

# APPENDIX B AGENCY COORDINATION, GOVERNING LAWS, AND REGULATION

## Agency Stakeholder Outreach

Outreach	Agency / Resource	Point of Contact	Phone / Email	Physical Address	Meeting Purpose
<b>Deepwater Port Act - 33 CFR Part 148 - Application Review</b>					
Meeting 12/18/2018 02/28/2019 05/06/2019 05/29/2019	Maritime Administration (DWPA Lead Agency)	Yvette Fields	202-366-0926 Yvette.Fields@dot.gov	1200 New Jersey Avenue SE Washington, D.C. 20590	12/18/2018 Initial project meeting completed, 02/28/2019 Conference call discussion regarding ownership 5/6/2019 Conference call follow-up discussion regarding the TPC Process and DWPLA schedule, 5/29/2019 - Meeting scheduled with MARAD / USCG and TPC prior to application submittal
	U.S. Coast Guard (DWPA Lead Agency)	Curtis Borland Roddy C. Bachman	202-372-1444 Curtis.E.Borland@uscg.mil 202-372-1451 Roddy.C.Bachman@uscg.mil	2703 Martin Luther King Jr. Ave. SE Stop 7509 Washington, D.C. 20593-7509	
<b>Texas Deepwater Port Procedures Act - Transportation Code Chapter 52</b>					
Meeting 1/23/2019	Office of the Texas Governor	Greg Abbott Governor of Texas	512-463-2000	Office of the Governor State Insurance Building 1100 San Jacinto Austin, TX. 78701	General project/applicant introduction, project overview, and feedback.
Meeting 05/16/2019	Office of the Texas Attorney General	Ken Paxton Attorney General	512-463-2100	Office of the Attorney General 300 West 15th Street Austin, TX. 78701	General project/applicant introduction, project overview, and feedback
Meeting 05/16/2019	Texas General Land Office - Commissioner	George P. Bush	512-463-5001	1700 N. Congress Ave. Austin, TX. 78701-1495	General project/applicant introduction, project overview, and feedback.
Letter sent 5/30/2019	Aransas County Judge	Judge C.H. "Burt" Mills, Jr.	361-790-0100	Office of the Aransas County Judge 2840 Highway 35 N. Rockport, TX. 78382-5711	General project/applicant introduction, project overview, and feedback
Letter sent 5/30/2019	Nueces County Judge	Judge Barbara Canales	361-888-0444	Office of the Nueces County Judge Nueces County Courthouse, Room 303 901 Leopard St. Corpus Christi, TX. 78401	General project/applicant introduction, project overview, and feedback.
<b>Cooperating State and Federal Agencies</b>					
Letter sent 5/30/2019	Bureau of Ocean Energy Management – Office of Environment (Submerged land leases)	Greg Kozlowski	504-736-2512 greg.kozlowski@boem.gov	1201 Elmwood Park Boulevard New Orleans, LA. 70123	General project/applicant introduction, project overview, and feedback. Overview of the offshore pipeline route and crossing of offshore submerged lands and leasing requirements.
Letter sent 5/30/2019	Bureau of Safety and Environmental Enforcement - Gulf of Mexico Region	Lars Herbst Regional Director	504-736-0557 lars.herbst@bsee.gov	1201 Elmwood Park Boulevard New Orleans, LA. 70123	General project introduction, overview, and feedback.
Phone Conference 5/09/2019	Bureau of Safety and Environmental Enforcement-Head Quarters	Jarvis Abbott	703-787-1866 Jarvis.abbott@bsee.gov	B.S.E.E. Head Quarters 1849 C. Street N.W. Washington D.C. 20240	General project introduction and feedback from BSEE regarding ROW and key points to include in the DWPLA.
Meeting 03/05/2019	Environmental Protection Agency – Region 6 (National Environmental Policy Act)	Robert Houston	214-665-8565 Houston.Robert@epa.gov	U.S.EPA - Region 6 1445 Ross Avenue Mail Code: 6EN-WS Dallas, TX. 75202-2733	General project introduction, overview, and feedback. Discussion of environmental surveys conducted, overview of the organization of DWP application, and application submittal timeframe.
Meeting 03/05/2019	Environmental Protection Agency – Region 6 (Waters of the U.S.)	Paul Kaspar	214-665-7459 Kaspar.Paul@epa.gov	U.S.EPA - Region 6 (Lab) Water Division, Wetlands Section (6WQ-EM) 10625 Fallstone Road Houston, TX. 77099	General project introduction, overview, and feedback. Discussion of environmental surveys conducted, overview of the organization of DWP application, and application submittal timeframe.
Meeting 03/05/2019	Environmental Protection Agency - Region 6 (Water) (NPDES)	Brent Larsen	214-665-7523 Larsen.Brent@epa.gov	1445 Ross Ave Dallas, TX. 75202	General project introduction, overview, and feedback. Discussion of permitting requirements during construction and commissioning phase.
Meeting 03/05/2019	Environmental Protection Agency (Air)	Jeffrey Robinson	214-665-6435 Robinson.Jeffrey@epa.gov	1445 Ross Ave Dallas, TX. 75202	General introduction of the project and project personnel. Discussion of permitting and air quality modeling requirements
Conference Call 05/06/2019	Environmental Protection Agency (Air)	Melanie Magee Aimee Wilson Ashley Mohr	214-665-7289 mohr.ashley@epa.gov	1445 Ross Ave Dallas, TX. 75202	Discussion of process for review and approval of modeling methodologies. Discussion of MACT application processing procedures.

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Meeting 3/10/2019	Environmental Protection Agency - Office of Air Quality Planning and Standards	Penny Lassiter	919-541-5396 lassiter.penny@epa.gov	1445 Ross Ave Dallas, TX. 75202	Discussion of MACT Y applicability and required elements of a case-by-case MACT determination.
Letter sent 5/30/2019	National Marine Fisheries Service (Essential Fish Habitat)	Rusty Swafford	409-766-3699 Rusty.Swafford@noaa.gov	4700 Avenue U, Bldg. 307 Galveston, Texas 77551-5997	General project/applicant introduction, project overview, and feedback.
Meeting 03/26/2019	National Marine Fisheries Service -Section 7 Species (Marine Threatened and Endangered Species)	Stacey Horstman Michael Tucker Jaclyn Daly	stacey.hostman@noaa.gov Michael.tucker@noaa.gov Jaclyn.Daly@noaa.gov	263 13th Avenue South St. Petersburg, FL. 33701	General project introduction, overview & feedback on models used , species list.
Letter sent 5/30/2019	National Resources Conservation Service - (Private Lands)	Tomas Dominguez	361-241-0609 tomas.dominguez@tx.usda.gov	13434 Leopard Street, A-14 Corpus Christi, TX. 78410-4466	General project introduction, overview, and feedback.
Letter sent 5/30/2019	Pipeline and Hazardous Material Safety Administration (PHMSA) Southwest Region	Director: Mary McDanielc State Liaison: Pat Gaume	713-272-2833	PHMSA Pipeline Safety 8701 S. Gessner Road, Suite 630 Houston, TX. 77074	General project/applicant introduction, project overview, and feedback.
Meeting 05/24/2019	Texas Commission on Environmnetal Quality (Air)	Tonya Baer Mike Wilson	512-239-1266 mike.wilson@tceq.texas.gov	12100 Park 35 Cir Austin, TX 78753	General project introduction, overview, and feedback. Discussion of air dispersion modeling methodology and applicability of TCEQ screening levels.
Meeting 02/25/2019	Texas Parks and Wildlife Department (Natural Resources)	Jackie Robinson	361-825-3241 Jackie.Robinson@tpwd.texas.gov	4300 Waldron Road Corpus Christi, TX. 78418	General project introduction, overview, and feedback. Discussion of environmental surveys conducted, overview of the organization of DWP application, and application submittal timeframe.
Meeting 1/29/2019	Texas General Land Office (Texas Coastal Management Program)	Jesse Solis/Jason Zeplin	361-825-3050 Jesse.Solis@glo.texas.gov Jason.Zeplin@glo.texas.gov	6300 Ocean Drive Coastal Resources Div. TAMU-CC Natural Resource Center Ste., 2800 Corpus Christi, TX. 78412-5599	General project introduction, overview, and feedback. Discussion of environmental surveys conducted, overview of the organization of DWP application, and application submittal timeframe. Discussion of CZMP consistency determination request to be submitted as part of application.
Meting 1/29/2019	Texas General Land Office - (Submerged Land Leases)	Amy Nunez	512-463-5001 Amy.nunez@glo.texas.gov	1700 Congress Ave Austin, TX. 78701	General project overview, environmental surveys conducted, application submittal timeframe, and feedback.
via email and phone	Texas Historical Commission - (Nautical Cultural Resources)	Amy Borgens	512-463-9505 amy.borgens@thc.texas.gov	P.O. Box 12276 Austin, TX. 78711-2276	General project introduction, overview, feedback. Discussion of CR surveys being conducted.
via email and phone	Texas Historical Commission - (Terrestrial Cultural Resources)	Mark Wolfe	512-936-4323 mark.wolfe@thc.texas.gov	P.O. Box 12276 Austin, TX. 78711-2276	General project introduction, overview, feedback. Discussion of CR surveys being conducted.
Letter sent 5/30/2019	Texas Railroad Commission - (Chairman)	Christi Craddick	512-463-7140 Christi.Craddick@rrc.texas.gov	1701 North Congress Austin, TX. 78701	General project introduction, overview, and feedback.
Letter sent 5/30/2019	Texas Railroad Commission - (Pipeline Safety)	Steven Rios	361-242-3117 Steven.rios@rrc.texas.gov	10320 I - 37 Corpus Christi, TX. 78410	General project introduction, overview, and feedback.
Meeting 03/12/2019	U.S. Army Corps of Engineers, Galveston District	Robert Heinly/Steve Walls	409-766-3992 Robert.w.heinly@usace.army.mil steven.e.walls@usace.army.mil	2000 Fort Point Road Galveston, TX. 77550	General project introduction, overview, and feedback.
Meeting 1/17/2019	U.S. Army Corps of Engineers, Galveston District (USACE Real Estate for Channel Crossing)	Frank Garcia	409-766-3111 Frank.T.Garcia@usace.army.mil	2000 Fort Point Road Galveston, TX. 77550	Introduce and discuss pipeline channel crossings and angles, and Real Estate application.
Meeting 02/25/2019	U.S. Fish and Wildlife Service - Section 7 Species (Terrestrial)	Pat Clements	361-994-9005 X225 pat_clements@fws.gov	4444 Corona Dr. #215 Corpus Christi, TX. 78411	General project introduction, overview, and feedback. Discussion of environmental surveys conducted and overview of the organization of DWP application, and application submittal timeframe.

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Phone Call 05/02/2019 Meeting 5/20/19	U.S. Coast Guard, Sector Corpus Christ, TX.	LCDR Margaret Brown	361-939-5130 Margaret.A.Brown@uscg.mil	249 Glasson Drive Corpus Christi, TX. 78406	General project introduction, overview, and feedback.
Meeting 5/20/19	U.S. Coast Guard, Sector Corpus Christ, TX.	LCDR Russell Pickering	361-767-2529 russell.t.pickering@uscg.mil	249 Glasson Drive Corpus Christi, TX. 78406	General project introduction, overview, and feedback.
Meeting 5/20/19	U.S. Coast Guard (The Captain of the Port of Corpus Christi)	USCG Captain Edward Gaynor	361-939-0200	249 Glasson Drive Corpus Christi, TX. 78406	General project introduction, overview, and feedback.
<b>Resources / Stakeholders</b>					
Various	Port of Corpus Christi	Sean Strawbridge Chief Executive Officer	361-882-5633 Assistant 361-885-6129	222 Power Street Corpus Christi, TX. 78403	Initial meeting completed on 12/14/2018. Follow-up meetings and conference calls on 01/09/2019, 01/29/2019, 03/13/2019, 04/24/2019, 05/02/2019, and 05/22/2019.

## Governing Laws and Regulations

Bluewater Texas Terminal LLC (BWTT), reviewed the following federal laws and statues to comply with 33 CFR 148.737 of the Deepwater Port Act (DWPA) of 1974 during preparation of the Deepwater Port License (DWPL) application. All the laws and the applicable regulations were reviewed and discussed within the applicable Sections of Volume II;

- Abandoned Shipwreck Act (ASA), 43 U.S.C. 2102, *et. seq.*,
- American Indian Religious Freedom Act (AIRFA), 42 U.S.C. 1996, *et. seq.*,
- Antiquities Act, 16 U.S.C. 431 - 433, *et. seq.*,
- Archeological and Historic Preservation Act (AHPA), 16 U.S.C. 469,
- Archeological Resources Protection Act (AHPA), 16 U.S.C. 470 aa-II, *et. seq.*,
- Architectural Barriers Act, 42 U.S.C. 4151, *et. seq.*,
- Bald and Golden Eagle Protection Act,
- Beaches Environmental Assessment and Coastal Health Act (BEACH) Act,
- Clean Air Act (CAA), Pub. L. 95-95, 42 U.S.C. 7401, *et. seq.*,
- Clean Water Act of 1977 (CWA), Pub. L. 95-217, 33 U.S.C. 1251, *et. seq.*,
- Coastal Barrier Resources Act (CBRA), Pub. L. 97-348, 16 U.S.C. 3510, *et. seq.*
- Coastal Zone Management Act (CZMA), Pub. L. 92-583, 16 U.S.C. 1451, *et. seq.*,
- Community Environmental Response Facilitation Act (CERFA), 42 U.S.C. 9620, *et. seq.*,
- Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), also commonly referred to as Superfund, Pub. L. 96-510, 26 U.S.C. 4611, *et. seq.*,
- Consultation and Coordination with Indian Tribal Governments, E.O. 13175, 65 FR 67249,
- Coral Reef Protection, E.O. 13089, 63 FR 32701,
- Department of Transportation Act, Section 4(f), Pub. L. 89-670, 49 U.S.C. 303, Section 4(f), *et. seq.*,
- Emergency Planning and Community Right-to-Know Act, 42U.S.C. 11001- 11050, *et. seq.*,
- Endangered Species Act of 1973 (ESA), Pub. L. 93-205, 16 U.S.C. 1531, *et. seq.*,
- Energy Efficiency and Water Conservation at Federal Facilities, E.O. 12902, 59 FR 11463,
- Environmental Effects Abroad of Major Federal Agencies, E.O. 12114, 44 FR 1957,
- Environmental Justice in Minority Populations and Low-Income Populations, Executive Order (EO) 12898,
- Environmental Quality Improvement Act, Pub. L. 98-581, 42 U.S.C. 4371, *et. seq.*,
- Facility Operations Manual, 33 CFR154.300
- Farmlands Protection Policy Act, Pub. L. 97-98, 7 U.S.C. 4201, *et. seq.*,
- Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, E.O. 12898, 59 FR 7629,
- Federal Compliance with Pollution Control Standards, E.O. 12088, 43 FR 47707,
- Federal Insecticide, Fungicide, and Rodenticide Act, Pub. L. 86-139, 7 U.S.C. 135, *et. seq.*,
- Federal Records Act (FRA), 44 U.S.C. 2101- 3324, *et. seq.*,
- Federalism, E.O. 13083,
- Fish and Wildlife Act of 1956, Pub. L. 85-888, 16 U.S.C. 742, *et. seq.*,
- Fish and Wildlife Coordination Act, (Pub. L. 85-624, 16 U.S.C. 661, *et. seq.*,
- Fisheries Conservation and Recovery Act of 1976, Pub. L. 94-265, 16 U.S.C. 1801, *et. seq.*,
- Flood Disaster Protection Act, 42 U.S.C. 4001, *et. seq.*,
- Flood Plain Management and Protection, E.O. 11988, 42 FR 26951,
- Greening the Government Through Leadership in Environmental Management, E.O. 13148, 65 FR 24595; 63 FR 49643,
- Historic Sites Act, 16 U.S.C. 46, *et. seq.*,

- Indian Sacred Sites, E.O. 13007, 61 FR 26771,
- Intergovernmental Review of Federal Programs E.O. 12372, 47 FR 30959,
- Locating Federal Facilities on Historic Properties in our Nation's Central Cities, E.O. 13006, 61 FR 26071,
- Magnuson-Stevens Fishery Conservation and Management Act as amended through October 11, 1996, 16 U.S.C. 1801, *et. seq.*,
- Marine Mammal Protection Act of 1972 (MMPA), Pub. L. 92-522, 16 U.S.C. 1361,
- Marine Protected Areas, E.O. 13158, 65 FR 24909,
- Marine Protection, Research, and Sanctuaries Act of 1972, Pub. L. 92-532, 16 U.S.C. 1431, *et. seq.* and 33 U.S.C. U.S.C. 1401, *et. seq.*,
- Maritime Transportation Security Act of 2002, Homeland Security
- Migratory Bird Treaty Act, 16 U.S.C. 703- 712, *et. seq.*,
- National Environmental Policy Act of 1969 (NEPA), Pub. L. 91-190, 42 U.S.C. 4321, *et. seq.*,
- National Historic Preservation Act of 1966 (NHPA), Pub. L. 89-665, 16 U.S.C. 470, *et. seq.*,
- National Invasive Species, E.O. 13112, 64 FR 6183,
- Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3001, *et. seq.*,
- Noise Control Act of 1972, Pub. L. 92-574, 42 U.S.C. 4901, *et. seq.*,
- Nonindigenous Aquatic Nuisance Species Control and Prevention Act of 1990
- Occupational, Health and Safety Act of 1970
- Oil Spill Response Plan, 30 CFR 250.254
- Outer Continental Shelf Lands Act (OCSLA) of 1953, as amended (43 U.S.C. 1331),
- Pipeline and Hazardous Material Safety Administration, (PHMSA), 49 CFR 195
- Pollution Prevention Act of 1990 (PPA), 42 U.S.C. 13101- 13109, *et. seq.*,
- Protection and Enhancement of Cultural Environmental Quality, E.O. 11593, 36 FR 8921,
- Protection and Enhancement of Environmental Quality, E.O. 11514, 35 FR 4247,
- Protection of Children from Environmental Health and Safety Risks, E.O. 13045, 62 FR 19885,
- Protection of Wetlands, E.O. 11990, 42 FR 26961,
- Recreational Fisheries, E.O. 12962, 60 FR 307695,
- Resource Conservation and Recovery Act of 1976 (RCRA), Pub. L. 94-580, 42 U.S.C. 6901, *et. seq.*,
- Responsibilities of Federal Agencies to Protect Migratory Birds, E.O. 13186, 66 FR 3853,
- Rivers and Harbors Act of 1899, Section 9 and 10
- Safe Drinking Water Act (SDWA), Pub. L. 93-523, 42, U.S.C. 201, *et. seq.*,
- Submerged Lands Act (SLA) 1953,
- Sunken Military Craft Act (SMCA) of 2004,
- Toxic Substances Control Act (TSCA), 7 U.S.C. 136, *et. seq.*, and
- Wild and Scenic Rivers Act, Pub. L. 90-542, 16 U.S.C. 1271, *et. seq.*,

### International

Below is a list of international laws and regulations that were reviewed during the development of the DWPL application:

- Convention on International Regulations for Preventing Collisions at Sea of 1972 (72 COLREGS),
- High Seas Fishing Compliance Act in March of 1996,
- IMO International Ship and Port Facility Security Code (ISPS)
- International Convention for the Prevention of Pollution from Ships, adopted in 1973 and modified by the Protocol of 1978 (MARPOL), and
- United Nations Convention on the Law of the Sea in 1982,

## State of Texas

A list of State of Texas laws and regulations that were reviewed during the development of the DWPL application are listed below:

- Texas Office of the Governor, Consent of the Governor, Texas Deepwater Port Procedures Act, (52 Texas Transportation Code 52.001 et seq.)
- General Land Office, Coastal Management Program, Submerged land lease
- General Land Office, Oil Spill Prevention and Response Act
- Texas, Railroad Commission, Water Quality Certification
- Texas, Railroad Commission, Pipeline Safety
- Texas, Railroad Commission, Hydrostatic Test Discharge Permit, Title 2, Texas Water
- Texas, Railroad Commission, Code – Section 26.131 (b), Permit Application to Operate Product Pipeline, Form T-4 (Texas Administrative Code (TAC), Title 16, Part 1, Chapter 3, Rule 3.70)
- Texas Historical Commission, Section 106 National Historical Preservation Act Consultation
- Texas Historical Commission, Antiquities Code of Texas
- Texas Parks and Wildlife Department, Consistency with State of Texas Threatened and Endangered Species Regulations (Rare Resources Review)
- Texas Commission on Environmental Quality, Air Permit by Rule (PBR) 106