



**US Army Corps
of Engineers®**

**Galveston District
Regulatory Branch**

**Public Notice
Hearing on DA Permits
Galveston Bay, Houston Ship Channel
08 January 2024**

Notice of Public Hearing

PURPOSE OF PUBLIC NOTICE: The U.S. Army Corps of Engineers Galveston District (USACE) will conduct a public hearing in the evaluation of its final decision pursuant to 33 CFR 325.7 whether to reinstate, modify, or revoke the following Department of the Army (DA) permits issued under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) and Section 404 of the Clean Water Act (33 U.S.C. § 1344) relating to pipelines, wells, flowlines, and structures in Galveston Bay near Dredge Material Placement Areas 14 and 15, Houston Ship Channel:

Permit No.	Historic Permit No. (if applicable)	Permit Holder
SWG-1991-00158	18860(01)/4	Cedar Point Oil Company
SWG-1991-00161	18860(01)/5	Cedar Point Oil Company
SWG-1991-00166	18860(01)/6	Cedar Point Oil Company
SWG-1991-01046	18860(01)/7	Cedar Point Oil Company
SWG-1992-00196	19557	Torch Operating Company
SWG-2001-01381	22496	Davis Petroleum Corporation
SWG-2002-00258	22633	Davis Petroleum Corporation
SWG-2002-00259	22634	Davis Petroleum Corporation
SWG-2002-00388	22655	Walter Oil & Gas Corporation
SWG-2002-00462	22671	Energy Reserves Group, LLC
SWG-2005-00039	23638	James A. Whitson, Jr.
SWG-2007-00142		James A. Whitson, Jr.
SWG-2014-00108		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00525		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00534		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00527		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00528		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00529		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00530		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00962		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00963		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00531		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00955		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00966		Linc Gulf Coast Petroleum, Inc.

SWG-2014-00970		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00971		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00972		Linc Gulf Coast Petroleum, Inc.
SWG-2014-00973		Linc Gulf Coast Petroleum, Inc.
SWG-2017-00045		Linc Gulf Coast Petroleum, Inc.

These permits have been suspended pursuant to 33 CFR 325.7 pending a final decision as to whether they will be reinstated, modified, or revoked.

PUBLIC HEARING: The public hearing will be held on 8 January 2024, at 1:30PM CST at the USACE Jadwin Building, 2000 Fort Point Road, Galveston, Texas 77550, Room 175. The hearing is a public proceeding conducted for the purpose of acquiring information or evidence that will be considered in the District Engineer’s final decision to reinstate, modify or revoke the suspended permits listed above, and to afford the public an opportunity to present their views, opinions, and information on such permit actions.

The District Engineer will conduct the hearing as the presiding officer in accordance with the procedures specified at 33 CFR Part 327. Any person will be permitted to submit oral or written statements that inform the District Engineer’s decision described above in Purpose of Public Notice, to call witnesses who may present oral or written statements, and to present recommendations as to an appropriate decision. The District Engineer will afford participants a reasonable opportunity for rebuttal. Cross-examination of witnesses will not be allowed (33 CFR 327.8(d)). Each individual wishing to make verbal comments are asked not to exceed a time period of no more than ten minutes. If you are part of a group with common interests and views related to this action, please consider consolidating your comments for presentation by a representative spokesperson. We encourage consolidation of similar views to afford the greatest opportunity for presentation of substantive facts and to increase the likelihood for reducing the presentation of duplicative views. All proceedings from the public hearing will be recorded and transcribed by a third-party court reporter and, together with all evidence introduced at the hearing, become a part of the administrative record.

WRITTEN COMMENTS AND CLOSE OF COMMENT PERIOD: Written comments we receive will also become a part of the administrative record and may be submitted electronically to the following email by 5:00PM CST on 22 January 2024: swg_public_notice@usace.army.mil

If you are unable to submit comments via email, you may send your written comments by USPS, UPS or FedEx, with a postmarked date no later than 22 January 2024, to the following address:

Regulatory Division, CESWG-RDE
U.S. Army Corps of Engineers
Galveston District
2000 Fort Point Road
Galveston, Texas 77550

BACKGROUND: USACE is moving forward with work directed by Congress as part of the construction of the Houston Ship Channel (HSC) Expansion Channel Improvement Project, Harris, Chambers, and Galveston Counties, Texas was authorized by Public Law 116-260, Section 401(1) of the Water Resources Development Act (WRDA) of 2020 (hereinafter the "Authorized Project"). This is an important navigation project to the region and to our nation's trade, energy, and defense interests. USACE is committed to its timely completion. Pipelines, wells, flowlines and structures in Galveston Bay near Dredge Material Placement Areas 14 and 15, Houston Ship Channel, installed pursuant to the above individual and general permits issued under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) and Section 404 of the Clean Water Act (33 U.S.C. § 1344), are located within the footprint of the project and are obstructing the Federal project.

Obstructions to navigation violate 33 U.S.C. § 403, 406, 408, 411, and the terms and conditions of the permits listed above. As such, the above permits have been suspended pursuant to 33 CFR 325.7.

You may find further details about the terms and conditions of the suspended permits and our suspension letters here: <https://www.swg.usace.army.mil/Media/Public-Notices/>

If you have any questions concerning this Public Notice, please send an email to: swg_public_notice@usace.army.mil or you may call 409-766-3083.

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS