



# Public Notice

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

**Galveston District**

Permit Application No: SWG-2021-00708

Date Issued: 6 July 2023

Comments

Due: 7 August 2023

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## 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:** HOUSTON PIPE LINE COMPANY, LLC  
1300 Main Street  
Houston, Texas 77002-6803  
POC: Kerry Asteris  
Telephone: 713-989-7472  
Email: kerry.asteris@energytransfer.com

**AGENT:** POWER ENGINEERS  
301 Main Street, Suite 2200  
Baton Rouge, Louisiana 70801-0014  
POC: Jude LeDoux  
Telephone: 337-257-0308  
Email: jude.ledoux@powereng.com

**LOCATION:** The proposed project is located in the Gulf of Mexico, approximately 3.5 miles east of Padre Island, in Kenedy County, Texas, extending into Kleberg County and Willacy County. The project site can be located on the Texas GLO Land and Lease Viewer: Submerged Original Texas Land Survey (OTS) Track 1064 through to Track 979 under easement numbers ME800158 and ME20000074.

**LATITUDE & LONGITUDE (NAD 83):**

Point of Beginning: 26.466878 North; 97.075740 West

Point of Ending: 27.373889 North; 97.336389 West

**PROJECT DESCRIPTION:** The applicant proposes to decommission-in-place the entire Padre Island Pipeline System, which includes: the 68.0-mile length of 20-inch pipeline known as PSN ME800158, the 2.2-mile length of 10-inch lateral pipeline known as PSN ME20000074, and the 0.42-mile length of 10-inch lateral pipeline known as the southern lateral. The applicant has stated that the proposed project would not result in either temporary or permanent impacts to the sea floor. The applicant states that full removal of this pipeline system would cause significant disturbance and ecological damage to the seafloor and would introduce an unnecessary safety risk to personnel involved in the removal operations. In accordance with the Bureau of Safety and Environmental Enforcement 30 CFR 250.1750, pipeline decommissioning requirements, the applicant proposes to perform the following: 1) Disconnect from the previous service platform and subsea tie-in connections; 2) Flush the lines by pigging and fill with seawater to equalize the line pressure; 3) Plug each end of the pipeline segments; and 4) Cover each end with a protective concrete mat and confirm the depth of cover.

The proposed duration for the decommissioning operations on shore within the Padre Island National Seashore are expected not to exceed 5 working days with equipment and personnel limited to a 60- x 60-foot temporary workspace.

**AVOIDANCE AND MINIMIZATION:** The applicant has stated that they would avoid and minimize environmental impacts by decommissioning the clean pipeline system in place, rather than removing it and causing disruption within the Gulf of Mexico water column and along the seafloor.

**MITIGATION:** The applicant has not proposed any form of mitigation.

**CURRENT SITE CONDITIONS:** The pipeline system is currently out-of-service and located beneath the Gulf of Mexico seafloor ranging from approximately 1.5-12 feet below the mudline at water depths ranging between approximately -92 feet to +5 feet.

**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 11 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 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.

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 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:** Threatened and/or endangered species or their critical habitat may be affected by the proposed work. Consultation with the U.S. Fish and Wildlife and/or the National Marine Fisheries Service will be initiated to assess the effect on endangered species.

**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 August 2023**. 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-2021-00708**, and should be submitted to:

Corpus Christi Field Office  
Regulatory Division, CESWG-RDR  
U.S. Army Corps of Engineers  
Galveston District  
5151 Flynn Parkway, Suite 306  
Corpus Christi, Texas 78411-4318  
361-814-5847 Phone  
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DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS