

Unknown

From: Little, James MVN <James.Little@usace.army.mil>
Sent: Wednesday, September 21, 2016 2:19 PM
To: Elizabeth Hill
Subject: FW: Bayou Bridge Pipeline Project (MVN-2015-02295-WII) - Draft Public Notice
Attachments: DRAFT_Joint Public Notice_Bayou Bridge_08.29.2016.docx; BBP_Public_Notice_Maps.pdf

Categories: RESPONSIVE

Liz,

Here is the latest party invitation!!!! Can a get a WQC number! I'm not sure if they have sent anything to you on this pipeline or not. Let me know and I can get the application to you. As usual it is a priority. Thanks.

James W. Little, Jr.
Senior Project Manager
U.S. Army Corps of Engineers
New Orleans District (OD-S)
P. O. Box 44487
Baton Rouge, LA 70804-4487
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-----Original Message-----

From: Marshall Olson [<mailto:molson@perennialenv.com>]
Sent: Tuesday, August 30, 2016 5:36 PM
To: Barbara, Darrell MVN <Darrell.Barbara@usace.army.mil>
Cc: Little, James MVN <James.Little@usace.army.mil>; Kolb, Joe <Joe.Kolb@energytransfer.com>; Howard, Monica <Monica.Howard@energytransfer.com>; David Beckmeyer <dbeckmeyer@perennialenv.com>
Subject: [EXTERNAL] Bayou Bridge Pipeline Project (MVN-2015-02295-WII) - Draft Public Notice

Darrell,

In order to assist in the preparation of the public notice for the Bayou Bridge Pipeline Project (MVN-2015-02295-WII), please find attached a draft public notice that contains information regarding the project impacts and agency consultations as presented in the July 29, 2016 supplemental filing. I have already sent both the draft public notice and the attached mapping exhibits to James, but wanted to make sure you had a copy as well. Please let me know if you have any questions or need any additional information.

Thanks,

Marshall Olson

Environmental Project Manager

Perennial Environmental Services, LLC

13100 Northwest Freeway, Suite 150

Houston, Texas 77040

713-462-7121

JOINT PUBLIC NOTICE

August XX, 2016

United States Army Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, Louisiana 70160-0267

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

(225) 342-3099/FAX: (225)342-9439

(XXX) XXX-XXX

Project Manager

Project Manager

James W. Little, Jr.

XXXXXXXXXX

james.little@usace.army.mil

WQC Application Number

Permit Application Number

XXXXXXXXXX

MVN-2015-02295-WII; P20160166

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 PIPELINE IN CALCASIEU, JEFFERSON DAVIS, ACADIA,
VERMILION, LAFAYETTE, IBERIA, ST. MARTIN, IBERVILLE, ASCENSION,
ASSUMPTION, AND ST. JAMES PARISHES**

NAME OF APPLICANT: Bayou Bridge Pipeline, LLC c/o Perennial Environmental Services, LLC, Attn: Marshall Olson, 13100 Northwest Freeway, Suite 150, Houston, Texas 77040

LOCATION OF WORK: The proposed 162.52-mile pipeline project is located in Calcasieu, Jefferson Davis, Acadia, Vermilion, Lafayette, Iberia, St. Martin, Iberville, Ascension, Assumption, and St. James parishes Louisiana. The two proposed pump stations are located in Jefferson Davis and St. Martin parishes. The project is located in the following eight watersheds: Lower Calcasieu (HUC 8: 08080206), Mermentau (HUC 8: 08080202), Vermilion (HUC 8: 08080103), Bayou Teche (HUC 8: 08080102), Atchafalaya (HUC 8: 08080101), Lower Grand (HUC 8: 08070300), West Central Louisiana Coastal (HUC 8: 08090302), and East Central Louisiana Coastal (HUC 8: 08090301) as shown in the attached drawings.

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to install and operate a 24-inch diameter crude oil pipeline approximately 162.52 miles in length. The pipeline facilities include the proposed 161.40 mainline section beginning

south of Lake Charles, Louisiana and terminating near St. James, Louisiana, as well as a proposed 1.12-mile lateral pipeline that would commence at the terminus of the mainline. The project also involves the construction of two pump stations and other ancillary facilities along the pipeline. 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 the extent allowed under United States Department of Transportation (USDOT) regulations.

The proposed project will temporarily impact approximately 453.96 acres of jurisdictional wetlands and 42.14 acres of other waters of the U.S. In addition, approximately 158.80 acres of jurisdictional wetlands will be permanently converted to non-forested wetlands within the pipeline right-of-way. The project will result in the loss of 0.03 acre of wetlands and 0.03 acre of other waters of the U.S. as the result of the installation of culverts along permanent access roads. The installation of culverts will result in the placement of 21.50 cubic yards of fill material (clean fill/rock material and concrete culverts) in wetlands and 36.22 cubic yards of fill material in other waters of the U.S. Construction of the two pump stations and other ancillary facilities 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 New Orleans District.

The comment period for the Department of Army and the Louisiana Department of Environmental Quality WQC will close in **XX days** from the date of this joint public notice. Written comments, including suggestions for modification or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit and must be mailed so as to be received before or by the last day of the comment period. Letters concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be 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, faxing, or emailing the Corps of Engineers 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 concerning the Water Quality Certification must reference the applicant's name and the WQC Application number and be mailed to the Louisiana Department of

Environmental Quality at the address above. The application for the proposed project is on file with the Louisiana Department of Environmental Quality 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 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 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 (LDOA) 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 Draft Phase I Cultural Resources Report and the Draft Addendum I: Phase I Cultural Resources Report, which provide a detailed analysis of the results of the investigation, were submitted to the LDOA on April 6, 2016 and July 1, 2016, respectively. The LDOA issued letters concurring with the applicant's determinations that the project will not adversely affect any properties listed or eligible for listing on the National Register of Historic Places on April 14, 2016 and July 12, 2016.

The applicant submitted a Threatened and Endangered Species and Sensitive Resource Report to the U.S. Fish and Wildlife Service (USFWS) on February 19, 2016. On March 14, 2016, the applicant received a letter from the USFWS indicating that they concurred with the no effect and not likely to adversely affect determinations for federally listed species based on the information included in the report. 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. Utilizing Standard Local Operating Procedure for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and USFWS, Ecological Services Office, the Corps has determined that the proposed activity is not likely to adversely affect the pallid sturgeon and would have no effect on all other listed species.

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 of up to **4.2** 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 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.

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 received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

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