

DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT 7400 LEAKE AVENUE NEW ORLEANS LA 70118-3651

PUBLIC NOTICE

February 13, 2023

United States Army Corps of Engineers New Orleans District Attn: Regulatory Division, RGW 7400 Leake Ave. New Orleans, Louisiana 70118-3651

Project Manager: Johnny J. Duplantis (504) 862-2548 johnny.j.duplantis@usace.army.mil Application #: MVN-2022-01059-WPP

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the U.S. Army Corps of Engineers pursuant to: [X] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or [] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

INSTALLATION OF OIL EXPORT PIPELINE IN THE GULF OF MEXICO

NAME OF APPLICANT: Manta Ray Gathering Company, LLC, 919 Milam Street, Suite 210, Houston, Texas 77002.

LOCATION OF WORK: Located in the Gulf or Mexico, Outer Continental Shelf, Louisiana, Point of Beginning latitude 26.88628, longitude -91.567608, Point of Ending latitude 27.9231339, longitude -91.553897, as shown within the enclosed drawings.

<u>CHARACTER OF WORK</u>: The installation of approximately 105.26 statute miles of 20-inch diameter oil export pipeline. The proposed pipeline would begin in the Walker Ridge Area, Block 52, and would terminate in the Garden Banks Area, Block 72. The proposed project does not include a discharge of fill material into waters of the US and/or include any wetland impacts or effects to special aquatic sites. The applicant has not proposed to provide compensatory mitigation, as there are no plans to impact wetlands resources through project construction.

The comment period on the requested Department of the Army Permit will close **15 days** from the date of this public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit request, and must be submitted so as to be received before or by the last day of the comment period. Letters and/or

comments concerning the subject permit application must reference the Applicant's Name and the Permit Application Number and can be <u>preferably</u> emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, <u>ATTENTION: REGULATORY DIVISION, RGW, Johnny Duplantis</u>. Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment must be specific and substantively supportive of the requested extension and received by this office prior to the end of the initial comment period. The Branch Chief will review the request and the requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and will not exceed a total of 30 calendar days.

Corps of Engineers 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 benefit 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 U.S. Army 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 U.S. Army Corps of Engineers to determine whether to make, 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 public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement 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.

The New Orleans District is unaware of properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Copies of this public notice are being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species. Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project would have no effect to any listed species.

Our initial finding is that the proposed work would have no effect on any species listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any such species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal may result in the destruction, alteration, and/or disturbance of <u>0</u> acres of EFH utilized by various life stages of red drum and penaeid shrimp. 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 by and coordination with the National Marine Fisheries Service.

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

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

Darrell S. Barbara Chief, Western Evaluation Branch Regulatory Division

Enclosure





































































































