



Public Notice

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

Galveston District

Permit Application No: SWG-2004-00465

Date Issued: 10 July 2018

Comments

Due: 9 August 2018

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 (CWA).

APPLICANT: Sabine Pass LNG, LP
700 Milam Street, Suite 1900
Houston, Texas 77002
Telephone: 713-375-5417
POC: Ms. Catherine Mayhew

LOCATION: The project site is located in Sabine Pass at the construction dock berth and LNG carrier berth of the Sabine Pass LNG Marine Terminal, south of State Highway 82, and just east of the Sabine Pass Bridge, and in the Gulf of Mexico adjacent to Louisiana Point and the Sabine Pass Channel East Jetty, in Cameron Parish, Louisiana. The project can be located on the U.S.G.S. quadrangle map entitled: Texas Point, Tex. – LA.

LATITUDE & LONGITUDE (NAD 83):

LNG Terminal: Latitude: 29.748 North; Longitude: -93.880 West
Dredged Material Placement Area (PA) ALT 2: Latitude: 29.687 North; Longitude: -93.832 West

PROJECT DESCRIPTION: Department of the Army Permit No. SWG-2004-00465, which permitted maintenance dredging of the marine terminal and placement of material into PAs ALT 1 and ALT 2, expired on 31 December 2017. The applicant proposes to extend the time to perform maintenance dredging within their marine terminal for an additional five years, hydraulically dredging the marine berth to its previously permitted depth of -45 feet Mean Low Tide (MLT), and the construction dock berth to its previously permitted depth of -14.89 feet MLT plus 1 foot of overdepth. The volume of material dredged is proposed to increase by 4.5 million cubic yards (MCY), to a total of 9.0 MCY over the 5-year period. The applicant proposes to place the maintenance dredged material into previously permitted PA ALT 1, and/or into PA ALT 2, an open water beneficial use site. The applicant proposes to expand the current 146.7-acre PA ALT 2 to 496.8 acres. Material placed in PA ALT 2 would be transported via wave action onto the Louisiana Point beach face, for shore protection and wildlife habitat restoration. The applicant proposes to retain all other conditions of the original permit.

AVOIDANCE AND MINIMIZATION: The applicant has avoided any new dredging impacts to the area. Other avoidance or minimization measures include use of previously permitted PAs and expanded use of a beneficial use site for beach renourishment.

MITIGATION: No compensatory mitigation is proposed.

CURRENT SITE CONDITIONS: The project site is an existing LNG facility that currently has capabilities to import and export LNG via shipping vessels. The LNG marine terminal construction berth and carrier berth encompass 98.7 acres of open water which has been previously maintained with a hydraulic pipeline dredge. The proposed PAs are both existing placement facilities, though PA ALT 2 is proposed to be expanded with this permit application. PA ALT 1 is an upland PA located on the applicant's property adjacent to the LNG terminal, and PA ALT 2 is an open water beneficial use site located in the Gulf of Mexico adjacent to the Sabine Pass Channel East Jetty.

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 7 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 CWA.

OTHER AGENCY AUTHORIZATIONS:

State of Louisiana Coastal Zone Management Consistency is required.

Louisiana Department of Environmental Quality (LDEQ) water quality certification is required. Concurrent with processing of this application, the LDEQ is reviewing this application under Section 401 of the CWA and in accordance with LRS 30:2074A(3) to determine if the work would comply with State water quality standards and other applicable provisions of the CWA. By virtue of an agreement between the Corps and the LDEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the LDEQ a decision on water quality certification under such act. Comments concerning this application should be filed within 30 days from the date of this notice with the Office of Environmental Services using the above permit application number as reference. Comments should be sent to: Louisiana Department of Environmental Quality, Office of Environmental Services, Attn: Water Quality Certifications, P.O. Box 4313, Baton Rouge, LA 70821-4313. Additional information is on file with LDEQ, and may be inspected at any time between 8:00 A.M. and 4:30 P.M. weekdays. Copies may be obtained upon payment of cost of printing. A final decision on this application will be made within 60 days after the date of this notice. The LDEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requester, or of persons represented by the requester; and a brief description of how the application, if granted, would adversely affect such interest.

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 activities being permitted by the Corps is of such limited nature and scope that it has no potential to effect historic properties, even if present within the permit area.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that the proposed maintenance dredging of previously dredged areas and placement of maintenance-dredged sediments in the proposed enlarged PA ALT 2 **may affect, but is not likely to adversely affect** piping plover and/or its critical habitat, and red knot, based on the fact that the birds would be expected to forage and/or roost on the Louisiana Point shoreline, whereas the dredged material discharge points within ALT 2 would all be located within the Gulf of Mexico waters and not upon the shoreline. The effects would be expected to be beneficial, since sediment placed within ALT 2 would move by wave action to the shoreline, providing beneficial beach nourishment and habitat restoration for the birds.

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 **9 August 2018**. 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-2004-00465**, and should be submitted to:

Policy Analysis Branch
Regulatory Division, CESWG-RDP
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229
409-766-3869 Phone
409-766-6301 Fax
swg_public_notice@usace.army.mil

DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS