



Public Notice

U.S. Army Corps Of Engineers	Permit Application No: _____	SWG-2008-00073
	Date Issued: _____	11 January 2024
	Comments _____	
Galveston District	Due: _____	29 January 2024

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: Enterprise Products Operating LLC
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Houston, Texas 77210
POC: Rodney Sartor
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Email: environmental@eprod.com

AGENT: Enterprise Products Operating LLC
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LOCATION: The project site is located in the Houston Ship Channel at the Enterprise Houston Terminal, 15602 Jacintoport Boulevard, in Houston, Harris County, Texas.

LATITUDE & LONGITUDE (NAD 83):

Latitude: 29.737892° North; **Longitude:** 095.126816° West

PROJECT DESCRIPTION: The applicant proposes to modify Department of the Army Permit (DA) SWG-2008-00073 to construct a 20-foot by 20-foot gangway platform, supported by four 20-inch-diameter pipe piles. The gangway platform will serve as an extension to the existing barge dock adjacent to the Houston Ship Channel. The piles will be driven to a depth that ensures structural integrity and obtains an elevation of +12 feet above mean lower low water (MLLW) for the proposed gangway platform.

The applicant stated that the purpose of the project is to provide the infrastructure and space necessary to improve berthing and vessel engagement capabilities at the applicant's existing facility.

BACKGROUND: DA Permit SWG-2008-00073 (formerly 19427) was issued on 20 April 1992 and authorized the construction and maintenance of a Ship Dock 6 and 7 which included a finger pier, four mooring dolphins, eight breasting dolphins, and to hydraulically dredge a mooring basin at the Enterprise Houston Terminal, 15602 Jacintoport Boulevard, in Houston, Harris County, Texas. Amendment (01) was issued on 15 March 1993 and authorized the installation of a temporary trestle, a steel grid dock, six mooring dolphins, and dredge the first section of the area originally permitted. Amendment (02) was issued on 15 June 1994 and authorized the 10 years of hydraulic maintenance dredging for Ship Dock 6, and to place the dredge material into the Jacintoport, East and West Jones, and/or Lost Lakes DMPAs. Amendment (03) was issued on 27 October 1998 and authorized the construction of a finger pier dock, the installation of mooring and breasting dolphins, dredging of a new mooring basin, maintenance dredging in the new basin and other previously authorized areas for 10 years and to place dredge material into the Lost Lake, Peggy Lake, Greens Bayou, Clinton, East and West Jones, and Alexander Island DMPAs. The dredge material was also authorized to be placed on Glanville, a privately owned DMPA, or in the San Jacinto State Park Marsh, owned by the Texas Parks and Wildlife Department (TPWD). Amendment (04) was issued on 14 May 1999 and authorized the construction of a finger pier, the installation of mooring and breasting dolphins, the mechanical and hydraulic dredging of a new mooring basin, and the maintenance dredging of the basin for 10 years. The mooring basin was authorized to be dredged to a depth of -50 feet and approximately 400,000 cubic yards of mechanically dredged material was to be placed in an on-site upland placement area. Approximately 1,400,000 cubic yards of hydraulically dredged materials was authorized to be placed into the Lost Lake, Glanville, Peggy Lake, Clinton, East and West Jones, and Alexander Island DMPAs, or in the San Jacinto State Park Marsh, with proper authorization by TPWD. Amendment (05) was issued on 2 November 2004 and authorized the deepening of dredge depth to -47 feet, to combine Permit Numbers 10300 (11), 19029 (03), and 19427 (04), and a 10-year maintenance dredging extension of time.

DA Permit No. SWG-2008-00073 was issued on 15 July 2008 and authorized the construction of a dock terminal and dredging. DA Permit No. SWG-2008-00073 was amended on 27 January 2012 to authorize the construction of new finger pier adjacent to Dock 8 and was amended again on 11 September 2012, which authorized the construction of a new dock and associated mooring structures designated Dock 9 and included the dredging of a 17.6-acre berthing area for Dock 9. DA Permit No. SWG-2008-00073 was again amended on 11 October 2013 and authorized design changes to the authorized structures and dredging specifications for Barge Dock A, Barge Dock E, and Ship Dock 8/9. DA Permit No. SWG-2008-00073 was further amended on 8 November 2016 and authorized: 1) a reconfiguration in the design of the firewater platform; and 2) consolidation of the annual maintenance dredging of Ship Docks 1, 1A (once constructed), 4/5, 6/7, and 8/9, and Barge Docks A (until demolished), B (until demolished), D, E (once constructed), and F (once constructed) to authorized depths. This amendment also authorized the placement of dredge material into East and West Jones, Jacintoport, or Peggy Lake. DA Permit No. SWG-2008-00073 was also amended on 9 July 2018 and authorized the construction of Ship Dock 1A, Barge Dock F, the installation of associated mooring structures, dredging, and the installation of 1,250 linear feet of bulkhead. Another modification to DA Permit No. SWG-2008-00073 was issued on 20 August 2019 and authorized the addition of the Bertron Dredge Material Placement Area (DMPA), a proposed private DMPA, as well as the following federal and private DMPAs: Glendale, House-Stimson, East Clinton, West Clinton, Rosa Allen, Enterprise Texas Terminal, Lost Lake, Goat Island 1, Goat Island 2, Alexander Island, and Spillman Island. On 7 July 2021, DA Permit SWG-2008-00073 was further amended to authorize the addition of four Dredge Material Placement Areas (DMPAs) with associated effluent return discharge. Specifically, DMPA 14, 15, 16, and HMS 850 and adding the technique of mechanical silt blade maintenance dredging of approximately 98 acres at the Enterprise Houston Terminal on the Houston Ship Channel. The timeframe for conducting the authorized maintenance dredging work is 31 December 2036.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by not including activities that would result in a loss of waters of the US, nor any impacts to special aquatic sites. The project has been designed to avoid and minimize adverse effects to the maximum extent practicable.

MITIGATION: The applicant has not proposed to mitigate for the proposed impacts because there will no loss of waters of the US or any impacts to special aquatic sites.

CURRENT SITE CONDITIONS: The project site consists of a portion of the Houston Ship Channel that is highly industrialized and experiences high vessel traffic. There are no special aquatic sites located within the vicinity the proposed project.

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 5 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:

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.

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 permit area has been so extensively impacted by excavation and dredging that there is no potential for historic properties to exist within the permit area. Therefore, the proposed project has no potential to effect historic properties.

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 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 **29 January 2024**. 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-2008-00073**, and should be submitted to:

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