



Public Notice

**U.S. Army Corps
Of Engineers
Galveston District** Permit Application No: SWG-2021-00499
Date Issued: 24 August 2023
Comments Due: 25 September 2023

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: Venture Global CP2 LNG, LLC
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Arlington, Virginia 22209
Email: pbell@vqlng.com
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AGENT: Environmental Resources Management
POC: Alissa Ingham
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Houston, Texas 77024
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LOCATION: The pipeline segment being evaluated by the Galveston District originates east of State Highway 105 in Jasper County, Texas, and terminates at the Galveston District Border with New Orleans District, south of Starks, Louisiana, in Calcasieu Parish, Louisiana (at this point the pipeline will continue and is being evaluated by the New Orleans District). The pipeline crosses various wetlands and waterbodies in Louisiana and Texas, including the Sabine River north of Forest Heights, Texas, and other unnamed tributaries.

LATITUDE & LONGITUDE (NAD 83):

Start (Jasper Co, TX): Latitude: 30.27316 North; Longitude: -94.03610 West
 End (Calcasieu Parish, LA): Latitude: 30.27412 North; Longitude: -93.61009 West

PROJECT DESCRIPTION: The applicant proposes to place fill material into wetlands and waters of the US to construct a 26.9-mile pipeline with associated access roads, work spaces, meter stations, and interconnection points. The pipeline is proposed to carry natural gas from the origination point in Jasper County, to a proposed LNG facility located in Cameron Parish, Louisiana (the terminal is being evaluated by New Orleans District Corps). Approximately 1,086,899 cubic yards of fill material is proposed to be placed in wetlands and waters of the US to construct the Galveston District segment of the pipeline. Project impacts are noted in Table 1. To compensate for impacts to jurisdictional areas, the applicant proposes to purchase credits from three mitigation banks, as noted in Table 2.

Table 1: Project Impacts Summary

	Impacts (ac)			
	Temp	Conversion	Permanent	Total
PEM Totals	33.6	0.0	0.3	33.9
PSS Totals	17.5	1.6	0.1	19.2
PFO Totals	0.0	198.7	5.8	204.5
Total in Galveston District	51.1	200.3	6.2	257.6

PEM Totals	25.6	0.0	0.3	25.9
PSS Totals	14.0	1.2	0.1	15.3
PFO Totals	0.0	154.3	5.8	160.1
Total in TEXAS	39.6	155.5	6.2	201.3

PEM Totals	8.0	0.0	0.0	8.0
PSS Totals	3.5	0.4	0.0	3.9
PFO Totals	0.0	44.4	0.0	44.4
Total in LOUISIANA	11.5	44.8	0.0	56.3

AVOIDANCE AND MINIMIZATION: The applicant has stated that they have avoided and minimized the environmental impacts by choosing a route with the least environmental impact and minimizing the width of the pipeline right of way to the maximum extent practicable. The applicant states meter stations, temporary work spaces, and access road locations and footprints were chosen to minimize spatial impacts to wetlands and waters of the US. In addition, horizontal directional drills were selected in multiple areas to minimize impacts to jurisdictional areas. The Alternatives Analysis is enclosed as Attachment 1.

CURRENT SITE CONDITIONS: The pipeline route is proposed through largely undeveloped tracts of land with some commercial and residential developments located in proximity.

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 112 sheets.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the CWA.

MITIGATION: The applicant proposed to mitigate for the proposed impacts by purchasing credits from three mitigation banks, as noted in Table 2. Final credit purchase/FCU totals may be updated as part of the permit evaluation process.

Table 2: Compensatory Mitigation Summary, by Bank							
Bank	HUC	Impact Type	Physical (TSSW)	Biological (MPAC)	Chemical (RSEC)	Total	Credit Type
Graham Creek	12020003	Conversion	2.2	4.1	2.7	9.0	Forested
(Lower Neches, TX)		Permanent	0.9	1.2	1.1	3.2	
		Total	3.1	5.3	3.8	12.2	
Lost Creek Brake	12020005	Conversion	34.5	48.2	31.2	113.9	Riverine Forested
(Lower Sabine, TX)		Permanent	2.0	2.3	2.5	6.8	
		Total	36.5	50.5	33.7	120.7	
Total in Texas			39.6	55.8	37.5	132.9	

Phillips Creek	12020005	Conversion	6.8	11.5	8.3	26.7	Forested
(Lower Sabine, LA)		Secondary Service Area Multiplier	1.5	1.5	1.5	1.5	
Total in Louisiana			10.2	17.3	12.5	40.0	

Galveston District Total	49.8	73.1	50.0	172.9
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OTHER AGENCY AUTHORIZATIONS:

For the pipeline segment located in the State of Texas: The project site is not located within the Texas Coastal Zone. Therefore, it does not require certification from the Texas Coastal Management Program.

The proposed project will trigger review under Section 401 of the Clean Water Act (CWA). The Texas Railroad Commission (TXRRC) will review their application for the segments of the pipeline that are within the State of Texas 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 contacted the TXRRC and initiated the Section 401 CWA process, on 5 May 2023. 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>.

For the pipeline segment located in the State of Louisiana: The portion of the pipeline being evaluated by the Galveston District is not located within the Louisiana Coastal Zone and therefore, does not require State of Louisiana Coastal Zone Management Consistency.

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 Clean Water Act 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 Clean Water Act. 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.

LEAD FEDERAL AGENCY: The Federal Energy Regulatory Commission (FERC) has prepared an Environmental Impact Statement (EIS) for the proposed LNG terminal and pipeline. The terminal facilities are located in Cameron Parish, Louisiana. The proposed pipeline originates in Jasper County, Texas and terminates at the terminal site in Cameron Parish, Louisiana. The FERC published the Draft EIS in January of 2023 and the Final EIS in July of 2023, under Docket numbers CP22-21-000 and CP22-22-000. Information regarding the FERC FEIS can be found on their website at: [eLibrary | File List \(ferc.gov\)](#). Information filed on the FERC Docket may be obtained by searching the FERC Docket numbers at: [eLibrary | General search \(ferc.gov\)](#). As the lead federal agency, the FERC is responsible for complying with Section 7 of the Endangered Species Act, National Historic Preservation Act, and Magnuson-Stevens Fishery Conservation and Management Act. As such, please direct all comments, questions, or concerns regarding these Acts to the FERC.

The Corps is acting as a cooperating agency on the preparation of the EIS with FERC. The New Orleans District is the Lead Corps District, and is evaluating the proposed terminal site located in Cameron Parish, and the pipeline segment that extends from to terminal site to their District Boundary with the Galveston District Corps in Calcasieu Parish. The New Orleans District file number is MVN-2021-00560-WQQ. Their public notice can be found at: [New Orleans District > Missions > Regulatory > Public Notices \(army.mil\)](#).

The Galveston District Corps is evaluating the proposed pipeline segment extending from Calcasieu Parish, at their District Boundary, into Newton and Jasper Counties, in Texas. The Galveston District file number is SWG-2021-00499.

NATIONAL REGISTER OF HISTORIC PLACES: As the lead federal agency, the FERC is responsible for complying with the National Historic Preservation Act (NHPA). As part of Galveston District's permit evaluation, our staff archaeologist has reviewed the documentation provided by the applicant related to Cultural Resources and the FERC FEIS, and has determined that the proposed project has the potential to affect historic properties if present. The permit applicant will need to conduct an archeological survey of the permit areas. The FERC is the lead federal agency for this project and is responsible for completing all Section 106 consultation. In addition, the proposed project has the potential to affect resources of interest to the Native American Tribes who have an interest in the project area. FERC is the lead federal agency for this project and is responsible for completing all project coordination and consultation with the Native American Tribes.

Information regarding compliance with NHPA is available in the FERC FEIS, dated July 2023, in Section 4.11. Consultation and surveys are ongoing. In the FEIS, FERC has recommended that construction may not begin until consultation is complete. Please direct all comments, questions, or concerns regarding NHPA to the FERC.

THREATENED AND ENDANGERED SPECIES: As the lead federal agency, the FERC is responsible for complying with Section 7 of the Endangered Species Act. FERC entered into formal Section 7 consultation with Fish and Wildlife Services offices in Louisiana and Texas in March of 2023. No species under National Marine Fisheries jurisdiction will be impacted in the segment of the pipeline within the Galveston District. Information regarding consultation is available in the FERC FEIS, dated July 2023, in Section 4.8. Consultation is ongoing. Construction may not begin until consultation is complete. Please direct all comments, questions, or concerns regarding Section 7 to the FERC.

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 **25 September 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-2021-00499**, and should be submitted to:

Policy Analysis Branch
Regulatory Division, CESWG-RDP
U.S. Army Corps of Engineers
Galveston District
2000 Fort Point Road
Galveston, Texas 77550
409-766-3869 Phone
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DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS