



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

## JOINT PUBLIC NOTICE

June 29, 2020

United States Army Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Avenue  
New Orleans, Louisiana 70118-3651

(504) 862-1879  
Project Manager  
James W. Little, Jr.  
james.little@usace.army.mil  
Permit Application Number  
MVN-2018-1417-WII

State of Louisiana  
Department of Environmental Quality  
Office of Environmental Services  
Attn: Water Quality Certifications  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(225) 219-3225  
Project Manager  
Elizabeth Hill  
elizabeth.hill@la.gov  
WQC Application Number  
WQC 200610-01

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 [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

Application has also been made to the Louisiana Department of Environmental Quality, Office of Environmental Services for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act (P.L. 95-17).

### **PROPOSED NATURAL GAS PIPELINE IN RED RIVER, DESOTO, SABINE, VERNON, BEAUREGARD, AND CALCASIEU PARISHES**

**NAME OF APPLICANT:** Enable Gulf Run Transmission, LLC, c/o SWCA Environmental Consultants, Attn: Mr. Scott Urwick, 10245 West Little York Road, Suite 600, Houston, Texas 77040

**LOCATION OF WORK:** The proposed 134-mile pipeline project is located within the Fort Worth, Vicksburg, New Orleans, and Galveston Districts, and begins at Lat. 32.198337, Long. -93.484174 in Red River Parish and terminates at Lat. 30.360089, Long. -93.605041 in Calcasieu Parish, Louisiana, as shown in the attached drawings.

**CHARACTER OF WORK:** The applicant has requested Department of the Army authorization to install and operate a 42-inch diameter natural gas transmission pipeline approximately 134 miles in length. The pipeline facilities include the proposed 134 mainline

section beginning at Westdale, Louisiana and terminating near Starks, Louisiana. The project also involves the construction of seven mainline valves, a pig trap, and meter station along the pipeline route. The project activities include clearing the right-of-way, conducting trenching operations, installing various above and below ground pipelines and components, installing aboveground facilities, temporarily stockpiling materials, and performing horizontal directional drilling (HDD) operations. Following construction, areas temporarily impacted by the project will be restored to pre-construction grade and allowed to revegetate to their pre-existing habitat conditions.

The proposed project will temporarily impact approximately 37.58 acres of jurisdictional wetlands, of which 8.37 acres are emergent wetlands, 27.70 acres are bottomland hardwoods, 0.11 of an acre is cypress/tupelo gum swamp, and 1.40 acres are scrub-shrub wetlands. In addition, approximately 11.73 acres of jurisdictional wetlands, of which 11.49 acres are bottomland hardwoods, 0.05 of an acre is cypress/tupelo gum swamp and 0.19 of an acre is scrub-shrub wetlands, will be permanently converted to maintained non-forested wetlands within the pipeline right-of-way. The project will result in no permanent loss of wetlands or waters. To install the pipeline, approximately 47,805.62 cubic yards of native soils will be excavated, temporarily side-cast, and backfilled over the pipeline after it is constructed and placed back into the trench. The area will be returned to pre-construction contours. Construction of the seven mainline valves, a pig trap, and meter station located along the pipeline will not result in the placement of fill in jurisdictional wetlands or other waters of the U.S.

The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable by co-locating the proposed route with existing rights-of-way, utilizing HDDs, reducing the construction footprint to 75 feet in wetlands, and maximizing the use of existing access roads. The applicant proposes to offset unavoidable wetland impacts by purchasing mitigation credits from Corps-approved mitigation banks within the Fort Worth, Vicksburg, New Orleans, and Galveston Districts, should a Department of the Army permit be granted.

While the subject project falls within the jurisdictional boundaries of four U.S. Army Corps of Engineers (USACE) Districts, the proposed project in its entirety will be processed and reviewed by the USACE, N.O. District, along with maintained coordination and acquisition of any essential determinations and information from the relevant Districts. Additionally, the Federal Energy Regulatory Commission (FERC) is considered the lead federal agency on the review of the Gulf Run Pipeline Project, with the USACE N.O. District as a cooperating agency.

The comment period on the Department of Army permit request and the Louisiana Department of Environmental Quality - Water Quality Certification (WQC) will close in **20 days** from the date of this joint public notice. Written or emailed comments, including suggestions for modification or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit request and must be sent so as to be received before or by the last day of the comment period. Letters and/or comments concerning this USACE permit application must reference the applicant's name and the Permit Application Number, and preferably be emailed to the USACE project manager listed above, or mailed to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH**. Individuals or

parties may request an extension of time in which to comment on the proposed work by writing or emailing the USACE Project Manager listed above. Any requests 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 Section Chief will review the request and the requester will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous to the initial comment period and, inclusive of the initial comment period, will not exceed a total of 30 calendar days. Similar letters and/or comments concerning the state Water Quality Certification must reference the applicant's name and the WQC Application number and be mailed to the Louisiana Department of Environmental Quality (LDEQ) at the address above. The application for the proposed project is on file with the LDEQ and may be examined during weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction.

### **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 USACE 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 applicant has conducted Phase I cultural resource investigations in compliance with Section 106 of the National Historic Preservation Act and guidelines set forth by the Louisiana Division of Archaeology, State Historic Preservation Office (LDOA, SHPO) to identify cultural resource sites within the project footprint and to assess any potential impacts by the project to historic properties or other sensitive cultural resources. The Phase I Cultural Resources Report and the Addendum I: Sand Mine Route Variation, which provide a detailed analysis of the results of the investigation, were submitted to the LDOA, SHPO on January 15, 2020 and February 21, 2020, respectively. The LDOA, SHPO issued a letter dated March 16, 2020 providing a finding

of no significant historic properties affected by the project, except two sites that were recommended to be avoided. A letter dated March 17, 2020 was issued providing a finding of no significant historic properties affected for the Addendum I: Sand Mine Route Variation. A revised Gulf Run Pipeline and Addendum I cultural resources survey reports were submitted to LDOA, SHPO on May 19, 2020. The LDOA, SHPO accepted the Addendum I cultural resources survey report as final on May 21, 2020 and accepted the Gulf Run Pipeline cultural resources survey report as final on May 22, 2020. The Cultural Resources Survey Report – Addendum II: Various Modifications was submitted to the LDOA, SHPO on June 2, 2020. The FERC is the lead federal agency on the Gulf Run Pipeline Project, therefore concurrence on Section 106 issues will be obtained through FERC’s Environmental Assessment procedures.

The applicant prepared and submitted a Rare, Threatened and Endangered Species Report, dated April 2020, to the FERC and U.S. Fish and Wildlife Service (USFWS) dated April 2020. The FERC is the lead federal agency on the Gulf Run Pipeline Project, therefore concurrence on ESA issues will be obtained through FERC’s Environmental Assessment procedures. By letter dated April 20, 2020, the USFWS verified that the proposed Gulf Run Pipeline project is consistent with activities analyzed in the Programmatic Biological Opinion (PBO) for the Northern Long-eared Bat (NLEB). The proposed action “may affect” the NLEB, however, take is not prohibited under the Endangered Species Act (ESA) 4(d) rule adopted for this species. By email dated April 23, 2020, USFWS indicated that the species “no effect” determinations made through the website and included in the submitted Rare, Threatened and Endangered Species Report are valid without additional written concurrence. In an additional email dated April 23, 2020, USFWS stated that the obtained NLEB verification letter is valid for the proposed project. Our initial finding is that the proposed work would not adversely affect any species listed as threatened or endangered by the U.S. Department of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species. The applicant obtained multiple Information & Planning Consultation for Endangered Species in Louisiana (IPaC), verification letters for the proposed project, which are include in the submitted Rare, Threatened and Endangered Species Report.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration or disturbance of up to N/A 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.

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

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 requested 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 Section  
Regulatory Branch

Enclosures