

SEP 30 2004

JOINT PUBLIC NOTICE
October 5, 2004*

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT
CORPS OF ENGINEERS
REGULATORY FUNCTIONS
BRANCH
PO BOX 60267
NEW ORLEANS, LA 70160
Phone: (504) 862-2250
Fax: (504) 862-2117

COE REVIEWER:
James Barlow

COE NUMBER:
WAA-20-020-3266

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL SERVICES
PO BOX 4313
BATON ROUGE, LA 70821-4313

Phone: (225) 219-3020
Fax: (225) 219-3469

DEQ REVIEWER:
Win Webb

WQC NUMBER:
WW 040922-02

STATE OF LOUISIANA
DEPARTMENT OF NATURAL
RESOURCES
COASTAL MANAGEMENT DIVISION
PO BOX 44487
BATON ROUGE, LA 70804-4487

Phone: (225) 342-6140
Fax: (225) 342-6760

CMD REVIEWER:
Chris Davis

CUP NUMBER:
P20020932 (Revised)

Interested parties are hereby notified that the Coastal Management Division of the Department of Natural Resources has received the following application for a Coastal Use Permit in accordance with the State and Local Coastal Resources Management Act of 1978, as amended, (Louisiana R.S. 49, Sections 214.21-214.41), and the rules and regulations of the Coastal Resources Program.

Additionally, interested parties are hereby notified that an application has been received by the District Engineer for a Department of the Army permit to authorize the following pursuant to: Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344), Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403).

Application has also been made to the Louisiana Department of Environmental Quality, Office of Environmental Services for a Water Quality Certification in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and Provisions of Section 401 of the Clean Water Act (P.,O. 95-217).

NAME: Cameron LNG, LLC; c/o John Chance Land Surveys, Inc.; Attn: Jude Comeaux; 200 Dulles Drive; Lafayette, LA 70506;

LOCATION: Cameron, Calcasieu, & Beauregard Parishes, LA: Terminal location - Lat. 30°02'14"N, Long. 93°20'11"W; Sections 1 & 2, T12S-R10W and Sections 43 & 44, T12S-R9W; Calcasieu Ship Channel; Pipeline POB - Lat. 30°02'19.037"N, Long. 93°20'21.749"W, POE - Lat. 30°26'03.164"N, Long. 93°13'40.997"W. The proposed pipeline begins in *Cameron Parish* in T12S-R9W, Section 43 & 44 and traverses west to T12S-R10W, Sections 1 & 12. The ROW continues through *Calcasieu Parish* (which is out of the Coastal Zone), T11S-R10W, and travels northwesterly through Sections 36, 35, 34, & 33. The ROW then turns heading in a northerly direction and continues through Sections 28, 21, 16, 9, & 4; through T10S-R10W, Sections 33, 28, 21, 16, 9, & 4; through T9S-R10W, Sections 33, 32, 28, 21, 16, 9, & 4. The ROW then heads in a northeasterly direction and continues through T8S-R10W, Sections 33, 34, 27, 26, 25, 24, & 23; through T8S-R9W, Sections 19, 18, 17, 8, 9, 4, & 3. The ROW continues through *Beauregard Parish* in T7S-R9W, Sections 34, 26, 27, and 25; through T7S-R8W, Section 30. The project ends at T7S-R8W, Section 19.

DESCRIPTION: The permit for this activity was originally issued on February 20, 2004 by DNR/CMD. The impacts have been reduced from 54.91 to 38.33 acres of intermediate marsh. The applicant is modifying the design of its port facilities to enhance operational safety, improve the ability to perform an emergency departure, and accommodate berthing of the next generation of LNG tankers. (Revision) Marine Terminal Facility Layout (dredge area, adding a turning basin, increasing the distances between ships, increasing the distance between the ship and channel from 160' to 250', increasing the departure angle, expanding the ship berthing capability from 1,020' to 1,130' in length), Adding additional spoil depositional areas to accommodate increased dredge material volumes, the relocation of approximately 1,772' of a 4-inch Hilcorp Energy Corp flowline that transversed through the terminal, and the relocation of 7,023' of a 6-inch Hilcorp Energy Corp Pipeline that also transversed through the terminal. The existing 4-inch flowline will be abandoned in place, and portions of the 6-inch pipeline will be abandoned in place, however the exact locations will not be known until construction commences. The proposed 6-inch Hilcorp Energy Corp pipeline will be directionally drilled across the Calcasieu Ship Channel, and will have a minimum of 15' of cover beneath the Calcasieu Ship Channel. Due to the complexity and magnitude of the proposed project, we have highlighted only the amendments in the forgoing information.

Cameron LNG, LLC proposes to construct an LNG Terminal Facility and 35.7 miles of a 36-inch natural gas pipeline. The site of the proposed LNG Terminal measures approximately 3,000' on the northside of an abandoned US DOA COE spoil disposal cell, approximately 1,481' on the westside along LA Hwy 27, approximately 2,550' on the southside abutting existing marsh and an active oil and gas field, and approximately 2,990' on the eastside along the Calcasieu Ship Cannel. Portions of the proposed site of the LNG Terminal currently serve an existing LPG Terminal Facility that will be dismantled to accommodate the LNG Terminal Facility. At the site of the proposed LNG Terminal Facility the following is a general overview of the facilities that will be constructed and installed; an LNG unloading slip with two jetties, each equipped with three liquid unloading arms and one vapor return/delivery arm; three LNG storage tanks each with a usable volume of 1,006,000 barrels; processing equipment; flare tower with guy wires and anchor pads; in plant piping; several ancillary structures; roads and parking areas. Access to the LNG Terminal Facility will be via an existing entrance way abutting LA Hwy 27, along with two new entrance ways abutting LA Hwy 27 on the south end of the facility. The LNG Terminal Facility will need to have fill material hauled in from an upland area, which will serve as the foundation pad for the facility, and when completed the final grade will be at +/- 5' to 9' elevation.

At the LNG Terminal Facility site a marine terminal slip area will need to be dredged to a -45' MSL to accommodate two LNG unloading jetties. The proposed slip measures approximately 750' by 1,300'. The sides of the slip will be sheet piled along the edge of the marine terminal area. Four breasting dolphins will be provided at each jetty, consisting of reinforced concrete structures on piles. The breasting dolphins will be equipped with fenders suitable to safely berth and moor various vessel sizes. Access bridges will be provided at each jetty to connect each breasting dolphin to a lower platform and to the mooring areas. Six mooring points will be provided at each jetty, each consisting of reinforced concrete slabs supported on piles. The slabs will measure approximately 40' long by 34' wide. Additionally, a navigation warning light will be installed on the end of each of the eastern most mooring point of the north berth and south berth.

Spoil material dredged from the existing slip and the adjoining marsh will be disposed of at one or a combination of thirteen possible proposed spoil depositional areas that have been identified for preliminary consideration. At the proposed spoil depositional area(s) which are ultimately selected the spoil material dredged from the marine terminal slip area will be discharged in a manner that is conducive to the establishment of palustrine emergent marsh habitat. Most of the thirteen proposed spoil depositional areas have been selected in coordination with the regulatory agencies. The permit drawings reflect the access corridor(s) for the transfer lines, which will be used to pump the dredge material from the marine terminal slip area to the spoil depositional area(s). The transfer line will only be temporary and will be removed once the dredging has been completed. According to preliminary surveying and engineering calculations approximately 1,294 acres of spoil depositional area(s) will be created.

The proposed LNG Terminal Facility will impact a total of 143.52 acres. The total intermediate marsh wetland acreage is calculated 38.33 acres and the fresh marsh wetland acreage is 6.19 acres, this leaves 49.11 acres as open water, 14.45 acres of uplands improved, 13.85 acres of upland spoil cell and 21.59 acres of upland spoil cell stockpile associated with the existing improvements and infrastructure. The 6.19 acres of freshwater marsh is not included in the total wetland impact, since this area may not be considered jurisdictional wetlands by the US DOA COE, and may be considered an upland impoundment by the LA DNR CMD.

The proposed 36-inch natural gas pipeline will begin just within the LNG Terminal Facility, and will traverse 35.7 miles through Cameron, Calcasieu, and Beauregard Parishes, Louisiana, where it will terminate at an existing Williams Company compressor station. The proposed 36-inch pipeline will parallel existing utilities, and other rights-of-way for a total of about 13.9 miles of the 35.7 miles. The proposed pipeline will cross the Gulf Intracoastal Waterway, Bayou Choupique, the Houston River Canal (Sabine River Authority Canal), the Houston River, Beckwith Creek and Hickory Branch. All of the aforementioned waterways will be horizontal directional drilled in order to avoid impacting the waterway. A 50' permanent right-of-way will be maintained for operation and maintenance of the pipeline. Within designated wetland areas a 75' wide construction right-of-way will be used of which 50' will be permanent. Above ground facilities will be located within the new permanent right-of-way, including main line valves, pig launchers and receivers.

The proposed pipeline will be trenched a minimum of 3' below the ground, and a minimum of 5' below the waterbottoms of any ditches, and sloughs. The pipeline trench will be excavated utilizing amphibious marsh trackhoes and conventional trackhoes to a -6.5' to allow for 3' of cover, with a trench width of about 12.5' in stable soils, and up to 20' wide in sandy/organic soils. Spoil material excavated from the pipeline trench will be temporarily sidecast on the right-of-way, and will be returned to the ditch upon installation of the pipeline. Upon completion of the pipeline installation the right-of-way will be returned to pre-project contours, and elevations. It is not planned that any excise fill material will need to be hauled off, as a result of the installation of the pipeline. At the waterway crossing the horizontal directional drilling will provide sufficient cover to meet and exceed the nominal depth of cover. The permit drawings further detail the horizontal

directional drilling plans at each waterway. Additionally, the permit drawings further detail the temporary workspaces, which may extend beyond the 100' wide construction right-of-way.

The total wetland acreage is calculated at 125.8 acres, palustrine emergent wetlands are calculated to be 40.58 acres, forested wetlands are calculated to be 39.84 acres, palustrine emergent/scrub-shrub wetlands are calculated to be 24.05 acres, forested/scrub/shrub wetlands are calculated to be 13.204 acres, palustrine scrub-shrub wetlands are calculated to be 7.7 acres, and forested/emergent wetlands are calculated to be 0.42

Approximately 1375 acres of Essential Fish Habitat utilized by various life stages of red drum and penaeid shrimp would be altered or destroyed by this project. This information is provided to initiate federal consultation requirements pertaining to Essential Fish Habitat (EFH) under the Magnuson-Stevens Fishery Conservation and Management Act.

*This date represents the beginning date of the Corps of Engineers public notice period. The official date of the beginning of the public comment period for Coastal Use Permit and Water Quality Certification applications begins on the date of publication of the notice in the official state journal (The Advocate), in accordance with the Rules and Procedures for Coastal Use Permits, §723.C.5.c. The Coastal Management Division will inform interested parties of the exact date of publication on request.

**Habitat impacts are based on available in-house data and may not represent actual conditions. Field reconnaissance may be required to verify extent of impacts.

THE APPLICANT MUST SECURE A STATE COASTAL USE PERMIT PLUS A DEPARTMENT OF THE ARMY PERMIT OR A GENERAL PERMIT AUTHORIZATION FROM THE CORPS OF ENGINEERS. INDEPENDENT EVALUATIONS AND DECISIONS WILL BE MADE BY THE COASTAL MANAGEMENT DIVISION AND THE CORPS OF ENGINEERS.

State of Louisiana Coastal Use Permit Criteria

Plans for the proposed work are now on file and may be inspected at the office of the Coastal Management Division, Department of Natural Resources, State Land and Natural Resources Building, 617 North 3rd Street, Room 1048, Baton Rouge, Louisiana. Written comments, including suggestions for modifications or objections to the proposed work and stating the reasons thereof, are being solicited from anyone having an interest in this permit request. Comments to the State of Louisiana, Coastal Management Division must be received within 25 days of the date of official journal publication of this notice. Comments may be faxed to us at (225) 342-9439 or may be emailed to us at the email address listed above. All comment letters should contain both the applicant's name and the appropriate application number and should be mailed to the Coastal Management Division, Louisiana Department of Natural Resources, P.O. Box 44487, Capitol Station, Baton Rouge, Louisiana 70804-4487.

The decision on whether or not to issue a Coastal Use Permit will be based on an evaluation of the probable impacts of the proposed activity in accordance with the state policies outlined in R.S. 49:214.22. The decision will reflect the national concern for both protection and utilization of important resources. The decision must be consistent with the state program and approved local programs for affected parishes and must represent an appropriate balancing of social, environmental and economic factors. All factors which may be relevant to the proposal will be considered; among these are flood and storm hazards, water quality, water supply, feasible alternative sites, drainage patterns, historical sites, economics, public and private benefits, coastal water dependency, impacts on natural features, compatibility with the natural and culture setting and the extent of long term benefits or adverse impacts.

Certification that the proposed activity will not violate applicable water and air quality laws, standards and regulations will be required before a permit is issued.

State of Louisiana Water Quality Certification Criteria

In accordance with the Joint Public Notice Agreement between Coastal Management Division and the Office of Water Resources, notice is hereby given that the applicant has applied to the Louisiana Department of Environmental Quality, Office of Environmental Services for a Water Quality Certification in accordance with statutory authority contained in the Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and provision of Section 401 of the Clean Water Act (P.L. 95-217).

Comments concerning this application can be filed with the Office of Environmental Services within ten days of this notice to the following address: Louisiana Department of Environmental Quality, Office of Environmental Services P.O. Box 82135, Baton Rouge, Louisiana 70884.

Additional information is on file with the above office, 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 publication of this notice.

Corps of Engineers Federal Permit Criteria

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 including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers 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 of Engineers 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 other factors which may be relevant to the proposal.

public interest of the proposed activity. Comments to the Corps of Engineers must be received up to and including 30 days from the date of the public notice and must be addressed to the Regulatory Functions Branch, U.S. Army Corps of Engineers, Post Office Box 60267, New Orleans, LA 70160-0267. All comment letters should contain both the applicant's name and the application number.

This notice initiates the Essential Fish Habitat (EFH) 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 EFH 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 and coordination with the National Marine Fisheries Service.

No properties listed in the National Register of Historic Places are near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archaeological, scientific, prehistorical, or historical sites or data. Copies of this notice are being sent to the State Archaeologist and the State Historic Preservation Officer.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Department of Interior nor affect any habitat designated as critical to the survival and recovery of any endangered species.

The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant receives approval or waiver of the Coastal Use Permit by the Department of Natural Resources.

If the proposed work involves deposits of dredged or fill material into waters of the United States, the evaluation of the probable impacts will include the application guidelines established by the Administrator of the Environmental Protection Agency. Certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, Office of Environmental Services before a permit is issued.

You are requested to communicate the information contained in this letter to any other parties whom you deem likely to have interest in this matter.

Public Hearings

Any person may request, in writing, within the comment period specified in this notice, that a State or Federal public hearing be held to consider this application. Request for public hearings shall state, with particularity, the reasons for holding a public hearing.