



Public Notice

U.S. Army Corps Of Engineers	Permit Application No: _____	SWG-1995-02221
	Date Issued: _____	5 February 2019
	Comments	
Galveston District	Due: _____	8 March 2019

**U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
AND
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

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: Moda Midstream
Wells Fargo Plaza
1000 Louisiana St, Suite 7100
Houston, TX 77002-5029

AGENT: Lanier & Associates, Consulting Engineers, Inc.
4101 Magazine Street
New Orleans, LA 70115
Telephone: 504-895-0368
POC: Mr. Albert Favolora

LOCATION: The project site is located on the north side of the Corpus Christi Ship Channel (CCSC) at approximate Station 525+00 at 262 Coral Sea Road (formerly Naval Station Ingleside), Ingleside, San Patricio County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Port Ingleside, Texas.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 27.8200 North; Longitude: 97.2100 West

PROJECT DESCRIPTION: The applicant proposes to increase the permitted width of the West Ship Basin from 390 feet wide to 475 feet to allow Suezmax vessels at the facility and add a 1,700-foot-diameter turning basin at the West Ship Basin entrance to the Corpus Christi Ship Channel. Dredging would be accomplished by mechanical and/or hydraulic dredge equipment and spoils would be placed in designated material placement areas. Potential disposal sites include DMPA Nos. 6, 7, 8, 9, 10, 13, 14 A/B, 15 A/B, Good Hope, Berry Island, Dagger Island, and Beneficial Use Site No. 6. The project would increase the currently permitted dredge area by 18.2 acres. Three multi-pile navigation aid structures would be installed along the west edge of the basin. A new Berth 5 platform approximately 25 feet by 65 feet would be installed with steel pipe piles and framing. Two new Berth 4 platforms approximately 35 feet by 65 feet would be installed with steel pipe piles and framing. Twelve steel pipe protection piles would be installed in front of the new platforms. Eight 4-pile breasting dolphins and four 2-pile breasting dolphins would be installed with steel pipe piles and framing. Four monopole mooring dolphins would be installed with steel pipe piles.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by planning the placement of dredged material into existing approved disposal areas in accordance with the disposal area requirements.

MITIGATION: No mitigation is proposed.

CURRENT SITE CONDITIONS: The area in which impacts resulting from the proposed project will be felt will be confined to Ingleside Point next to the CCSC and adjacent shoreline. The impacts that are expected in that area from the proposed project are the temporary impacts to benthic populations and temporary turbidity associated with the proposed dredging operations. No wetlands are reported to be present in the proposed dredging project 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. The applicant's plans are enclosed in 13 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:

Consistency with the State of Texas Coastal Management Plan is required. The applicant has stated that the proposed activity complies with Texas' approved Coastal Management Program goals and policies and will be conducted in a manner consistent with said program.

The return water from the upland contained dredge material placement area(s) requires an independent certification by the Texas Commission on Environmental Quality (TCEQ). The applicant must obtain a Section 401-water quality certification from the TCEQ for the effluent or return water discharge. A copy of the 401-certification must also be furnished to the Corps of Engineers prior to the Corps making a decision on the proposed project.

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 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 project area was investigated for historic properties and none were found as documented in the report titled "Marine Remote-Sensing Survey and Diving Assessment for Historic Properties Investigations Corpus Christi Ship Channel Improvements and La Quinta Ship Channel Extension Corpus Christi Bay, Texas" prepared by PBS&J and dated August 2003.

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 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 **8 March 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-1995-02221**, and should be submitted to:

Corpus Christi Field Office
Regulatory Division, CESWG-RD-R
U.S. Army Corps of Engineers
5151 Flynn Parkway, Suite 306
Corpus Christi, TX 78411-4318
361-814-5847 Phone
swg_public_notice@usace.army.mil

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS