



Public Notice

U.S. Army Corps Of Engineers	Permit Application No: _____	SWG-2009-00759 formerly 13992
	Date Issued: _____	6 October 2016
	Comments _____	
Galveston District	Due: _____	7 November 2016

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: Gregory Rincon
President
Impact Midstream, LLC
2947 East Broadway, Suite 200
Pearland, Texas 77581

AGENT: Frederick Pevow, Jr.
President
Gateway Offshore Pipeline, LLC
1415 Louisiana, Suite 4100
Houston, Texas 77001
Telephone: 713-336-0844

LOCATION: The project site is located in the Gulf of Mexico, Galveston and High Island areas, Galveston East Anchorage area in State Tracts 98, 99 and Federal Blocks 105, 143, and 144, approximately 8 to 15 miles east of Galveston, Galveston County, Texas.

LATITUDE & LONGITUDE (NAD 83): See below:

Within the Galveston East Anchorage Area

Description: A 6-inch pipeline originates approximately 13 miles due east of Stewart Beach Park on Galveston Island at Latitude of 29.28874°N and Longitude -94.5586797°W. The 6-inch pipeline travels in a southeasterly direction roughly paralleling the Galveston East Anchorage Area inner boundary for approximately 2.3 miles and terminates at Latitude of 29.275856°N and Longitude -94.518376° W.

A 10-inch pipeline originates at Latitude of 29.27568°N and a Longitude 94.52539°W. The 10-inch pipeline travels in a northeasterly direction across the Galveston East Anchorage Area for approximately 3.1 miles before exiting the Galveston East Anchorage Area outer boundary at Latitude of 29.30170°N and Longitude of -94.4792°W.

Cover: **16.5 feet below the mudline at all points within the Galveston East Anchorage Area**

Water Depth: Approximately 47-50 feet

Blocks: Federal OCS Galveston Area, Blocks 144 and 143

Immediately Outside the Galveston East Anchorage Area

Description: A 10-inch pipeline continues in a northeasterly direction for 3,000 feet north of the Galveston East Anchorage Area

Cover: 16.5 feet

Water depth: Approximately 48 ft.

Blocks: Federal OCS Galveston Area Block 143 and Federal OCS High Island Area Block 105

Outside the Vicinity of the Galveston East Anchorage Area

Description: The 10-inch pipeline turns to the northwest at for a length of approximately 5.6 miles and terminates approximately 13 miles due east of Point Bolivar at an approximate Latitude of 29.60635°N and an approximate Longitude of 94.867548°W.

Cover: 3 feet minimum

Water depth: 48 feet

Blocks: Approximately 3.6 miles of the 10-inch pipeline are located in Federal OCS High Island Area Block 105 and the pipeline crosses the league line at Latitude of 29.341860°N and a Longitude of -94.499°W.

Approximately 2.0 miles of the 10-inch pipeline are located in Texas State Waters in High Island State Tract 105-L, High Island State Tract 98-L and Galveston State Tract 99-L.

PROJECT DESCRIPTION: The applicant proposes to amend by modification an existing permit to allow the decommission-in-place of 12 miles of 6-inch and 10-inch-diameter steel natural gas service pipeline, which is buried with 16.5 feet of cover over the top of the pipeline. The pipeline was authorized in 1980. Suspension of operations of the 10-inch pipeline occurred approximately 15 years ago. This pipeline was originally authorized under Department of the Army Permit 13992 in 1980. The pipeline has been filled with seawater and inhibitor and capped at both ends. The applicant's plans are enclosed in 4 sheets.

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by decommissioning the cleaned pipeline in place, rather than removing it and causing disruption of the bottom and Gulf of Mexico water column.

MITIGATION: No compensatory mitigation is proposed.

CURRENT SITE CONDITIONS: The existing pipeline is buried beneath the bottom of the Gulf of Mexico, at depths varying from 47 feet to approximately 50 feet. The pipeline has a minimum of 16.5 feet of cover within anchorage areas and 3 feet outside of anchorage areas.

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 4 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:

The project site is not located within the Texas Coastal Zone and therefore, does not require certification from the Texas Coastal Management 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 proposed work and/or structures are of such limited nature and scope that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected 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 **7 November 2016**. 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-2009-00759**, and should be submitted to:

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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS