



Public Notice

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

Galveston District

Permit Application No: SWG-2016-00902

Date Issued: 17 May 2018

Comments

Due: 18 June 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.

APPLICANT: Matagorda Offshore, LLC
919 Milam Street, Suite 2100
Houston, Texas 77002
Telephone: 832-280-3090
POC: Mr. Mike Stark

LOCATION: The project site is the existing X1-500 Tomcat East 20-inch natural gas pipeline which runs approximately 12.87 miles from the end point at Magnolia Beach in Matagorda Bay State Tract 33 to the start point at the existing production platform structure in Matagorda Bay State Tract 135. The project can be located on the Keller Bay, Texas, Port Lavaca East, Texas, and Port O'Connor, Texas U.S.G.S 7.5-minute topographic quadrangle maps, and on N.O.A.A. Navigational Chart 11317 (Matagorda Bay including Lavaca and Tres Palacios Bays).

LATITUDE & LONGITUDE (NAD 83):

Start Point – Latitude: 28.456713 North;

Longitude: -96.381399 West

End Point – Latitude: 28.564836 North;

Longitude: -96.547957 West

PROJECT DESCRIPTION: The applicant proposes to decommission-in-place a 20-inch natural gas pipeline located in water depths between approximately -3 feet to -16 feet. Approximately 350 feet of pipeline have been removed from the Gulf Intracoastal Waterway. In accordance with the Bureau of Safety and Environmental Enforcement (BSEE) 30 CFR 250.1750 pipeline decommissioning requirements, the applicant has: 1) disconnected from previously serviced production platform; 2) flushed by pigging and filled with seawater to equalize the line pressure; 3) removed a 50-foot section of riser pipe turn at the platform and plugged the remaining end; and 4) confirmed depth of cover at the pipeline ends and cover endpoints with 3 feet of protective sand/cement bags. Jetting was used to expose pipeline riser endpoints and allow pipe “cold cuts.”

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by conducting work according to BSEE 30 CFR 250.1750-1753 pipeline decommissioning requirements.

MITIGATION: The applicant has not proposed project specific mitigation.

CURRENT SITE CONDITIONS: The existing pipeline is buried beneath the bottom of Lavaca and Matagorda Bays, buried below the sea floor as shown on the attached Profile View drawings (Sheets 13 thru 23).

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 23 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.

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 is of such limited nature and scope that it has no potential to affect 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.

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 **18 June 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-2016-00902**, and should be submitted to:

Central Unit, Evaluation Branch
Regulatory Division, CESWG-RDE
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229
409-766-3869 Phone
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS