



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

Regional Planning and
Environmental Division South
Environmental Compliance Branch

MAY 20 2016

PUBLIC NOTICE
REQUEST FOR PERMISSION TO ALTER U.S. ARMY CORPS OF ENGINEERS
PROJECTS PURSUANT TO 33 U.S.C. SECTION 408

PUBLIC NOTICE/FILE NUMBER: 14-2121

Interested parties are hereby notified that a request for permission to alter U.S. Army Corps of Engineers (USACE) projects pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408) has been received and will be evaluated by the New Orleans District. Written comments, including any objections to the proposed alteration, stating reasons therefor, are being solicited from anyone having an interest in the requested alteration. Comments must be mailed or emailed by or before the last day of the comment period and must reference the file number of this public notice. Comments will become part of the record and will be considered in the decision on the request. See below for contact information and address.

COMMENT PERIOD EXPIRES: June 6, 2016

REQUESTED ALTERATION: Maurepas Pipeline, LLC has requested permission to construct and operate three separate 6-inch, 16-inch and 24-inch pipelines, carrying crude oil, intermediates, and products, across the east bank and west bank Mississippi River Levees (MRL) and Mississippi River navigation channel near Convent in St. James Parish, and the Bonnet Carré Spillway, including the upper and lower guide levees and interior lands of the Spillway, in St. Charles Parish. In St. James Parish, the proposed 24-inch crude oil pipeline would be horizontally directionally drilled under both the existing east and west bank MRL and under the Mississippi River near river mile 159 and continue heading northeast. In St. Charles Parish, all three pipelines would be situated within a single pipeline corridor north of U.S. Highway 61 crossing through the Bonnet Carré Spillway. The proposed pipeline corridor would cross over the existing spillway upper guide levee and then be buried throughout the interior portion of the spillway and exit crossing over the existing spillway lower guide levee continuing southeast towards Norco, Louisiana. The temporary construction right-of-way would vary between 65 feet wide in urbanized areas and 110 feet where all three pipelines would be collocated in forested wetlands.

The attached drawings provide the location of the proposed alterations.

REQUESTER: Maurepas Pipeline, LLC, c/o QPS Engineering, LLC, Attn: Dennis A. McAfee Jr., 25227 Grogans Mill Road, Suite 110, The Woodlands, Texas 77380.

PERMISSION AUTHORITY: The authority to grant permission for temporary or permanent use, occupation or alteration of any USACE civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 USC 408 ("Section 408"). Section 408 authorizes the Secretary of the Army to grant permission for the alteration or occupation or use of a USACE project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project.

ADDITIONAL INFORMATION: Maurepas Pipeline, LLC proposes to construct and operate the three separate 6-inch, 16-inch, and 24-inch pipelines to transport crude oil, intermediates, and products across Ascension, St. James, St. John the Baptist, and St. Charles Parishes, Louisiana. The three proposed pipelines would transport materials between St. James, Burnside, and Norco, Louisiana. The proposed 6-inch intermediates and 16-inch products pipelines would be collocated for approximately 35 miles in length between Burnside and Norco. The 24-inch crude oil pipeline, approximately 34 miles in length, would be collocated adjacent to the intermediates and products pipelines for approximately 24 miles and would transport crude oil from St. James to Norco. Maurepas Pipeline, LLC has submitted a Clean Water Act Section 404 and Rivers and Harbors Act Section 10 permit application to USACE requesting authorization for those portions of the project within USACE Section 404/10 jurisdictional areas. A Joint Public Notice for that permit application was issued on June 8, 2015 (MVN 2014-02121-CM). The evaluation of the Section 404/10 permit application is a separate process from the evaluation of the request for permission to alter a USACE project. This Public Notice solicits comments only on the proposed alteration of the USACE project.

LOCATION OF PROPOSED ACTION: In St. James Parish, the proposed 24-inch crude oil pipeline would be horizontally directionally drilled under both the existing east and west bank MRL and under the Mississippi River navigation channel near Convent, Louisiana. In St. Charles Parish, all three pipelines would be situated within a single pipeline corridor approximately 1-mile north of U.S. Highway 61 crossing under the interior portion of the Bonnet Carré Spillway and over the guide levees.

WRITTEN COMMENTS MAY BE MAILED TO:

Department of the Army
Corps of Engineers, New Orleans District
CEMVN-PDC
ATTN: Mark Lahare
P.O. Box 60267
New Orleans, Louisiana 70160-0267

WRITTEN COMMENTS MAY BE EMAILED TO: Mark.H.Lahare@usace.army.mil

ALL comments must contain the full name and address of the individual commenting and must be mailed and/or emailed by the expiration of the public notice period.

EVALUATION: This request will be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-216, which provides policy and procedural guidance for processing requests to alter US Army Corps of Engineers civil works projects.

The decision whether to grant permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

- 1) Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs. If USACE determines that the usefulness of the authorized project would be impaired, the request will be denied.
- 2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.
- 3) Environmental Compliance. A decision on a Section 408 request is a Federal action and is subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. USACE is preparing an Environmental Assessment to evaluate the potential impacts of the proposed alteration on important resources and whether the proposed alteration would be injurious to the public interest and/or would impair the usefulness of the authorized project. Comments received on this public notice will be used in the evaluation. The EA will not be published for public comment as this notice fulfills NEPA

requirements for public participation. Any comments regarding the proposed alteration should be submitted during the current public comment period.

- 4) While ensuring environmental compliance is the responsibility of USACE, the requester is responsible for providing all information that USACE identifies as necessary. Environmental compliance requirements that will be considered in this evaluation include but are not limited to the following:
 - a. A review of the proposed action under Section 7 of the Endangered Species Act indicates that there will be “no effect” to any listed species or to any designated critical habitat.
 - b. The applicant will be required to provide proof of a coastal use permit and USACE will make a determination whether the proposed action is consistent, to the maximum extent practicable, with the Coastal Zone Management Act.
 - c. The applicant will be required to provide water quality certification in compliance with Section 401 of the Clean Water Act from the Louisiana Department of Environmental Quality.
 - d. Compliance with Clean Water Act, Section 404(b)(1) guidelines, as well as Section 10 of the Rivers and Harbors Act will be evaluated through the Section 404/10 permit application process (MVN 2014-02121-CM). EC 1165-2-216 specifies that Section 408 requests be evaluated independent of the Section 404/10 permit evaluations.
 - e. With implementation of the proposed action, no historic or cultural resources will be affected. A determination of “no historic properties affected” is currently being coordinated with the Louisiana SHPO and federally recognized Tribes. The Section 408 evaluation would not be finalized until coordination has been completed.

All factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project. The review will consider whether the proposed alteration would be injurious to the public interest and its potential impact to the usefulness of the Federal project. Policy and legal compliance will also be considered.

USACE is soliciting comments from Federal, state and local agencies, Indian tribes, and other interested parties to evaluate the potential impacts of the proposed alteration. Comments will be considered to assess impacts on the public interest factors listed above, as well as endangered species, historic properties, water quality, and general environmental effects. Comments will be used in the preparation of environmental compliance documentation as required by NEPA.

COORDINATION: This public notice will be coordinated with the relevant State, Federal and Tribal entities as appropriate.

Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

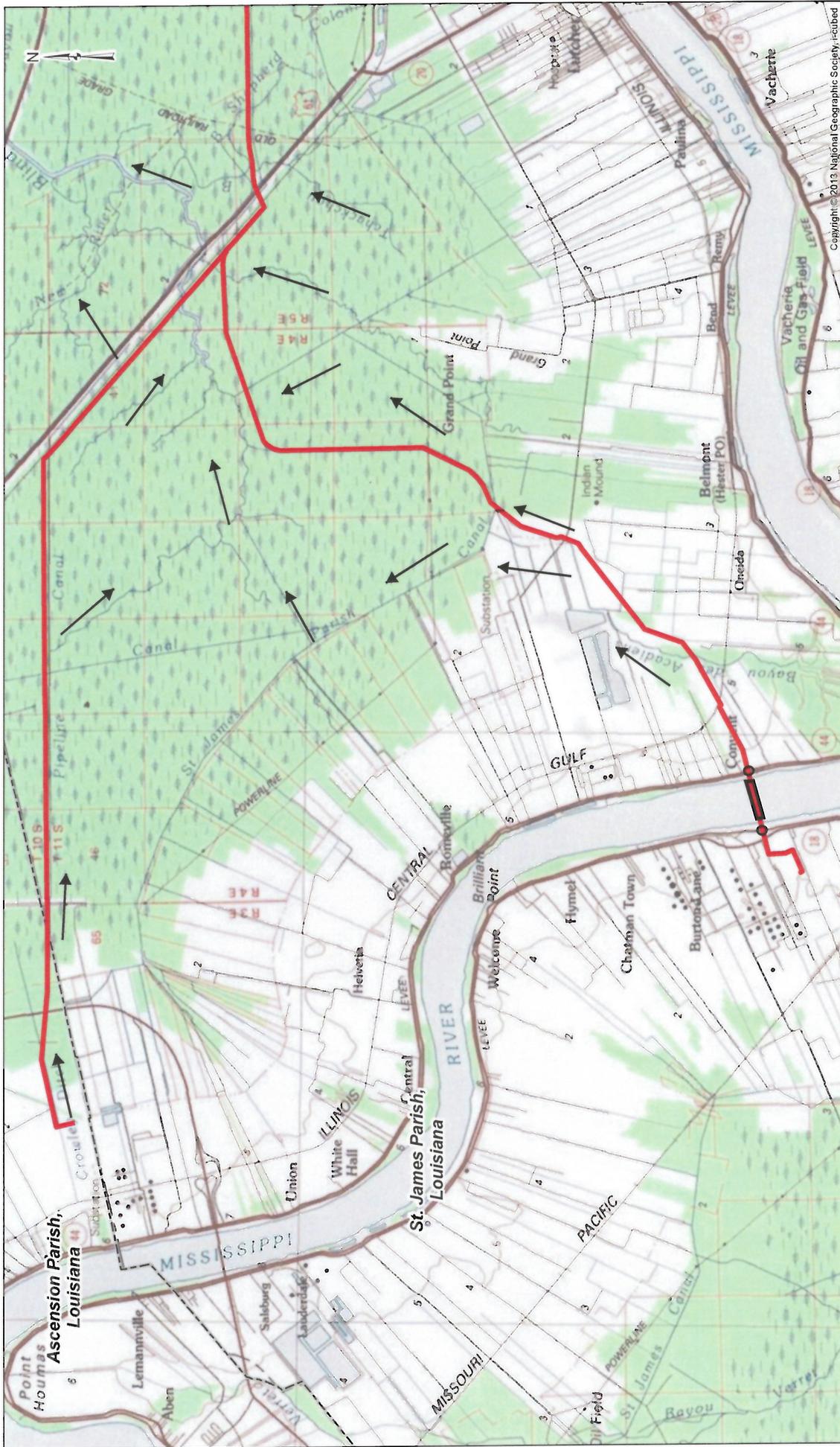
If you have any questions, please contact Mark Lahare, Environmental Manager, by telephone at 504-862-1344 or via email at Mark.H.Lahare@usace.army.mil.

FOR THE DISTRICT COMMANDER:

A handwritten signature in blue ink that reads "Joan M. Exonieris for". The signature is written in a cursive style.

Sandra E. Stiles
Acting Chief, Environmental Planning
Branch

Enclosures

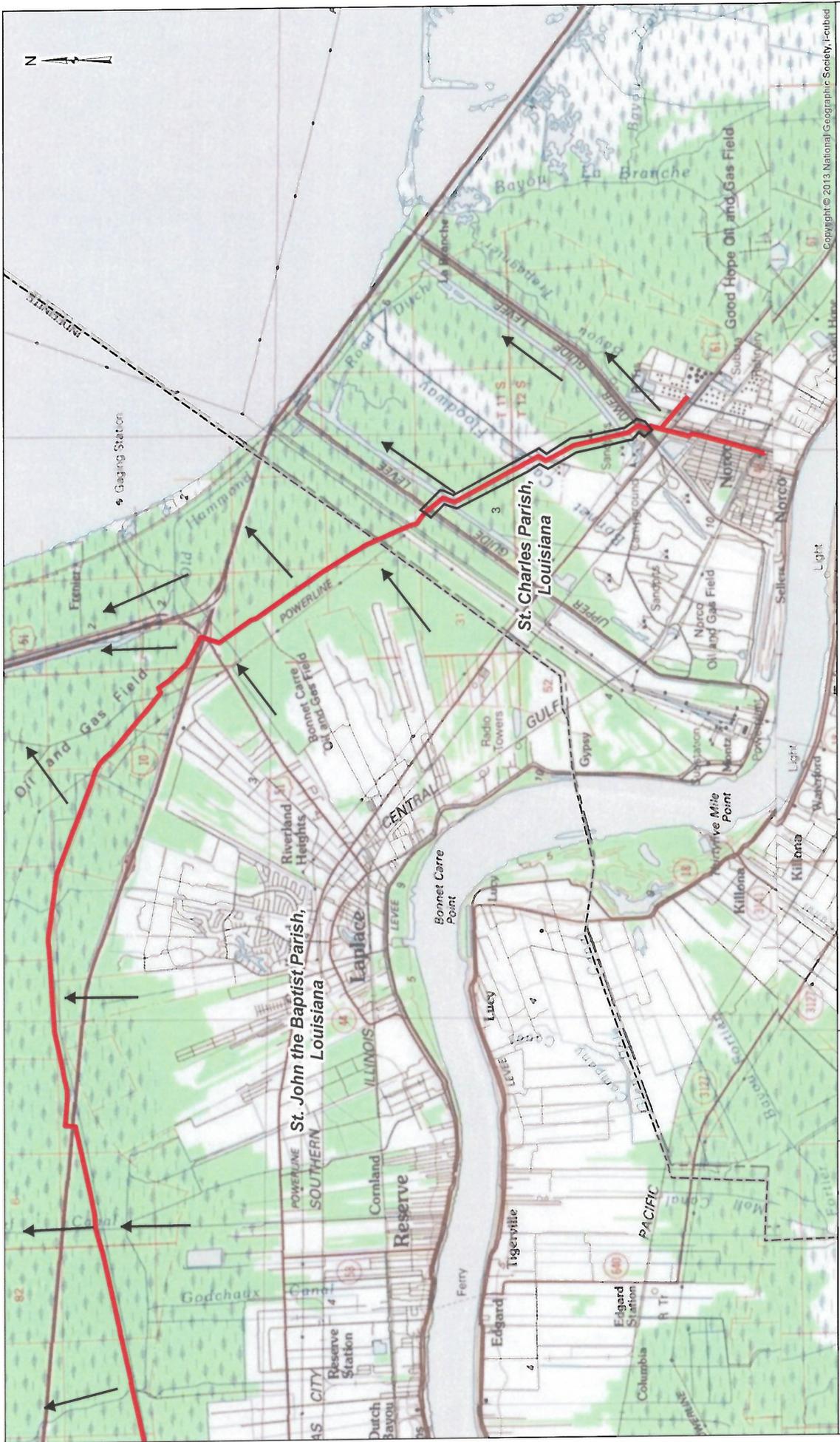


Copyright © 2013 National Geographic Society. All rights reserved.

Legend:

- Proposed Levee
- Parish Boundary
- Water Flow Direction
- USACE Federal Project - Mississippi River Levee
- USACE Federal Project - Mississippi River

0 2,000 4,000 Feet



Copyright © 2013 National Geographic Society. Licensed

Legend:

- Proposed Pipelines
- Parish Boundary
- Water Flow Direction
- USACE Federal Project - Bonnet Carré Spillway

0 2,000 4,000 Feet