

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket Number USCG–2013–0363]****Deepwater Port License Application: Liberty Natural Gas LLC, Port Ambrose Deepwater Port; Withdrawal of Application and Termination of Federal Application Review Process****AGENCY:** Maritime Administration, U.S. Department of Transportation.**ACTION:** Notice of termination of Federal review.

SUMMARY: The Maritime Administration (MARAD) announces the termination of the Liberty Natural Gas LLC (Liberty) Port Ambrose Deepwater Port License Application and all related Federal processing activities required by applicable provisions of the Deepwater Port Act of 1974, as amended (Act).

On September 28, 2015, Liberty submitted to MARAD and the U.S. Coast Guard (USCG) an application under the Act for a license and all Federal authorizations required to own, construct, and operate a deepwater port for the importation of liquefied natural gas (LNG) into the United States. The deepwater port, known as Port Ambrose, was proposed to be located in the offshore waters of New York and New Jersey, in the New York Bight. On June 14, 2013, MARAD and USCG deemed the application complete, designated New York and New Jersey as adjacent coastal states (ACS) and commenced the Federal application review process required under the Act. This process also included a comprehensive environmental assessment, public meetings and coordination of the application review process with relevant Federal and State agencies.

Upon completion of the environmental review process required by the National Environmental Policy Act (NEPA) and the final public licensing hearings, Governor Andrew M. Cuomo of the State of New York, notified the Maritime Administration, by letter dated November 12, 2015, of his disapproval of the Liberty Port Ambrose deepwater port project. Governor Cuomo's disapproval was issued in accordance with the provisions outlined in 33 U.S.C. Section 1508(c)(8) which state, the Secretary (or Maritime Administrator by delegated authority) may issue a deepwater port license only if the Governor of the ACS approves or is presumed to approve, issuance of the license. In light of Governor Cuomo's disapproval of the application, Liberty notified MARAD,

by letter dated November 18, 2015, of its withdrawal of the Port Ambrose license application from the Federal review process. As a consequence of Liberty's withdrawal of its application, the Federal application review process and all related Federal processing activities were terminated on November 18, 2015. This **Federal Register** Notice shall serve as official announcement to the public that the Federal review and processing of the Liberty Port Ambrose deepwater port license application is terminated.

FOR FURTHER INFORMATION CONTACT: Ms. Yvette M. Fields, Director, Office of Deepwater Ports and Offshore Activities, Maritime Administration, telephone 202–366–0926, email: *Yvette.Fields@dot.gov*.

SUPPLEMENTARY INFORMATION: On September 28, 2012, Liberty submitted to MARAD and USCG an application for a license and all Federal authorizations required to own, construct, and operate a natural gas import deepwater port known as Port Ambrose. Specifically, the Port Ambrose license application proposed construction and operation of an offshore natural gas deepwater port facility that would have been located 16.1 nautical miles southeast of Jones Beach, New York, 24.9 nautical miles east of Long Branch, New Jersey, and 27.1 nautical miles from the entrance to New York Harbor in a water depth of approximately 103 feet.

As required under the Act, MARAD and USCG, acting as co-lead agencies, commenced a formal review of the Port Ambrose deepwater port license application. The review included an application completeness determination, development of a comprehensive Environmental Impact Statement (EIS) as required by NEPA, in-depth review of the financial capacity of the applicant to construct, operate and decommission the proposed deepwater port and assessment of the applicant's ability to meet all other license criteria of the Act. The initial Port Ambrose deepwater port Notice of Application (NOA) was published in the **Federal Register** on June 14, 2013 (78 FR 36014). The NOA announced completeness of MARAD's and USCG's initial review of the application and commencement of the formal application review process. Thereafter, the required Notice of Intent to prepare an EIS and conduct public scoping meetings was published in the **Federal Register** on June 24, 2013 (78 FR 37878). The required public scoping meetings were held in Long Beach, New York on July 9, 2013, and in Edison, New Jersey on July 10, 2013. Additionally, an NOA of the Draft EIS (DEIS) was published in

the **Federal Register** on December 16, 2014 (79 FR 74808), and subsequent public meetings seeking public comments on the DEIS were held in Jamaica, New York on January 7, 2015, and in Eatontown, New Jersey on January 8, 2015. On October 16, 2015, an NOA of the Final EIS and Notice of Final Public Licensing Hearings was published in the **Federal Register** (80 FR 62596). The final hearings were held on November 2, 2015 and November 3, 2015 in Long Beach, New York, and on November 4, 2015 and November 5, 2015 in Eatontown, New Jersey.

Upon conclusion of the final public licensing hearings and completion of consistency reviews by the relevant state agencies, New York Governor Andrew M. Cuomo, by letter dated November 12, 2015, advised MARAD of his disapproval of Liberty's Port Ambrose deepwater port license application. Governor Cuomo disapproved the application in accordance with his authority as an ACS Governor, as provided under Section 1508(b)(1) of the Act. Governor Cuomo's disapproval was based on concerns related to his assessment of the proposed project's inherent security risks, impacts of extreme weather events, disruption of commercial navigation and fishing activities, and the potential interference with currently pending renewable energy projects proposed for the State of New York.

On November 18, 2015, in light of Governor Cuomo's disapproval of the Port Ambrose license application, Liberty notified MARAD of its withdrawal of the application from the Federal review process. As a consequence of the withdrawal of the application, the Federal review process was terminated on November 18, 2015. This public notice serves as an official announcement of the termination of the Liberty Natural Gas Port Ambrose deepwater port license application and all other related Federal processing activities.

Further, as a result of the termination of the application and related processing activities, no Record of Decision (ROD) will be issued by MARAD for the Liberty Port Ambrose license application. It should be noted, however, that all project related information compiled and assessed during the application review will be incorporated into the final administrative record for the Liberty Port Ambrose deepwater license application.

Additional information regarding the Liberty Port Ambrose deepwater port license application, comments, supporting information and other

associated documentation are available for viewing at the Federal Docket Management System (FDMS) Web site: <http://www.regulations.gov> under docket number USCG–2013–0363.

(Authority: 49 CFR 1.93)

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Dated: December 18, 2015.

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2015–32348 Filed 12–23–15; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. USCG–2015–0472]

Deepwater Port License Application: Delfin LNG LLC, Delfin LNG Deepwater Port

AGENCY: Maritime Administration, U.S. Department of Transportation.

ACTION: Notice of Receipt of Amended Application; Request for Comments.

SUMMARY: The Maritime Administration (MARAD), in cooperation with the U.S. Coast Guard (USCG), announces the receipt and availability of the amended deepwater port license application submitted by Delfin LNG LLC (Delfin LNG) on November 19, 2015 (amended application). The purpose of this **Federal Register** Notice is to explain the changes between the original application and the amended application and seek public comments regarding the amended application. Please note, MARAD and USCG have determined that this **Federal Register** Notice is sufficient for satisfying National Environmental Policy Act (NEPA) requirements for public scoping and seeking public comment on an agency action. As such, no public scoping meetings are planned to be held for the Delfin LNG amended application.

A *Notice of Application* that summarized the original Delfin LNG license application was published in the **Federal Register** on July 16, 2015 (80 FR 42162). A Notice of Intent to Prepare an Environmental Impact Statement and Notice of Public Meetings was published in the **Federal Register** on Wednesday, July 29, 2015 (80 FR 45270). This Notice incorporates the aforementioned Notices by reference and highlights changes to the proposed Delfin LNG project made since the original application was deemed complete.

The proposed Delfin LNG deepwater port incorporates onshore components, which are subject to the jurisdiction of the Federal Energy Regulatory Commission (FERC). These facilities are described in the section of this notice titled “FERC Application.”

FOR FURTHER INFORMATION CONTACT: Mr. Roddy Bachman, USCG, telephone: 202–372–1451, email: Roddy.C.Bachman@uscg.mil, or Ms. Yvette M. Fields, Director, Office of Deepwater Ports and Offshore Activities, MARAD, telephone: 202–366–0926, email: Yvette.Fields@dot.gov. For questions regarding viewing the Federal docket, call Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Request for Comments

We request public comments on the amended application for the proposed deepwater port. You can submit comments directly to the Docket Operations Facility during the public comment period from publication date of this Notice until Tuesday, January 19, 2016. We will consider all comments and materials received during the public comment period. Public comment submissions must be unbound, no larger than 8½ by 11 inches and suitable for copying and electronic scanning. Please include the docket number (USCG–2015–0472) and your name and address on any correspondence.

Submit comments or material using only one of the following methods:

- Online: Go to www.regulations.gov and search docket number “USCG–2015–0472.” Follow the online instructions for sending your comments electronically.
- Mail: Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- Hand Delivery or Courier: Bring comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.
- Fax: Fax comments to Docket Operations at 202–493–2251.

While not required, it is preferred that comments be submitted electronically, which facilitates use of computer software to sort, organize and search the comments. If you submit your comments electronically, it is not necessary to also submit a hard copy.

Background

On May 8, 2015, as supplemented on June 19, 2015, MARAD and USCG received an application from Delfin LNG for all Federal authorizations required for a license to own, construct, and operate a deepwater port for the export of natural gas. On Thursday, July 16, 2015, a *Notice of Application* was published in the **Federal Register** (80 FR 42162) advising the public of the completed original application. Louisiana and Texas were designated as adjacent coastal States (ACS) for the original application.

Two public scoping meetings were held in connection with the original Delfin LNG application. The first public scoping meeting was held in Lake Charles, Louisiana on August 18, 2015, and the second public scoping meeting was held in Beaumont, Texas on August 19, 2015. After the public scoping meetings concluded, Delfin LNG advised MARAD and USCG of its intent to amend the original application.

In anticipation of the amended application, MARAD and USCG issued a regulatory “stop-clock” letter to Delfin LNG on September 18, 2015. That letter commenced a regulatory “stop-clock,” effective September 18, 2015, which would remain in effect until MARAD and USCG received the amended application and determined it contained sufficient information to continue the Federal review process. On November 19, 2015, Delfin LNG submitted its amended application to MARAD and USCG.

Working in coordination with participating Federal and State agencies, we will commence processing the amended application and complete a Draft EIS which analyzes reasonable alternatives to, and the direct, indirect and cumulative environmental impacts of, the proposed action. When the Draft EIS is complete and ready for public review, a *Notice of Availability* will be published in the **Federal Register**. The *Notice of Availability* will provide for a public comment period that includes public meetings in Louisiana and Texas. The amended application is currently available for public review at the Federal docket Web site: www.regulations.gov under docket number USCG–2015–0472.

Summary of the Amended Application

The specific project changes from the original Delfin LNG application are: 1) the liquefaction capacity of the four proposed FLNGVs that would service the proposed Delfin deepwater port is increased from a base design capacity of two million metric tons per annum