Public Notice

U.S. Army Corps Of Engineers

Galveston District

Permit Application No: SWG-2024-00043

Date Issued: 21 May 2024

Comments Due: 21 June 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 and Section 404 of the Clean Water Act (CWA).

APPLICANT:
Galveston LNG Bunker Port, LLC
700 Milam Street, Suite 1300
Houston, Texas 77002
POC: Shaun Davison
Telephone: 832-415-6659
Email: shaun.davison@pilotlng.com

AGENT:
EXP
11330 Clay Road, Suite 550
Houston, Texas 77041
POC: Michael C. Aubele
Telephone: 713-985-9914
Email: mike.aubele@exp.com

LOCATION: The project site is located on Shoal Point in the southwestern portion of Galveston Bay, south of the Texas City Dike adjacent to the Texas City Ship Channel Turning Basin, in Galveston County, Texas. The project can be located on the U.S.G.S. quadrangle map entitled: Sargent, Texas.

LATITUDE & LONGITUDE (NAD 83):
Latitude: 28.765193 North; **Longitude:** -95.650717 West

PROJECT DESCRIPTION: The applicant proposes to construct the Galveston Liquefied Natural Gas (LNG) Bunker Port Project, a natural gas liquefication facility. To facilitate the construction and installation of this facility, the applicant proposes the following impacts to open water areas adjacent to on the western side of Shoal Point Island. The applicant proposes to construct a jetty with an associated berthing area, a marine offloading facility (MOF) and a personnel transfer dock (PTD) with an associated berthing area, bulkheads to support the structures and a heavy haul road from the MOF to the main site.

The jetty is proposed to be constructed along the western perimeter adjacent to the Texas City Ship Channel Turning Basin, which will include an access trestle comprised of marine pile foundations, pipeline support structures, and a pile supported loading platform with marine loading arms. The jetty will also include breasting and mooring dolphins with various gangways and walkways. Berthing infrastructure will include four breasting dolphins and two mooring dolphins, with an additional four mooring bollards landward of a proposed shoreline bulkhead to accommodate the berthed vessels.

The applicant proposes to dredge approximately 15,983 cubic yards (CY) to approximately -26.32 ft MHW utilizing mechanical and/or hydraulic dredging for the jetty berthing area. The shoreline bank will be dredged on a 3 to 1 slope to facilitate a proposed shoreline bulkhead wall. Steel piles will be constructed for barge mooring. The PTD will be a floating dock with steel guide piles and an aluminum gangway to a concrete deck, pile supported platform and walkway to the shore.

Access to the site for both construction and operation will be exclusively from the water side. This will require the construction of a marine offloading facility (MOF) for equipment and construction materials and PTD for personnel. Both will be constructed north of the proposed jetty. The MOF berthing area will be dredged to approximately -13.32 ft MHW with a 3 to 1 slope on the bank. A dredge volume of 6,177 CY will be required for the MOF/PTD berthing areas, utilizing mechanical and/or hydraulic dredge.

The applicant also proposes to discharge fill to construct bulkheads adjacent to both the jetty and the MOF/PTD area. The jetty bulkhead will be constructed from steel sheet pile with clean earthen fill placed behind it. A scour protection system, consisting of riprap and bedding stone with a geotextile underlayment is also proposed. This will require approximately 10,749 CY of fill below the high tide line (HTL).

The MOF bulkhead will consist of steel sheet pile bulkheads with compacted earthen fill, topped with compacted aggregate. This bulkhead will require approximately 6,546 CY of fill below the HTL.

A heavy haul road is also proposed to extend from the MOF to the main site, which will consist of compacted earthen fill with a compacted aggregate driving surface. Fill that will be required below HTL will equal approximately 102 CY.

The remaining land-based facilities will be constructed within the active Snake Island Cell C dredge material placement area (DMPA) on Shoal Point and are not proposed to impact waters of the US, wetlands, nor any special aquatic sites.

The applicant proposes to dispose of the dredge material into Shoal Point DMPA Cell C and/or Cell A.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by various siting and design features, resulting in no proposed impact to wetlands or other special aquatic sites. The proposed facility was strategically sited within an active DMPA on Shoal Point, thereby avoiding any potential impacts to wetlands or other special aquatic sites. Additionally, the applicant proposes minimal dredging of unconsolidated open water, as the preferred location offers direct access to a water depth of 45 feet along the Texas City Ship Channel Turning Basin. Further steps taken to avoid and minimize impacts include revising the preliminary design to avoid filling approximately 6.8 acres of intertidal wetlands and 9.7 acres of open water by accessing the site for construction and future operations via water transit versus constructing an access road to the site. An additional design update also resulted in a reduction in fill quantities proposed related to the construction of the MOF.

MITIGATION: The applicant is not proposing mitigation as the project scope avoids impacts to wetlands and special aquatic sites by design.

CURRENT SITE CONDITIONS: The project site is a 143-acre property situated on the western side of Shoal Point, along the Texas City Ship Channel Turning Basin near the Port of Texas City. Shoal Point was originally created in the early 1900's from dredge spoils and today is composed of four DMPAs. DMPAs 5 and 6 are still under federal control and managed by the Corps. The site is designated for heavy industrial activity per its zoning code, and is surrounded primarily be industrial development, DMPAs and the Texas City Dike to the northeast.

NOTES: This public notice is being issued based on information furnished by the applicant. This project information has not been verified by the Corps. As of the date of this public notice, the Corps has received but not yet verified the wetland delineation. The applicant's plans are enclosed in 18 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:

The applicant has stated that the project is consistent with the Texas Coastal Management Program (CMP) goals and policies and will be conducted in a manner consistent with said Program. The Texas Railroad Commission will determine if the project is consistent with the goals and policies of the CMP.

The proposed project will trigger review under Section 401 of the Clean Water Act (CWA). The Texas Railroad Commission will review this application under Section 401 of the CWA and in accordance with Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. The applicant has contacted the Texas Railroad Commission and initiated the Section 401 CWA process, on 1 April 2024. If you have comments or questions on this proposed project's State water quality certification, please contact leslie.savage@rrc.state.tx.us. You may also find information on the Section 401 process here: https://www.epa.gov/cwa-401/basic-information-cwa-section-401-certification.

Pursuant to 33 USC 408, the proposed project will require Section 408 coordination and review. This is a requirement for activities that seek permission, to temporarily or permanently, alter, occupy, or use a federally authorized United States Army Corps of Engineers 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 permit area has been so extensively impacted by industrial development 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 **21 June 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-2024-00043**, and should be submitted to:

Evaluation Branch
Regulatory Division, CESWG-RDE
U.S. Army Corps of Engineers
Galveston District
2000 Fort Point Road
Galveston, Texas 77550
409-766-3869 Phone
409-766-3931 Fax
swg_public_notice@usace.army.mil

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