



Public Notice

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

Galveston District

Permit Application No: SWG-2018-00839

Date Issued: 30 April 2019

Comments

Due: 31 May 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.

APPLICANT: Texas Eastern Transmission, LP
5400 Westheimer Court
Houston, Texas 77056-5353
POC: Ronald Heuer
Telephone: 713-627-5388
Email: Ronald.hueur@enbridge.com

LOCATION: The project site is located in Lake Livingston between two separate valve sites in San Jacinto County, and Polk County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Carlisle, Texas.

LATITUDE & LONGITUDE (NAD 83):

San Jacinto County Valve Site:

Latitude: 30.80737° North; **Longitude:** 095.17872° West

Polk County Valve Site:

Latitude: 30.82996° North; **Longitude:** 095.14084° West

PROJECT DESCRIPTION: The applicant proposes to decommission in place approximately 2.8 miles of a 24-inch-diameter, natural gas pipeline. The existing pipeline extends from a valve site in San Jacinto County, to a valve site in Polk County, Texas. The existing line has been pigged and filled with nitrogen gas to a pressure of 100 pounds per square in gauge. This section of pipeline has been isolated and blinded at the valve sites.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by avoiding all discharge of dredged or fill material into waters of the United States.

MITIGATION: The applicant has not proposed compensatory mitigation due to the fact that this project will not create a loss of waters of the United States or any other aquatic resource.

CURRENT SITE CONDITIONS: The project site is currently buried below the bottom of Lake Livingston. This lake is an impoundment of the Trinity River. The pipeline was originally permitted by Department of the Army Permit 7530, issued 10 September 1968, and authorized placement of a 24-inch auxiliary pipeline in the Trinity River at a location approximately at Mile 155 above the mouth and approximately 16 miles northwest from Livingston, Texas.

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 2 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.

OTHER AGENCY AUTHORIZATIONS: The project site is not located within the Texas Coastal Zone and therefore, does not require certification from the Texas Coastal Management Program.

No water quality certification is required.

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 proposed project, abandon and leave a pipeline in place, is of such limited nature and scope that it has no potential to effect historic properties, even if present within the project 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.

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 EIS 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 May 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-2018-00839**, and should be submitted to:

North Evaluation Unit
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U.S. Army Corps of Engineers
P.O. Box 1229
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409-766-3869 Phone
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS