. one (1) 16-inch intermix return; and
    iv. two (2) 42-inch crude oil pipelines.

The installation of the proposed Midway to Aransas pipeline bundle would result in 13.94 acres of temporary trench and fill impacts in waters of the US, including wetlands.

The construction of the proposed Aransas Facility would total 16.8 acres of permanent fill impacts to waters of the US, specifically estuarine wetlands manly comprised of *Distichlis spicata* (saltgrass), and fringed with *Borrichia frutescens* (sea oxeye daisy).

The installation of the proposed Aransas to Harbor Island pipeline bundle would result in 18.58 acres of temporary trench and fill impacts to waters of the US; specifically, 7.81 acres to submerged aquatic vegetation (SAV) mainly comprised of *Halodule wrightii* (shoal grass), 0.002 acres to small stands of *Spartina alterniflora* (smooth cordgrass), 10.65 acres are to unvegetated tidal sand flats, 0.41 acres are to black mangrove (*Avicennia geminans*), and 0.11 acres to estuarine wetlands mainly consisting of salt grass and sea oxeye daisy.

No impacts to waters of the US would result in the construction of the Midway Facility and the upland portion of the Harbor Island Facility. The construction of the vessel berth would result in 70 acres of new work material being dredged and placed onsite for shoreline restoration, beneficial use (BU), and/or in one of the identified and listed placement areas on Sheets 36 & 37 of the attached project plans.

The applicant's plans are enclosed in 39 sheets.

<u>The proposed project components are explained in greater detail below:</u>

1) <u>Midway Tank Farm (Latitude: 27.90524 N; Longitude: 97.40482 W)</u>: The proposed 60-acre Midway Facility (*Sheet 29 of the attached project plans*) project site would be located south of the intersection of Farm-to-Market (FM) 72 and FM 893 in Taft. The facility will consist of multiple sized above ground bulk fluids storage tanks. The 60-acre site is currently being used for agriculture, specifically row crops, and is surrounded by wind energy turbines. Midway was selected as the bulk storage site due to the growing nexus of crude oil pipeline infrastructure in this area. The construction of the facility would not impact any water of the US.

2) Midway to Aransas Facility Pipelines: The Midway to Aransas Facility connection will consist of the installation of approximately 19.5 miles of one (1) 2-inch fiber optic line, one (1) 6-inch gas supply line, and two (2) 36-inch crude oil pipelines. Each of the 36-inch pipelines are sized to move 80,000 barrels of crude per hour to the Aransas Pass facility. The bundle would be installed mainly in agricultural fields starting at the Midway Facility to FM 1069. From there to Aransas Pass, the bundle will parallel an existing pipeline corridor adjacent to a residential area located on Live Oak Ridge, north of Ingleside, Texas. The 6-inch gas supply pipeline will be installed and co-located with the two 36-inch pipelines from a tie-in point to the Aransas Facility.

Table 1, below, is a breakdown of each individual temporary construction impact to waters of the US for this bundle of pipelines:

Table 1. Midway to Aransas Facility Impacts to AR (Temporary)		**Location (NAD 83)**		**Temporary Fill Impacts to AR**		
AR Name	**Purpose of Impact**	**Latitude**	**Longitude**	**Acres (AC)**	**Cubic Yards (CY)**	**Linear Feet (LF)**
Waterbody #1	Midway-Aransas Pipelines (bored)	27.916267	-97.376451	0	0	79
Waterbody #2	Midway-Aransas Pipelines (trenched)	27.916316	-97.356593	0.1	423	28
Waterbody #3	Midway-Aransas Pipelines (bored)	27.932788	-97.343417	0	0	13
Waterbody #4	Midway-Aransas Pipelines (bored)	27.944692	-97.329632	0	0	32
Wetland #1A	Midway-Aransas Pipelines (trenched)	27.896890	-97.207379	5.48	26,716	1,768
Waterbody #5	Midway-Aransas Pipelines (trenched)	27.896778	-97.205665	0.3	1,118	74
Wetland #1B	Midway-Aransas Pipelines (trenched)	27.896711	-97.204360	2.04	9,217	597
Wetland #2	Midway-Aransas Pipelines (trenched)	27.891790	-97.191163	0.03	226	15
Wetland #3	Midway-Aransas Pipelines (trenched)	27.891615	-97.190848	0.05	302	20
Waterbody #6	Midway-Aransas Pipelines (trenched)	27.891537	-97.190392	0.03	1,118	74
Waterbody #7	Midway-Aransas Pipelines (trenched)	27.882505	-97.175206	0.14	1,813	120
Wetlands #4	Midway-Aransas Pipelines (trenched)	27.877999	-97.166106	0.06	3,551	235
Wetlands #5	Midway-Aransas Pipelines (trenched)	27.879593	-97.162764	5.71	28,100	1,878
			Totals	**13.94**	**72,584**	**4,933**

**** Sheets 2-17 of the attached project plans***

The method of installation involves conventional trenching along with horizontal directional drilling (HDD) or the jack and bore method for roadway and waterway crossings. The proposed construction ROW for this segment of the project is 130 feet. The permanent ROW width is 60 feet with the additional 70 feet utilized as temporary workspace. Additional temporary construction workspace outside of the 130-foot-wide ROW is proposed at various locations to accommodate foreign pipeline crossings, road crossings, waterway crossings, and points of inflexions (PI), etc., encountered along the

route from the Midway Facility to the Aransas Facility. All of these features require additional workspace for temporary spoil stockpiling, construction equipment installation, etc., which is needed to safely achieve the required crossings depths. The proposed alignment involves nineteen (19) road crossings, seven (7) waterbody crossings, and five (5) wetland crossings. No road crossings workspaces are located within wetlands. Three (3) of the seven (7) waterbody crossings will be crossed using HDD or the jack and bore method avoiding 0.37 acres of impacts to waters of the US. The remaining four (4) waterbodies within the alignment are proposed to be trenched. Five (5) wetlands were identified within this alignment. The installation of the proposed Midway to Aransas pipeline bundle would result in 13.94 acres of temporary trench and fill impacts in waters of the US, including wetlands.

3) Aransas Pass Staging Facility (Latitude: 27.876527; Longitude: 97.158305 W): The approximate 60-acre Aransas Facility site is located south of the intersection of State Highway (SH) 361 and FM 2725 adjacent to the GIWW. The Aransas Facility is proposed to include multiple above ground bulk liquids storage tanks with associated piping, tank manifolds, incoming and outgoing pigging areas, two ship loading pumps, a recycle pump area, and an emergency access road. Of the 60-acre project site, approximately 16.8 acres are jurisdictional wetlands proposed to be permanently filled. Table 2 below details specifics to each impacted wetland:

Table 2. Aransas Facility Impacts to AR (Permanent)		**Location (NAD83)**		**Permanent Fill Impacts to AR**	
AR Name	**Purpose of Impact**	**Latitude**	**Longitude**	**AC**	**CY**
Wetlands #6	Aransas Pass Staging Facility (filled)	27.877338	-97.159430	0.51	4,114
Wetlands #7	Aransas Pass Staging Facility (filled)	27.879031	-97.158614	0.06	192
Wetlands #8	Aransas Pass Staging Facility (filled)	27.879130	-97.158512	0.06	192
Wetlands #9	Aransas Pass Staging Facility (filled)	27.876646	-97.158194	15.8	100,032
Estuarine Wetlands #1	Aransas Pass Staging Facility (filled)	27.875171	-97.156616	0.24	1,546
Estuarine Wetlands #3	Aransas Facility Emergency Road (filled)	27.872150	-97.162515	0.09	540
Waterbody #8	Aransas Facility Emergency Road (filled)	27.843548	-97.081242	0.03	163
Estuarine Wetlands #4	Aransas Facility Emergency Road (filled)	27.871825	-97.162704	0.01	195
			Totals	**16.80**	**106,974**

Sheets 30 & 31 of the attached project plans

Wetland impacts were avoided by minimizing the required infrastructure as needed. The proposed Aransas Facility is located adjacent to the GIWW. The wetlands historically were connected through a single tidally influenced estuarine marsh that fringed into uplands towards the GIWW. Now they are remnants of a previously authorized dredged material placement area (*reference DA Permit SWG-1996-02083;*

Formerly DA Permit 11867) that has not been used since it was constructed in 1995. A series of culverts now connect these areas as a downstream flow only. There is no current tidal connection to the downstream navigable water; however it is proposed as mitigation (*see Mitigation section of PN; reference sheet 38*). There is an approximate 130-acre estuarine wetland that is adjacent to the project site to the south and currently houses a 4-acre mitigation tract associated with DA Permit SWG-1996-02083 that was authorized on 13 November 1980.

Originally, the applicant had proposed to place the Aransas Facility on the aforementioned estuarine wetland; however, through further avoidance and minimization measures the applicant was able to avoid this wetland. The Aransas Pass Facility site was selected based on availability, accessibility, adjacent industrial uses and proximity to Harbor Island. Consideration was given to the pipeline construction during the selection phase for this site. Offsite locations reviewed were eliminated due to availability and wetland impacts. The property is held by a single landowner and is positioned within uplands as well as areas previously impacted.

4) Aransas Facility to Harbor Island Pipelines: The Aransas Facility to Harbor Island segment of the project will consist of the installation of one (1) 2-inch fiber optic, one (1) 6-inch gas supply, one (1) 16-inch intermix return, and two (2) 42-inch crude oil pipelines approximately 5.5 miles in length. The lines would be installed from the Aransas Facility across the GIWW and Redfish Bay and terminate at Harbor Island. The pipelines will be installed via HDD from the mainland below the GIWW and a portion of Redfish Bay spanning approximately 4,250 feet. From the HDD point of exit to Harbor Island the lines will be trenched and backfilled at a minimum depth of cover of 3 feet.

The 42-inch pipelines are designed to allow the loading of two marine vessels at a maximum rate of 80,000 barrels/hour. The 6-inch gas supply line will serve as a fuel source for the vapor destruction equipment. The 16-inch intermix return line will move product from the remix tanks at Harbor Island back to the Aransas Facility. The fiber optic lines will be installed to facilitate operational communications. Field instrumentation for automated valves, tank levels, etc., will be monitored and operated from within a centralized control room. Table 3 below details impacts to specific aquatic resources:

Table 3. Aransas to Harbor Island Facility Pipeline Bundle Impacts to AR (Temporary)		**Location (NAD83)**		**Temporary Fill Impacts**			**Permanent Dredge Impacts**		**Temporary Dredge Impacts**	
AR Name	**Purpose of Impact**	**Latitude**	**Longitude**	**AC**	**CY**	**LF**	**CY**	**LF**	**CY**	**LF**
GIWW	Aransas-Harbor Island Pipelines (HDD)	27.873312	-97.150999	0	0	4,250	0	0	0	0
Seagrass Bed #1	Aransas-Harbor Island Pipelines (trenched)	27.868071	-97.143216	1.3	35,420	2,344	0	0	0	0
Seagrass Bed #2	Aransas-Harbor Island Pipelines (trenched)	27.867386	-97.142743	0.01	2,976	197	0	0	0	0
Seagrass Bed #3	Aransas-Harbor Island Pipelines (trenched)	27.865378	-97.139582	0.08	17,347	1,148	0	0	0	0
Seagrass Bed #4	Aransas-Harbor Island Pipelines (trenched)	27.864579	-97.137697	0.09	6,392	423	0	0	0	0

Seagrass Bed #5	Aransas-Harbor Island Pipelines (trenched)	27.863445	-97.136502	0.35	12,512	828	0	0	0	0
Seagrass Bed #6	Aransas-Harbor Island Pipelines (trenched)	27.852799	-97.119525	2.3	0	755	2.3	11,408	0	0
Seagrass Bed #7	Aransas-Harbor Island Pipelines (trenched)	27.842286	-97.112464	3.68	35,360	2,340	0	0	3.68	35,360
Smooth Cord Grass #1	Aransas-Harbor Island Pipelines (trenched)	27.840493	-97.110282	0.001	302	20	0	0	0.001	302
Tidal Flat #1	Aransas-Harbor Island Pipelines (trenched)	27.840854	-97.107553	5.65	30,222	2,000	0	0	5.56	30,222
Smooth Cord Grass #2	Aransas-Harbor Island Pipelines (trenched)	27.841031	-97.105559	0.001	120	8	0	0	0.001	120
Black Mangrove #1	Aransas-Harbor Island Pipelines (trenched)	27.840842	-97.105368	0.03	1,375	91	0	0	0.03	1,375
Black Mangrove #2	Aransas-Harbor Island Pipelines (trenched)	27.840917	-97.104683	0.34	3,173	210	0	0	0.34	3,173
Tidal Flat #2	Aransas-Harbor Island Pipelines (trenched)	27.840927	-97.104399	0.1	1,722	114	0	0	0.1	1,722
Black Mangrove #3	Aransas-Harbor Island Pipelines (trenched)	27.841294	-97.101983	0.04	453	30	0	0	0.04	453
Tidal Flat #3	Aransas-Harbor Island Pipelines (trenched)	27.841481	-97.100257	4.9	25,688	1,700	0	0	4.9	25,688
Estuarine Wetlands #2	Aransas-Harbor Island Pipelines (trenched)	27.841442	-97.099068	0.11	513	34	0	0	0.11	513
			Totals	**16.682**	**17,3575**	**12,242**	**2.3**	**11,408**	**14.762**	**98,928**

Sheets 18-28 of the attached project plans

This portion of the project involves both water and land installation. The following will detail the construction requirements and sequence for installation of the pipelines from the Aransas Facility to Harbor Island:

a. HDD across the GIWW (*Sheets 18-19 of the attached project plans*): The first portion of the Harbor Island route will consist of utilizing the HDD method from a land-based drilling location within the proposed Aransas Facility extending southeasterly approximately 4,250 feet to an exit within an abandoned oil and gas well slip in Redfish Bay. The pipelines will be installed in three separate drilling operations at various depths. The shallowest drill, the center HDD, will be a bundle drill consisting of the 2-inch fiber optic conduit, 6-inch gas supply and 16-inch return remix line and will be drilled first. The two outermost and deepest drills will be the two (2) individual 42-inch crude pipelines which will be installed separately during the second and third drills. The pilot hole will be drilled from the Aransas Facility site to the oil and gas well slip within the proposed 200-foot by 300-foot HDD workspace. The existing oil and gas slip will be utilized for the 250-foot by 300-foot HDD exit workspace. The oil and gas slip access canal will be utilized for marine vessel access, assembly of the pipelines and for floatation of the HDD back-string. Once the drilling operation is complete, the pipelines will be assembled, pre-hydrotested and pulled from the location canal back to the Aransas Facility.

For details on the Horizontal Directional Drilling (HDD) Operations, working procedures, monitoring of inadvertent returns of drilling fluids, training and reporting, response procedures, and the proposed cleanup techniques, a Best Drilling Practices Plan will be developed.

b. Installation within existing Oil and Gas Canal System (*Sheets 20-28 of the attached project plans*): To further avoid and minimize impacts during the installation of the series of pipelines, the applicant would utilize a series of abandoned oil and gas canals on the northwest side and southeast side of Redfish Bay. As detailed in the permit drawings, a trench will be excavated within the canal bottoms and the excavated material will be temporarily stockpiled adjacent to the trench. Excavation will be done with barge mounted dredging equipment. The individual lines will be fabricated on a pipe lay barge and installed within the common trench. The trench will be backfilled utilizing the stockpiled material to provide the required protective cover. Excavation and spoil placement within the existing canal systems will avoid impacts to SAV to the fullest extent practicable. The proposed workspace is 150-foot-wide, with 76 feet being designated as the trench/workspace, and 60 feet designated as temporary spoil placement area. Turbidity curtains will be installed adjacent to the workspaces to reduce the potential for secondary impacts to adjacent seagrass habitats in addition to using the existing oil and gas access canals to limit the impacts to the seagrass beds to just 1.83 acres in this area.

c. Installation across Redfish Bay (*Sheets 20-28 of the attached project plans*): Similar to the oil and gas canal installation methodology, a 75-foot-wide trench will be excavated within the bay bottom and excavated material will be temporarily stockpiled on the bay bottom adjacent to the trench. Excavation will be done with barge mounted dredging equipment. The individual lines will be fabricated on a pipe lay barge and installed within the common trench. The trench will be backfilled utilizing the stockpiled material to provide the required protective cover. During bay construction the work areas and temporary spoil placement sites will be marked, and signage maintained to provide for safe marine traffic. Approximately 2.3 acres of SAV in this stretch of pipeline installation would be impacted with the proposed alignment across Redfish Bay. Due to its location being at the mouth of the existing oil and gas access canal located on the south side of Redfish Bay, potential impacts to the resource are unavoidable. The minimum workspace needed to install the pipelines across this area is being proposed to reduce impacts.

d. Seagrass Shallows and Tidal Flat Installation (*Sheets 20-28 of the attached project plans*): When departing the most southernly canal reach, the pipelines are proposed to be installed within shallow open water of Redfish Bay onto the southern reach of Harbor Island and then easterly on the island roughly parallel to the Corpus Christi Ship Channel for approximately 4,000 feet. This sandy area (tidal flat) is situated above mean high water and is generally devoid of vegetation. A trench will be excavated within the bay shallows and on the tidal flat utilizing a mechanical excavator on pontoons (marsh buggy). The excavated material will be

temporarily stockpiled adjacent to the trench. In the bay shallows the individual lines will be fabricated on a pipe lay barge and pushed into the common trench to a tie-in point with the land-based segment. On the tidal flats, the lines will be assembled adjacent to the trench and placed within the trench by cranes. The trench would be backfilled utilizing the stockpiled material to provide the required protective cover. Within the shallow bay area, turbidity curtains would be installed adjacent to the workspaces to reduce secondary impacts to adjacent SAV. On the tidal flats, standard terrestrial best management practices (e.g., silt curtains, haybales, etc.) would be utilized to reduce secondary adverse impacts from runoff. Approximately 3.68 acres of SAV would be impacted by the proposed alignment and are located just north of the point where the alignment turns easterly across the tidal flat area. Approximately 10.62 acres of tidal flats would be temporarily impacted during the installation. Construction across the tidal flats would also result in impacts to approximately 0.51 acres of black mangrove. Additionally, approximately 0.11 acres of estuarine wetlands would be impacted. The estuarine wetland (Estuarine Wetland #2) is a fringe wetland located along the westernmost boundary of Discharge Material Placement Area (DMPA) No. 3.

e. Installation within the Dredge Material Placement Area (DMPA): The pipeline approach to the Harbor Island Terminal within the DMPA would be installed by conventional land-based trench and backfill method. The trench would be excavated, and material placed adjacent to the trench within the workspace. The lines would be laid out adjacent to the trench, welded and placed into the common trench. All the lines would be hydrotested and then the trench backfilled utilizing the stockpiled material to provide the required protective cover. Standard terrestrial best management practices (e.g., silt curtains, hay bales, etc.) would be utilized to reduce secondary impacts from runoff. No impacts to waters of the US are proposed for this section of the bundle.

Pipeline Route Alternatives Summary: Many routes were evaluated for constructability and impacts to sensate features. Four (4) alternatives were more thoroughly examined based on practicality. Alternative 1 represented the longest route and the only land alternative examined. This route was not practical due to restrictive work space through the City of Aransas Pass. The three (3) remaining Alternatives would involve HDD under the GIWW from Aransas Pass into an existing oilfield canal along with typical trench and fill construction techniques to install the lines through Redfish Bay to Harbor Island. All three Alternatives would temporarily impact water bottoms, with minimal wetland impacts. Alternative 2 represented the shortest, most direct route, but would impact the greatest acreage of SAV. Alternative 3 would require an approximate 8,000-foot HDD in order to avoid impacts to aquatic resources; however, 4,500-foot is the technical limit for a 42-inch pipeline. Alternative 3 is slightly longer than Alternative 2 and involves the use of oil and gas canals nearer to Harbor Island. As previously discussed, this alignment also involves an HDD that exceeds the technological limits. The Preferred Alternative employs conventional trench and fill construction technology for pipeline installation, except for crossing the

GIWW. Impacts associated with trenching are expected to be temporary and the area would be restored to pre-project contours and elevations to the maximum extent practicable.

5) Harbor Island Loading Terminal (Latitude: 27.844767 N; Longitude: 97.083002 W): The Harbor Island Terminal is located 0.5 miles west of the intersection of Hwy 361 along the western slope of the CCSC (between Stations 110+00 and 90+00) southwest of Port Aransas. An approximately 20-acre site would contain the necessary infrastructure behind the two vessel berthing slips (piping, loading equipment, above ground bulk fluid remix tanks, etc.). A bulkhead would be constructed on the northwest and southwest sections of the vessel berthing slips. The berthing area would contain a 575-foot-long by 17-foot-wide approach trestle standing on 36-inch pilings that leads to a 120-foot-long by 100-foot-wide terminal pier structure that would act as a ship dock platform. There would also be 21 24-foot by 24-foot mooring dolphins installed. Ship berths would be approximately 730 feet by 1164 feet. Berths are sized to accommodate two Suezmax sized vessels. The berthing area and access from the CCSC would be dredged to a depth of 54 feet mean lower low water (MLLW) plus 2 feet allowable over-dredge plus two feet advanced maintenance dredging.

Table 4. Aransas-Harbor Island Facility Impacts to AR (Temporary)		**Location (NAD83)**		**Permanent Dredge Impacts**		
AR Name	**Purpose of Impact**	**Latitude**	**Longitude**	**AC**	**AC**	**CY**
Waterbody - Dock	Harbor Island Loading Terminal (dredged)	27.843548	-97.081242	0	70.0	2,785,450
			Totals	**0**	**70.0**	**2,785,552**

Sheets 32-35 of the attached project plans

AVOIDANCE AND MINIMIZATION: The proposed project is designed to avoid and minimize effects to coastal waters, submerged lands, and special aquatic resources to the maximum extent practicable. The Midway Tank Farm and Harbor Island Terminal are located entirely within uplands. The Aransas Pass Staging Facility is located primarily on a previously permitted industrial site (*reference DA Permit SWG-1996-02083; Formerly DA Permit 11867*).

On land the pipeline was routed in agricultural fields and adjacent existing pipeline corridors. The applicant would use directional bores to avoid impacts to waterbodies. In wetlands the applicant would utilize TCEQ Best Management Practices (BMPs) such as silt fencing, sand bag or filter berms, hay bale dikes, blankets and matting, temporary mulching, etc., for short-term measures. For long-term stabilization upon completion of the project, affected areas outside of the facilities would be seeded and mulched.

Installation of the pipelines from the Aransas Pass Staging Facility to the Harbor Island Terminal would utilize existing abandoned oil and gas infrastructure to the maximum extent practicable. Pipelines would be installed by HDD from the Aransas Pass Facility into an existing oil and gas slip. The remaining length of pipelines would be installed by conventional trenching techniques. Disturbances such as turbidity, which is a result from the construction activities, are temporary in nature and the applicant would utilize TCEQ

Best Management Practices during those activities to further minimize impacts to aquatic features. Turbidity curtains would be installed within the existing oilfield canals prior to trenching operations. These curtains would remain in place until the pipeline has been installed and the trench is backfilled. Within open water areas the curtains would be installed after spoil piles have been deposited. The curtains would remain in place until backfilling operations commence.

Through collaboration between project engineers and environmental scientists, the proposed project has been designed to avoid and otherwise minimize adverse impacts to the aquatic environment to the maximum extent practicable.

MITIGATION: To compensate for the unavoidable impacts to the aquatic environment, the applicant is proposing a conceptual permittee-responsible in-kind compensatory mitigation that would occur in two separate locations but still onsite of the proposed project sites using the watershed approach:

Harbor Island Shoreline (*Sheets 37 & 38*): The applicant reviewed recent aerials from 2009 and 2017 comparing the shoreline retreat both along the CCSC and the approximate 2,600-acre SAV and wetland area behind the island. This area is located within the Redfish Bay State Scientific Research Area (RBSSRA). There was an obvious change in the shoreline location between these aerial images. The footage retreat between 2009 and 2017 ranged from 160 feet to 525 feet. The back shore retreat (directly impacting seagrass habitat) is less dramatic due to the presence of mangrove thickets. There are areas where the tidal sand flats have obviously encroached into the seagrass habitat as much as 675 feet. This change results in the loss of SAV habitat in those areas. This can be attributed to the increased vessel traffic, as well as vessel size, coming into the Port of Corpus Christi which requires traversing the CCSC along this shoreline which in turn creates vessel wakes. This shoreline has eroded and now is considered in critical condition. The installation of the pipeline across Redfish Bay onto Harbor Island would actually require this section of the shoreline to be stabilized; therefore, in order to compensate for unavoidable impacts of waters of the US, the applicant is proposing to conduct shoreline stabilization along this section of the shoreline. This would act as a way to enhance the SAV that is now being severely threatened by loss due to high amounts of sedimentation traveling over this SAV area from vessel wakes. Shoreline stabilization and restoration would result in a direct restoration of approximately 76 acres of shoreline as well as protect and enhance approximately 36 acres of seagrass habitat. This area should be able to recover post-construction to form a combination of seagrass, mangrove emergent marsh habitat.

Aransas Pass Tidal Restoration (*Sheet 39*): This conceptual proposal involves the removal of an existing DMPA levee (*reference DA Permit SWG-1996-02083*) and a non-functional culvert. The levee material will be deposited into the existing borrow areas restoring the area to near pre-project elevations. Levee removal will result in the restoration of approximately 2 acres of tidal wetlands which were historically there prior

to the construction. Removal of the levees will allow tidal exchange (hydrologic restoration) to an additional 8 acres of tidal marsh. Direct benefits resulting from the restoration will total 2 acres of tidal wetlands and indirectly restoring the hydrologic connection for 8 acres of tidal marsh habitat.

CURRENT SITE CONDITIONS: The Midway Tank Farm is situated within agricultural uplands at the intersection of FM 72 and FM 893 in San Patricio County, Texas. The Midway to Aransas Pass pipelines are situated primarily within agricultural fields from the Midway site to FM 1069. From FM 1069 to Aransas Pass the pipelines would parallel an existing Boardwalk Pipeline corridor adjacent to a residential area located on Live Oak Ridge, north of the Town of Ingleside. The Aransas Staging Facility site is located on and adjacent to an industrial site south of the intersection of SH 361 and FM 2725 adjacent to the Gulf Intracoastal Waterway (GIWW). Tidal wetlands are found adjacent to the Aransas Pass Facility. The Aransas Pass to Harbor Island pipelines are situated within Redfish Bay. Segments of the pipelines are situated within abandoned oil and gas infrastructure within the Bay. Other segments of pipeline are situated within the open water bottoms of Redfish Bay or within the tidal flats on Harbor Island. A final segment of the pipeline is situated within an abandoned discharge material placement area. The Harbor Island Terminal is situated on an upland commercial dock site.

NOTES: This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. As of the date of this Public Notice, the Corps has received but not yet verified the wetland delineation. The applicant's plans are enclosed in 39 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: The applicant has stated that the project is consistent with the Texas Coastal Management Program (CMP) goals and policies and will be conducted in a manner consistent with said Program. The Texas Railroad Commission will determine if the project is consistent with the goals and policies of the CMP and will review this application under Section 401 of the CWA to determine if the work as well as return water from the upland contained dredge material placement areas would comply with State water quality standards.

The proposed project will require Section 408 coordination and review. This is a requirement for activities that seek permission from the US Army Corps of Engineers pursuant to 33 USC 408 because the proposed project will alter or temporarily or permanently occupy or use a US Army Corps of Engineers federally authorized civil works project. Changes to the proposed project, from the Section 408 process, may warrant additional coordination.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has not 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 staff archeologist is currently reviewing the applicant's cultural resource information and will initiate consultation with the SHPO if necessary.

THREATENED AND ENDANGERED SPECIES: Threatened and/or endangered species and/or their critical habitat may be affected by the proposed work. Consultation with the U.S. Fish and Wildlife and/or the National Marine Fisheries Service will be initiated to assess the effects on listed endangered species.

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 have an 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 of Engineers, 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 of Engineers 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 of Engineers 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 of Engineers 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 **9 September 2019**. 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-2018-00789**, and should be submitted to:

Corpus Christi Field Office
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U.S. Army Corps of Engineers
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Corpus Christi, TX 78411-4318
361-814-5847 Phone
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS