



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
U.S. ARMY ENGINEER DISTRICT, MOBILE  
CORPS OF ENGINEERS  
P.O. BOX 2288  
MOBILE, ALABAMA 36628-0001

**CESAM-RD-I**  
**PUBLIC NOTICE NO. SAM-2008-0228-RCV**

MAR 5 2008

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS**  
**AND**  
**STATE OF ALABAMA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED NATURAL GAS PIPELINE**  
**BAY GAS STORAGE COMPANY, LTD**  
**MOBILE COUNTY, ALABAMA**

**TO WHOM IT MAY CONCERN:** This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

**APPLICANT: Bay Gas Storage Company**  
**Mr. John Pirraglia**  
**16945 Northchase Drive, Suite 1910**  
**Houston, TX 77060**

**AGENT: Gremminger and Associates, Inc.**  
**Mr. Larry Gremminger**  
**226 South Live Oak St.**  
**Bellville, TX 77418**

**LOCATION:** Multiple Sections; Townships 1 & @ North South; Ranges 1 and 4 West. Begins at 31° 02' 30.6 N, 88° 20' 27.81W" and ends at 31° 06' 30.03N, 88° 2' 21.95"W .

The project, as planned, begins at a proposed pipeline interconnect west of Shepard House Road, approximately 2.1 miles northwest of the City of Mt. Vernon in Mobile County and proceeds westerly for 18.55 miles to its terminus at a proposed facility interconnect 0.3 miles north of Prine Road, approximately 7.5 miles southwest of the City of Citronelle in Mobile County.

**WATERWAYS: Multiple streams and tributaries within Mobile County, Alabama.**

**WORK: Bay Gas Storage Company proposes to construct, own, and operate approximately 18.55 miles of 36-inch outside diameter (OD) natural gas transmission pipeline, a 300' x 300' Transco interconnect station, and a 0.3 mile long, 50' wide permanent access road connecting the station to Prine Road.**

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**The total potential jurisdictional waters crossed in the 18.55 miles of ROW include (55) areas meeting wetland criteria; (8) ephemeral stream crossings; (28) un-named intermittent and spring fed stream crossings; and (12) crossings of named waterbodies including Indian Grave Creek, Cedar Creek, Little Creek, and Puppy Creek.**

**For the entire length of the proposed route, the new pipeline will be installed parallel and adjacent to existing pipeline rights-of-way (ROW). The general construction plan is to utilize a 90-foot (ft) wide workspace, consisting of a 60-ft wide permanent easement (of which a 10-ft width will be permanently maintained in a herbaceous state) and a 30-ft wide temporary work area. Expanded temporary workspaces 100-ft in length and 50-ft in width will be implemented on either side of road crossings.**

**A crossing of Puppy Creek and the 900-ft wetland associated with this water crossing will be completed using a horizontal directional drill (HDD). All other wetland and waterbody crossings will be completed by conventional open-cut construction methods.**

**The project as proposed will impact a total of 43.66 acres of wetlands. Of this amount, 14.50 acres are impacts to emergent wetlands, 4.52 acres are impacts to shrub/scrub wetlands, and 24.64 acres are impacts to forested wetlands. No permanent loss of wetlands will occur as a result of the proposed project construction activities. The pipeline installation results in little or no long term affects to emergent wetlands and a temporal loss of functional value to shrub/scrub and forested wetlands during the timeframe required to reestablish themselves to the preconstruction conditions. A permanent decrease in wetland functional value will occur in the 10-ft wide permanently maintained easements. This easement will be maintained in a herbaceous state for the lifetime of the pipeline as a result of required maintenance activities.**

**As mitigation for temporal impacts, the Bay Gas proposes to acquire 70.1 acres of mitigation from an approved area mitigation bank or provide comparable funding to approved wetland related projects in the area being conducted by The Nature Conservancy or the USFWS.**

The stated need is to satisfy provide intrastate transfer of natural gas resources from interstate natural gas pipelines to the two (2) new storage caverns capable of 10 billion cubic feet of storage capacity that Bay Gas operates near the City of McIntosh in Washington County. Natural gas storage is beneficial by counteracting gas supply shortfalls and protecting against price volatility.

The applicant has applied for state certification in accordance with Section 401(a)(1) of the Clean Water Act, and has certified that the proposed activity complies with and will

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be conducted in a manner that is consistent with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to consistency will be made by the Alabama Department of Environmental Management.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and use 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, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

The Corps 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 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 the 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. 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.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

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The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

Preliminary endangered species surveys have been conducted to determine the presence of Federally listed species or critical habitat. These surveys are being provided to the U.S. Fish and Wildlife service in accordance with the provisions of the Federal Endangered Species Act, to insure that the proposed activities will not adversely affect any listed or proposed species.

The Mobile District has determined that the proposed action would not adversely impact Essential Fish Habitat or associated fisheries managed by the Gulf of Mexico Fishery Management Council or the National Marine Fisheries Service.

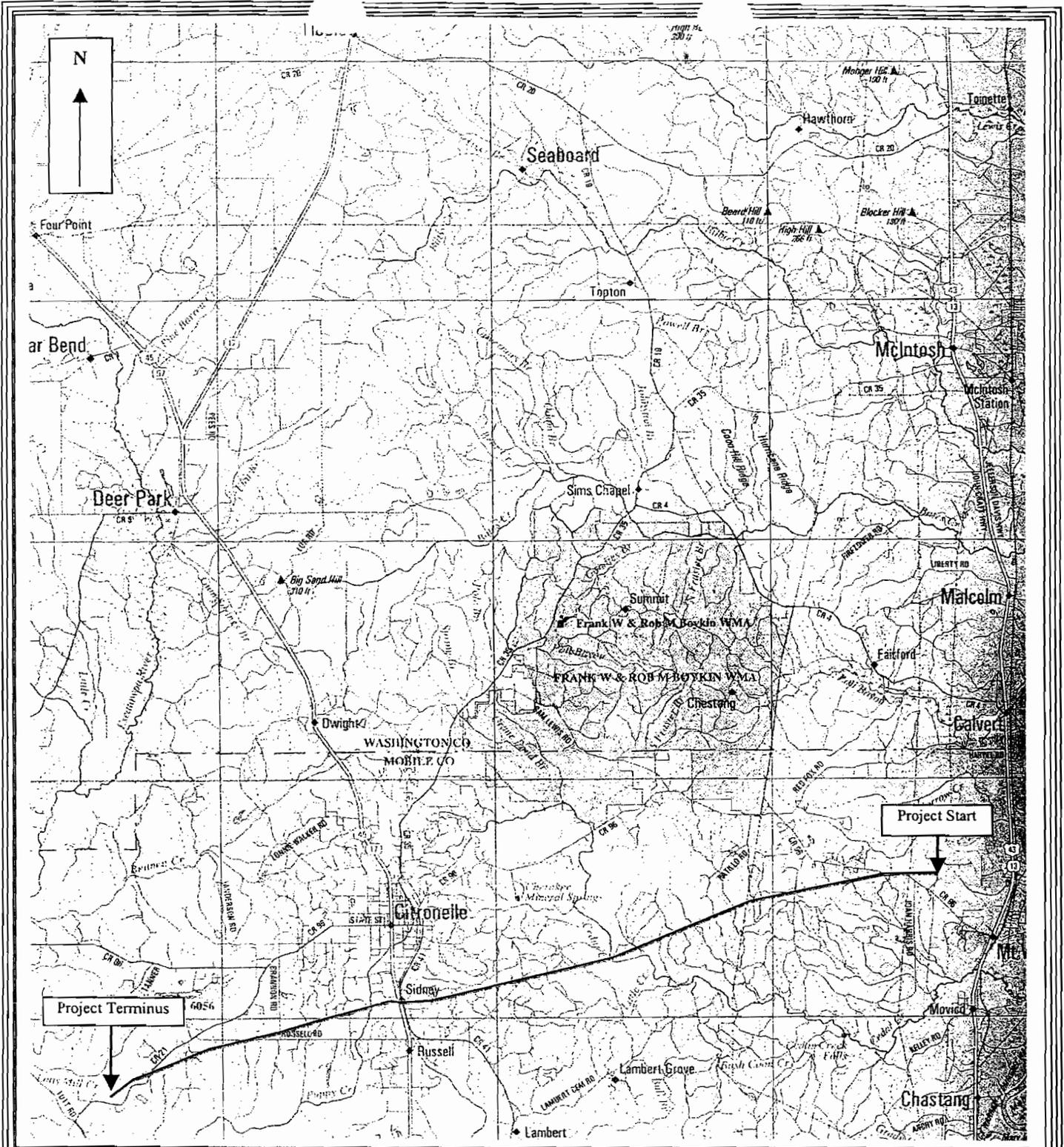
Correspondence concerning this Public Notice should refer to **Public Notice Number SAM 2008-0228-RCV** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Inland Branch. With a copy furnished to Alabama Department of Environmental Management, 4171 Commanders Drive, Mobile Alabama 36615. Comments should be received no later than **30 days from the date of this Public Notice**.

If you have any questions concerning this publication, you may contact the Project Manager Mr. Rudolph C. Villarreal via email at [rudolph.c.villarreal@sam.usace.army.mil](mailto:rudolph.c.villarreal@sam.usace.army.mil) or telephone number (251) 690-3246. Please refer to the Public Notice SAM-2008-0228-RCV.

For additional information about our Regulatory Program, please visit our web site at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/reg), and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

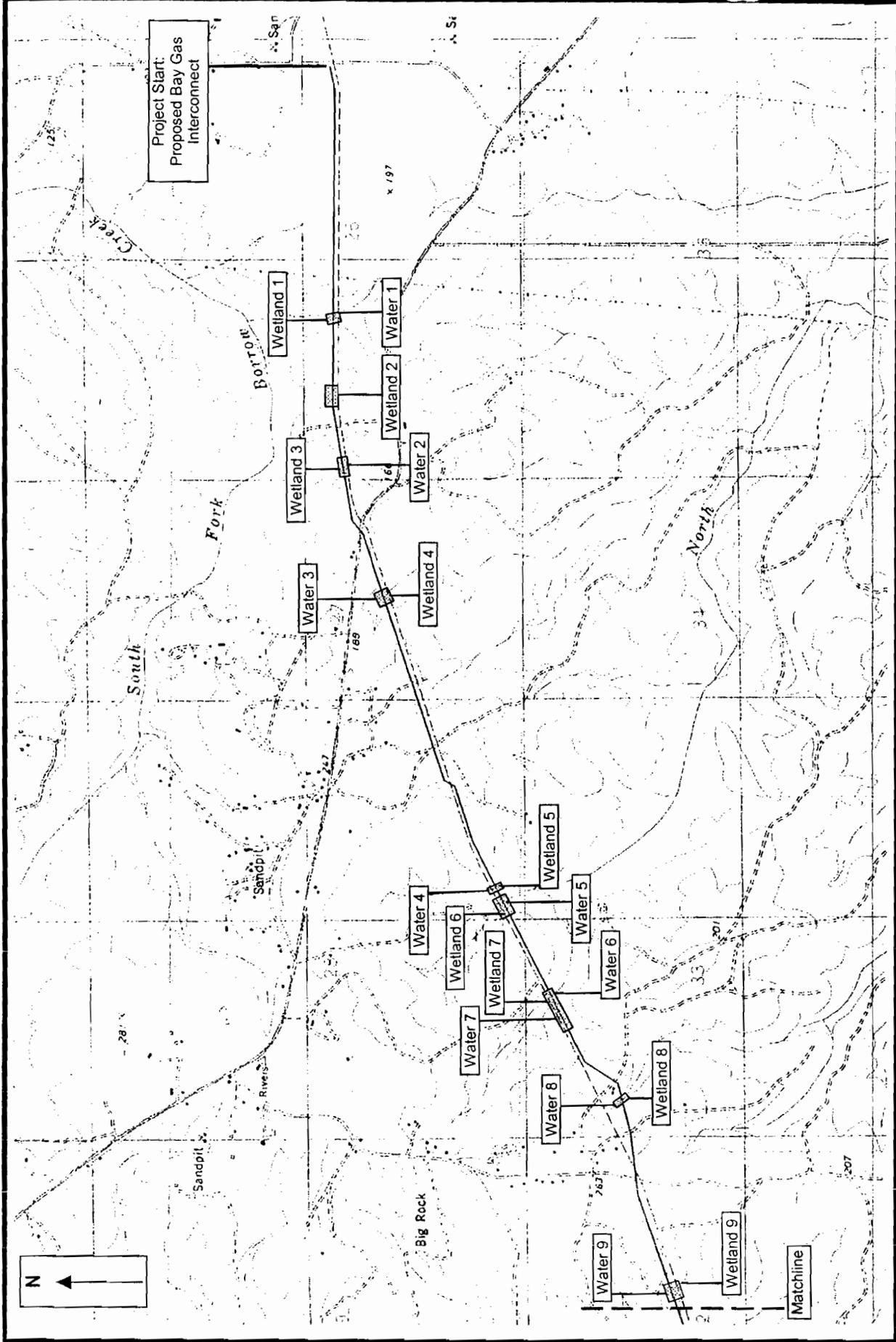
Enclosures



Bay Gas Storage Company, Ltd.:  
18.55 Miles of 36-Inch NGPL

Figure 1  
Vicinity



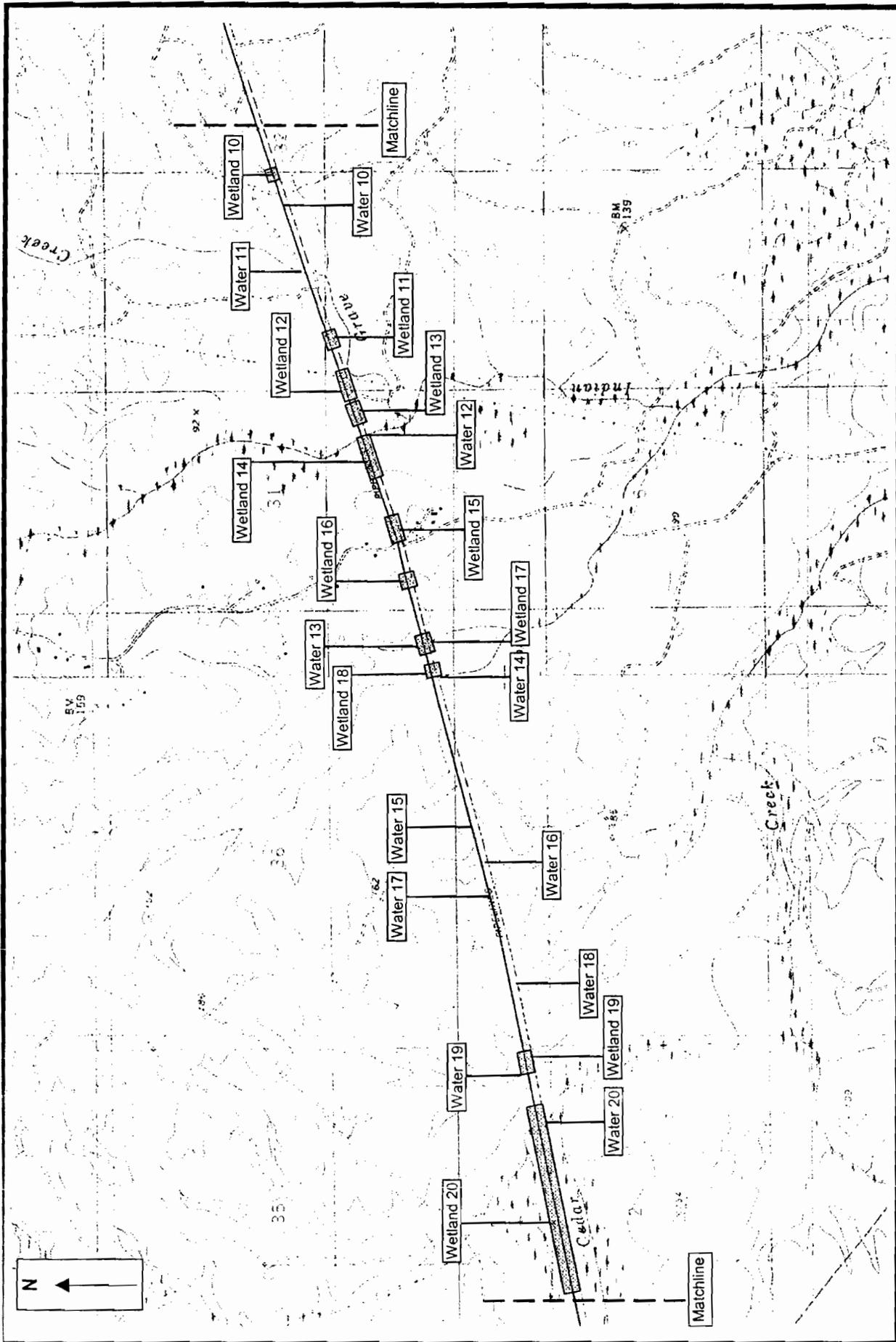


**Bay Gas Storage Company, Ltd.:**  
**18.55 Miles of 36-Inch NGPL**  
**Mobile County, Alabama**

Reference: USGS 7.5-Minute Quadrangle: Mt. Vernon, AL

DATE: 11/13/2007  
*SA*

FIGURE: 2



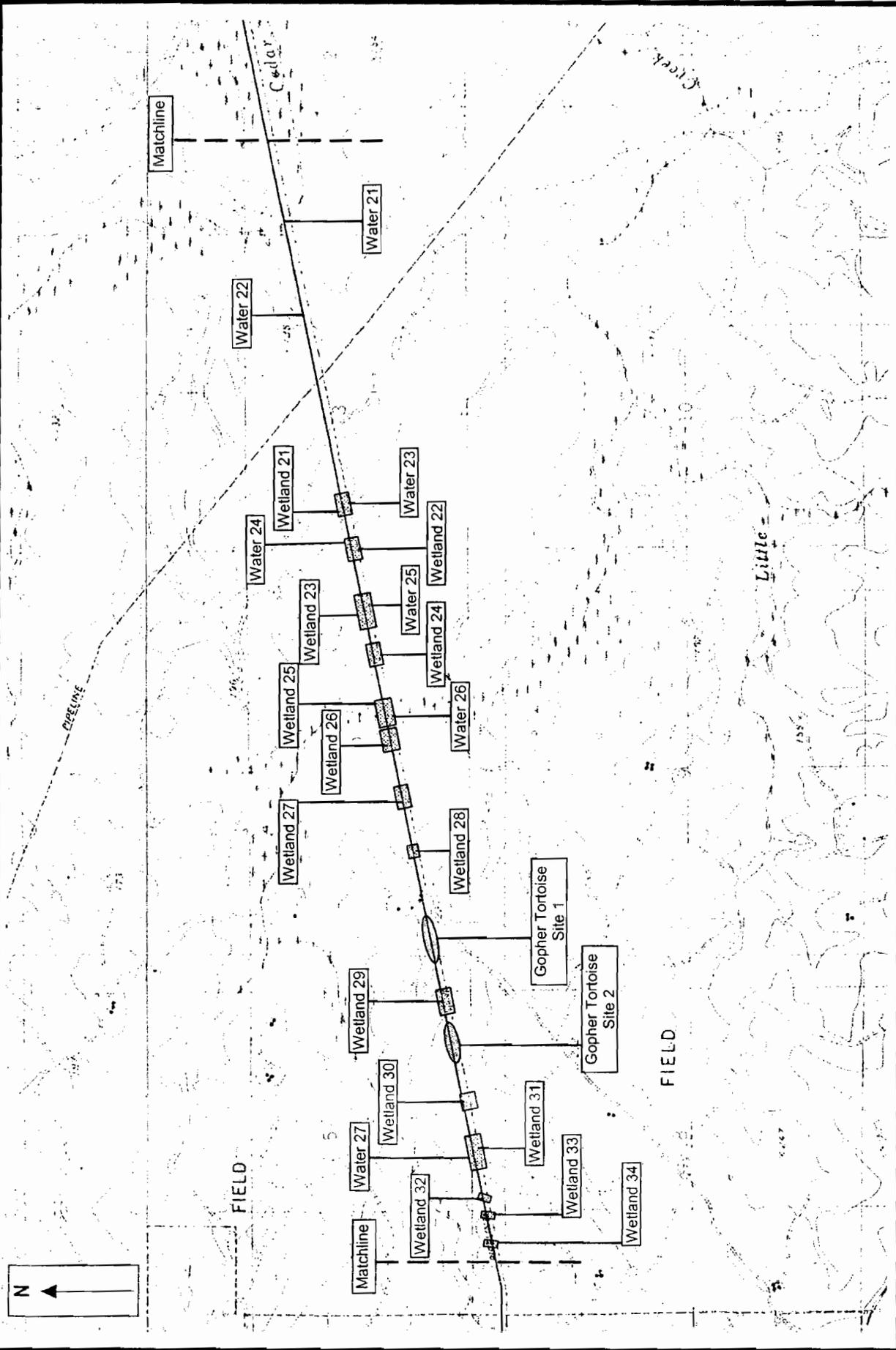
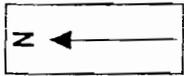
**Bay Gas Storage Company, Ltd.:**  
**18.55 Miles of 36-Inch NGPL**  
**Mobile County, Alabama**

Reference: USGS 7.5-Min. Quadrangles: Mt Vernon & Citronelle East, AL

DATE: 11/13/2007

*AS*

FIGURE: **3**

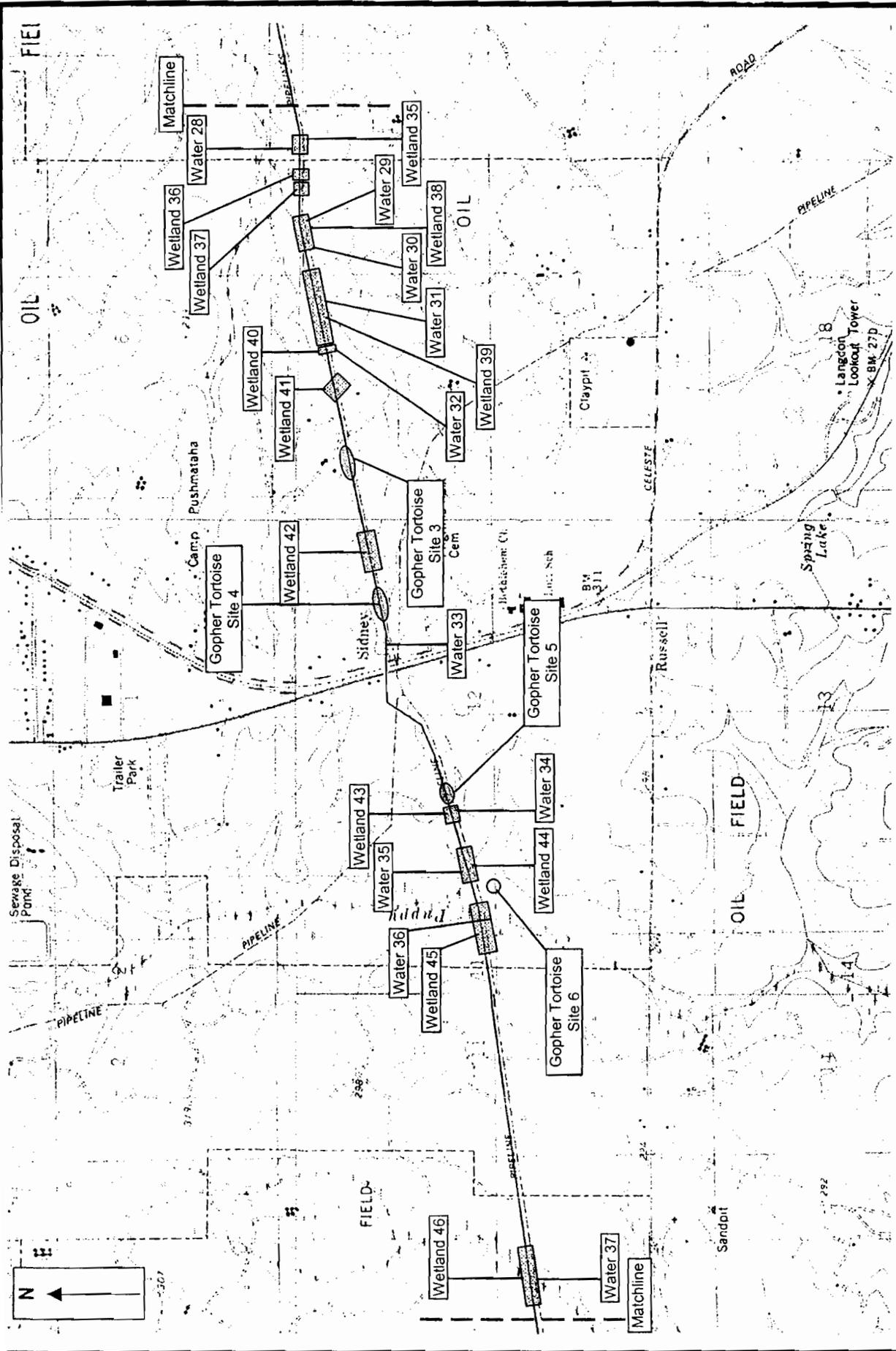


**Bay Gas Storage Company, Ltd.:**  
**18.55 Miles of 36-inch NGPL**  
**Mobile County, Alabama**

Reference: USGS 7.5-Min. Quadrangle: Citronelle East, AL

DATE: 11/13/2007

FIGURE: 4



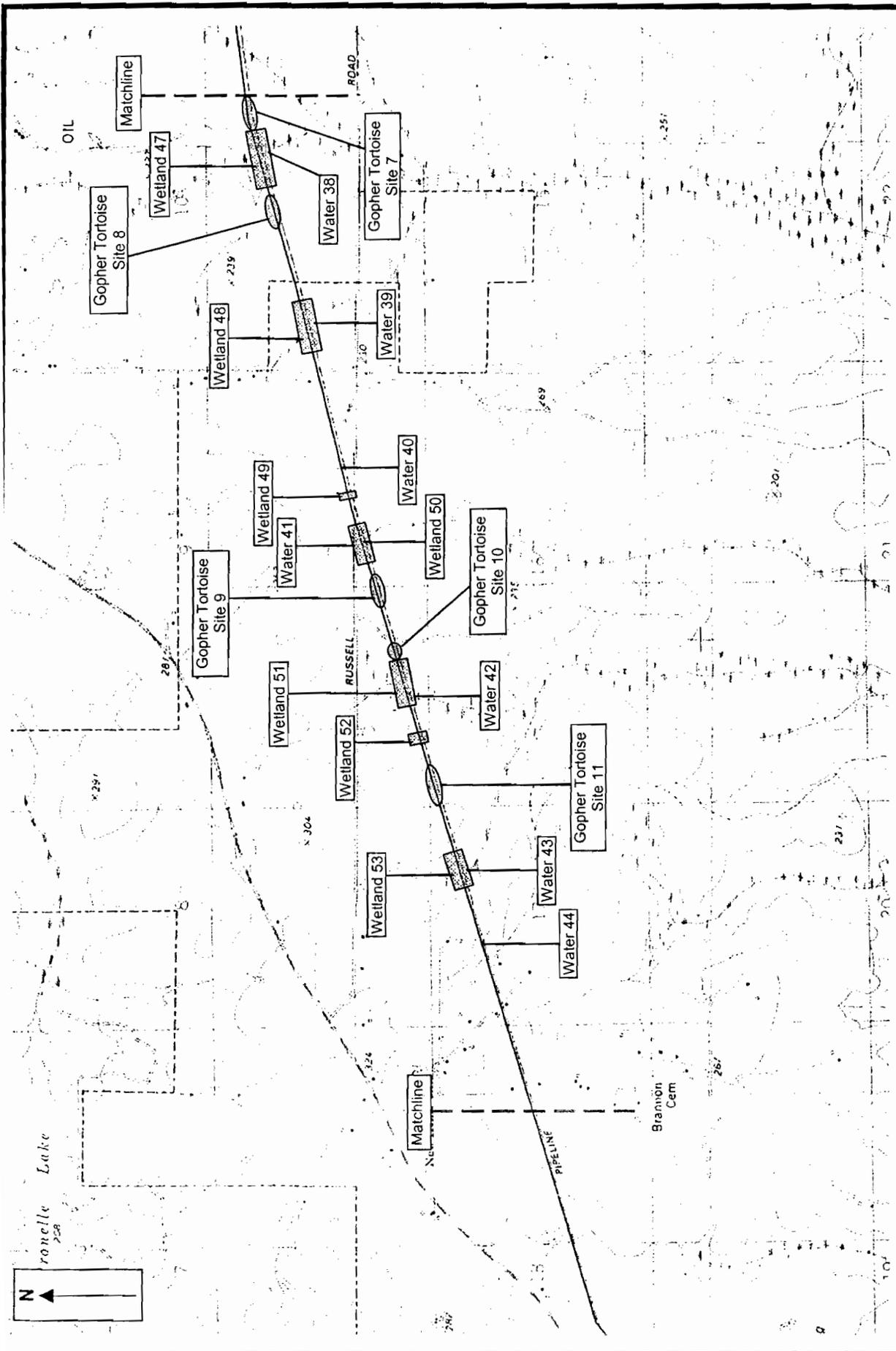
**Bay Gas Storage Company, Ltd.:**  
**18.55 Miles of 36-Inch NGPL**  
**Mobile County, Alabama**

Reference: USGS 7.5-Min. Quadrangles: Citronelle East & Citronelle West, AL

**DATE:**  
 11/13/2007

*[Handwritten Signature]*

**FIGURE:**  
 5



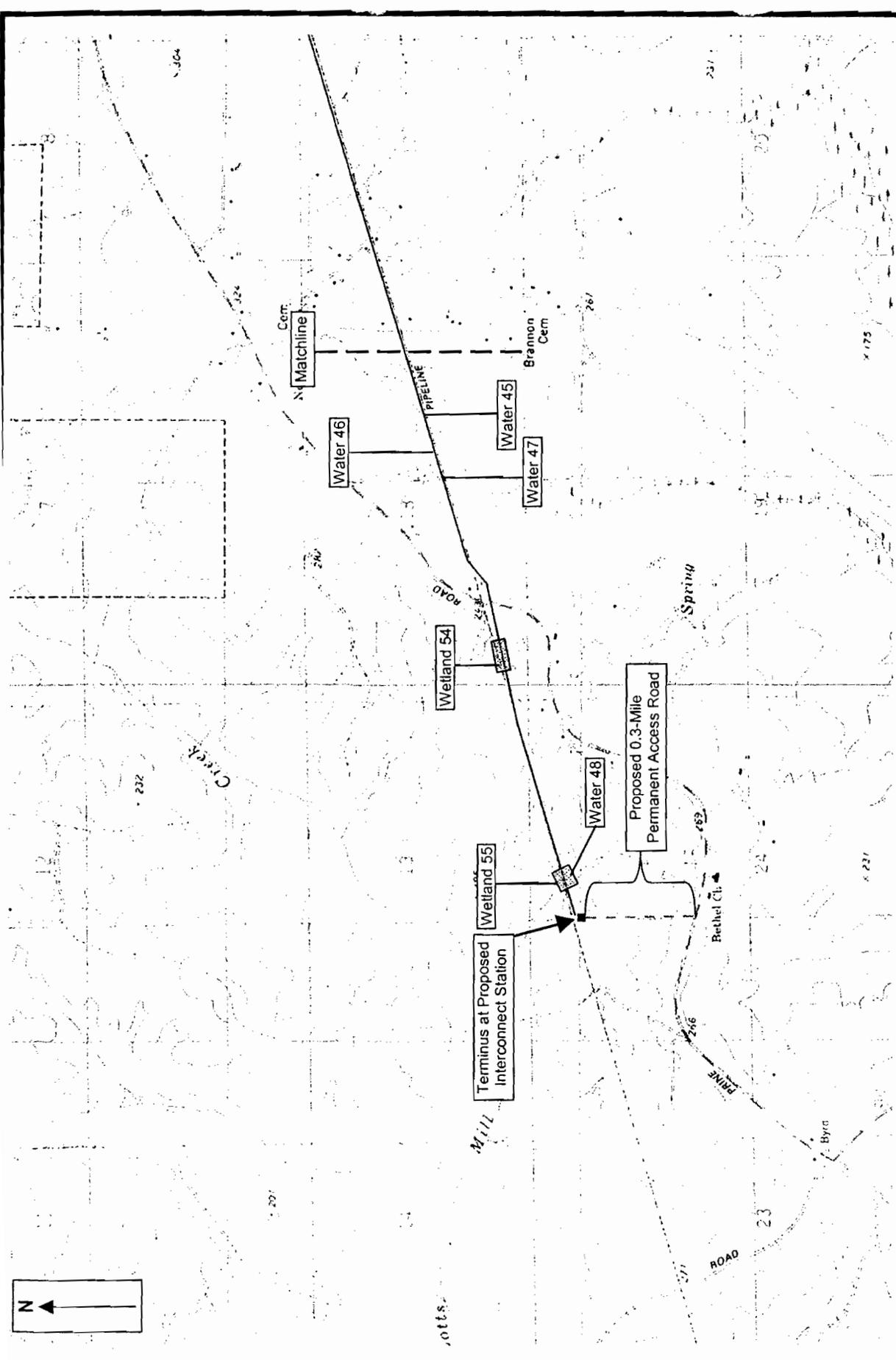
**FIGURE:** 6

**DATE:** 11/13/2007  
*WJ*

**Bay Gas Storage Company, Ltd.:  
 18.55 Miles of 36-Inch NGPL  
 Mobile County, Alabama**

Reference: USGS 7.5-Minute Quadrangle: Citronelle West, AL

**Gremminger and Associates, Inc.**  
 environmental planning and permitting consultants



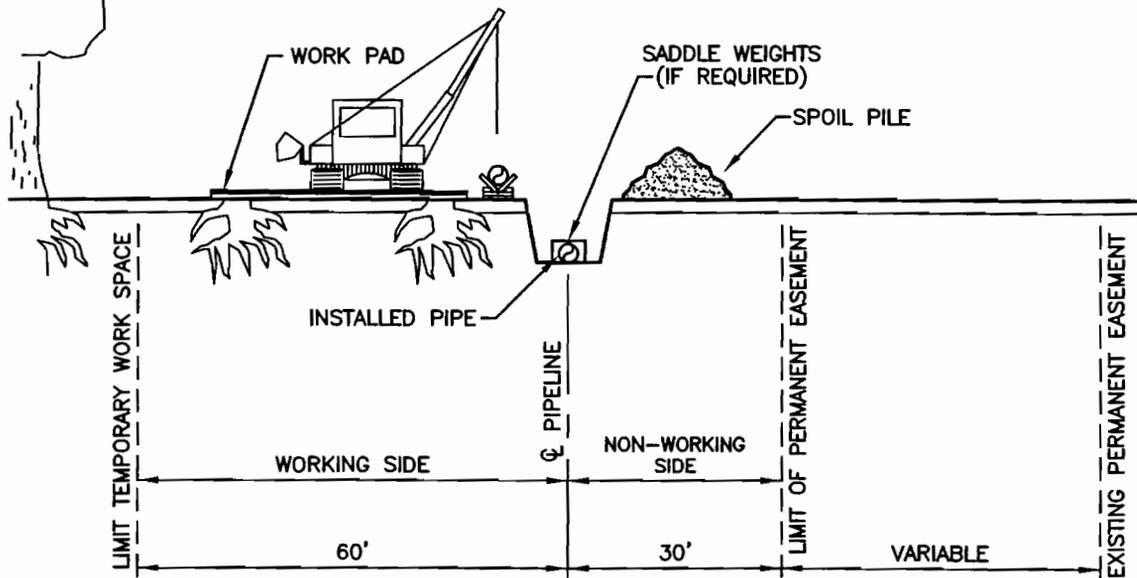
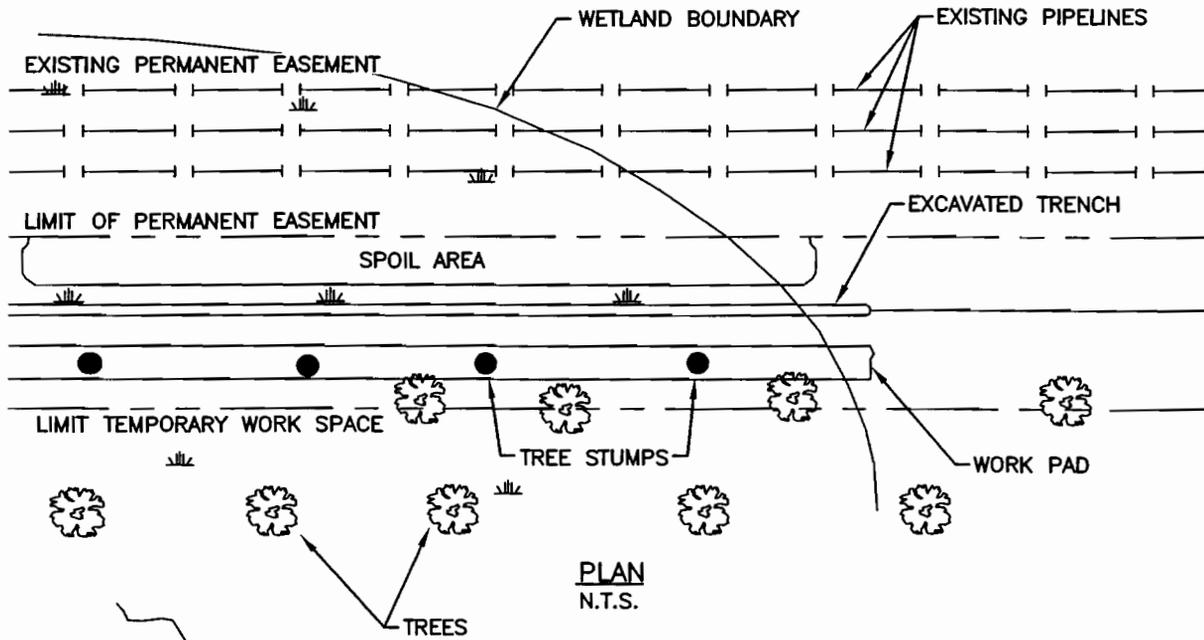
**FIGURE:** 7

**DATE:** 11/13/2007  
*[Signature]*

**Bay Gas Storage Company, Ltd.:**  
**18.55 Miles of 36-Inch NGPL**  
**Mobile County, Alabama**

Reference: USGS 7.5-Minute Quadrangle: Citronelle West, AL





**NOTES:**

1. WORK PAD TO BE CONSTRUCTED FOR ACCESS OF ALL EQUIPMENT AND VEHICLES THROUGH WETLAND AS REQUIRED.
2. STUMPS TO REMAIN IN PLACE EXCEPT IN VICINTY OF TRENCH AND SPOIL PILE.

DRAFTING DEPARTMENT	<b>BAY GAS STORAGE COMPANY, Ltd.</b>		
CHECKED JOI 01/08 APPROVED	McINTOSH, ALABAMA		
ENGINEERING DEPT.	<b>TYPICAL CROSS SECTION FOR PIPELINE CONSTRUCTION IN WETLANDS MOBILE COUNTY, ALABAMA</b>		
CHECKED APPROVED	SCALE NONE DATE 01/21/08	DRAWN BY ECC PLOT DATE 01/30/08	A-P-101-36-013 DRAWING NUMBER
			1 R