



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

Regional Planning and
Environmental Division South
Environmental Compliance Branch

October 12, 2016

PUBLIC NOTICE
REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS
PROJECT PURSUANT TO 33 U.S.C. SECTION 408

PUBLIC NOTICE/FILE NUMBER: 15-649, Moran Towing Company proposes to construct a new dock facility along the flood side of the right descending Mississippi River levee, near station number 801+65 at 201 Marrero Road, Marrero in Jefferson Parish, Louisiana.

Interested parties are hereby notified that a request for permission to alter a U.S. Army Corps of Engineers (USACE) project pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408) has been received and will be evaluated by the New Orleans District. Written comments, including any objections to the proposed alteration, stating reasons therefor, are being solicited from anyone having an interest in the requested alteration. Comments must be mailed or emailed by or before the last day of the comment period and must reference the file number of this public notice. Comments will become part of the record and will be considered in the decision on the request. See below for contact information and address. The proposed action could alter the following federal projects: Mississippi River Levees, Mississippi River Channel Stabilization, and Mississippi River Deep Draft Navigation Channel.

COMMENT PERIOD EXPIRES: October 27, 2016

REQUESTED ALTERATION: Moran Towing Company proposed to install a new floating barge dock. The barge will act as a dock which floats matching the river level. It will be moored in place via three dolphins made up of three pilings each. A 4-foot wide by 350-foot long walkway is also part of the proposal. The walkway would allow foot access from shore to the moored barge. A 50-foot by 60-foot limestone parking area will be constructed on the river side of the levee.

The attached figures provide the location and details of the proposed project.

REQUESTER: Moran Towing Company, 2049 Railroad Street, Litcher, LA 70071

PERMISSION AUTHORITY: The authority to grant permission for temporary or permanent use, occupation or alteration of any USACE civil works project is contained

in Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 USC 408 ("Section 408"). Section 408 authorizes the Secretary of the Army to grant permission for the alteration or occupation or use of a USACE project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project.

ADDITIONAL INFORMATION: Moran Towing Company has submitted an application for a Rivers and Harbors Act Section 10/404 permit to the USACE Regulatory Branch for the proposed action. That evaluation (MVN-2015-1065-EOO) will be a separate process from the evaluation of the request for permission to alter a USACE project. This Public Notice solicits comments only on the proposed alteration of the USACE project.

LOCATION OF PROPOSED ACTION: Along the right descending bank of the Mississippi River, at 201 Marrero Road in Marrero, Jefferson Parish, Louisiana near Latitude: 29° 54' 18.3", Longitude: -90° 06' 39.6" as shown on the attached drawings. It would be located in the vicinity of Mississippi River Levee Station 801+65.

WRITTEN COMMENTS MAY BE MAILED TO:

Department of the Army
Corps of Engineers, New Orleans District
CEMVN-PDC
ATTN: Howard Ladner
7400 Leake Ave.
New Orleans, Louisiana 70118

WRITTEN COMMENTS MAY BE EMAILED TO: howard.w.ladner@usace.army.mil

ALL comments must contain the full name and address of the individual commenting and must be received by the USACE by the expiration of the public notice period.

EVALUATION: This request will be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-216, which provides policy and procedural guidance for processing requests to alter USACE civil works projects.

The decision whether to grant permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

- 1) Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the

USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs. If USACE determines that the usefulness of the authorized project would be impaired, the request will be denied.

- 2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.
- 3) Environmental Compliance. A decision on a Section 408 request is a Federal action and is subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. USACE is preparing an Environmental Assessment to evaluate the potential impacts of the proposed alteration on important resources. Comments received on this public notice will be used in the evaluation. The EA will not be published for public comment as this notice fulfills NEPA requirements for public participation. Any comments regarding the proposed alteration should be submitted during the current public comment period.

While ensuring environmental compliance is the responsibility of USACE, the requester is responsible for providing all information that USACE identifies as necessary. Environmental compliance factors that will be considered in this evaluation include but are not limited to the following:

- a. A preliminary review of the proposed action under Section 7 of the Endangered Species Act indicated the proposed action would not likely adversely affect listed species or designated critical habitat.
- b. The requester will be required to provide proof of compliance with Section 401 of the Clean Water Act from the Department of Environmental Quality.
- c. Compliance with Clean Water Act, Section 404(b)(1) guidelines, as well as Section 10 of the Rivers and Harbors Act will be evaluated through a separate USACE permit review process. EC 1165-2-216 specifies that the Section 408 request must be evaluated independent of the above referenced USACE permit evaluations.
- d. The requester must provide proof the proposed action is consistent with the Coastal Zone Management Act to the maximum extent practicable prior to

issuance of the Section 408.

- e. In accordance with Section 106 of the National Historic Preservation Act (NHPA), the USACE is required to take into account the effects of any permitted action to historic properties, which includes both archaeological resources on the surface or below ground, as well as historic buildings and structures that are listed in or are eligible for listing in the National Register of Historic Places. If determined necessary, the USACE will also consult with Indian Tribes in accordance with Section 101(d)(6)(B) of the NHPA, the USACE Tribal Consultation Policy, and Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments."

All factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project. The review will consider the potential impact to the usefulness of the Federal project and whether the proposed alteration would be injurious to the public interest. Policy and legal compliance will also be considered.

USACE is soliciting comments from interested parties to evaluate the potential impacts of the proposed alteration. Comments will be considered to assess impacts on the public interest factors listed above, as well as endangered species, historic properties, water quality, and general environmental effects. Comments will be used for environmental compliance coordination as required by NEPA.

COORDINATION: This public notice will be coordinated with the relevant State, Federal and Tribal entities as appropriate.

Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

If you have any questions, please contact Howard Ladner, Project Manager, by telephone at 504-862-2021 or via email at Howard.W.Ladner@usace.army.mil.

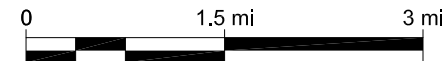
FOR THE DISTRICT COMMANDER:

Enclosures

Sandra E. Stiles
Acting Chief, Environmental Planning Branch



VICINITY MAP



#	REVISION	BY	DATE



Barnes Engineering Company, Inc.
 Structural • Marine • Bulk Handling
 P.O. BOX 55726, 119 ROSEWOOD DRIVE
 METAIRIE, LOUISIANA 70055
 DON@BARNSENGINEERING.NET
 (504)616-7772

DRAWN BY
PBB
 CHECK BY
DAB
 SCALE
*

**MORAN TOWING
 PROPOSED DOCK
 VICINITY MAP
 HARVEY, LA**

12/08/2014

01

REV 0



SITE PLAN

0 250' 500'

LATITUDE: 29° 54' 18.3" N
LONGITUDE: 90° 06' 39.6" W

#	REVISION	BY	DATE

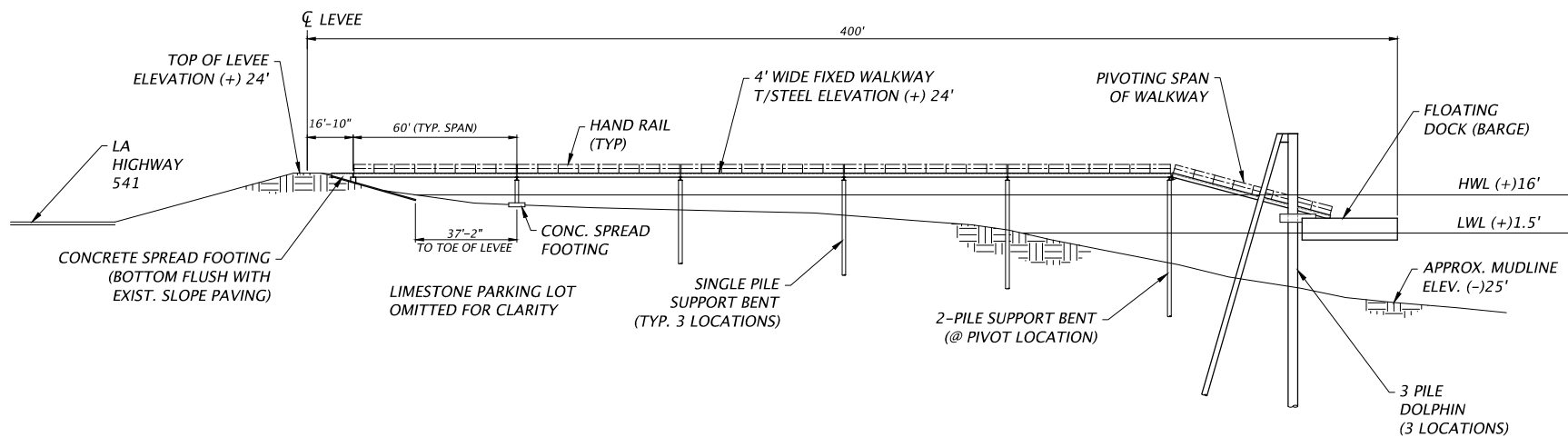


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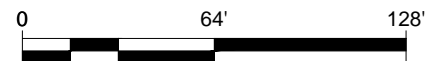
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MORAN TOWING
PROPOSED DOCK & WALKWAY
SITE PLAN
MARRERO, LA

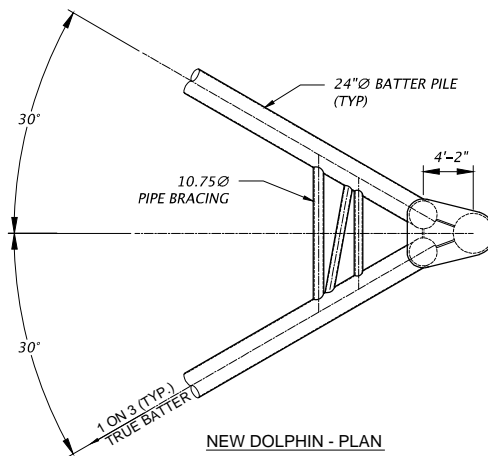
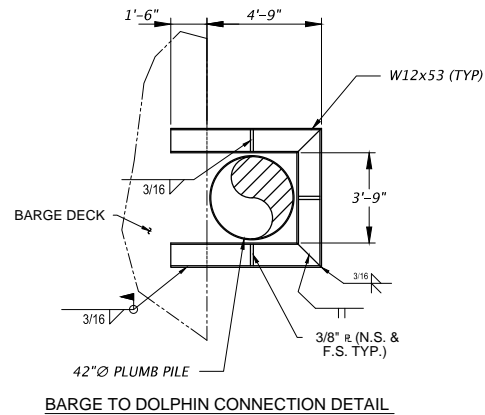
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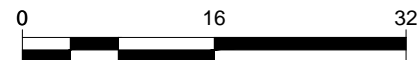
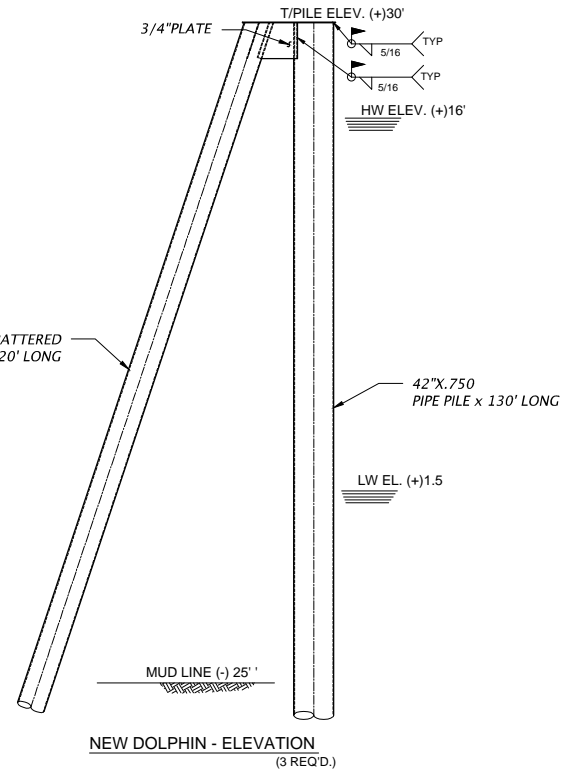
ELEVATION



#	REVISION	BY	DATE	 Barnes Engineering Company, Inc. Structural • Marine • Bulk Handling P.O. BOX 55726, 119 ROSEWOOD DRIVE METAIRIE, LOUISIANA 70055 DON@BARNSENGINEERING.NET (504) 616-7772	DRAWN BY PBB	MORAN TOWING		05/08/2015
					CHECK BY DAB	PROPOSED DOCK & WALKWAY		03
					SCALE *	ELEVATION		
						MARRERO, LA		REV 0



24"X.500 BATTERED
PIPE PILE x 120' LONG



#	REVISION	BY	DATE

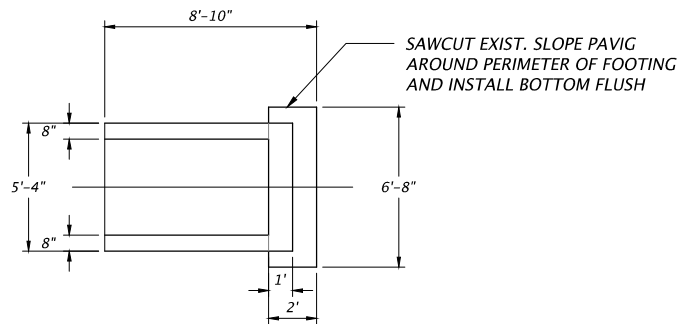


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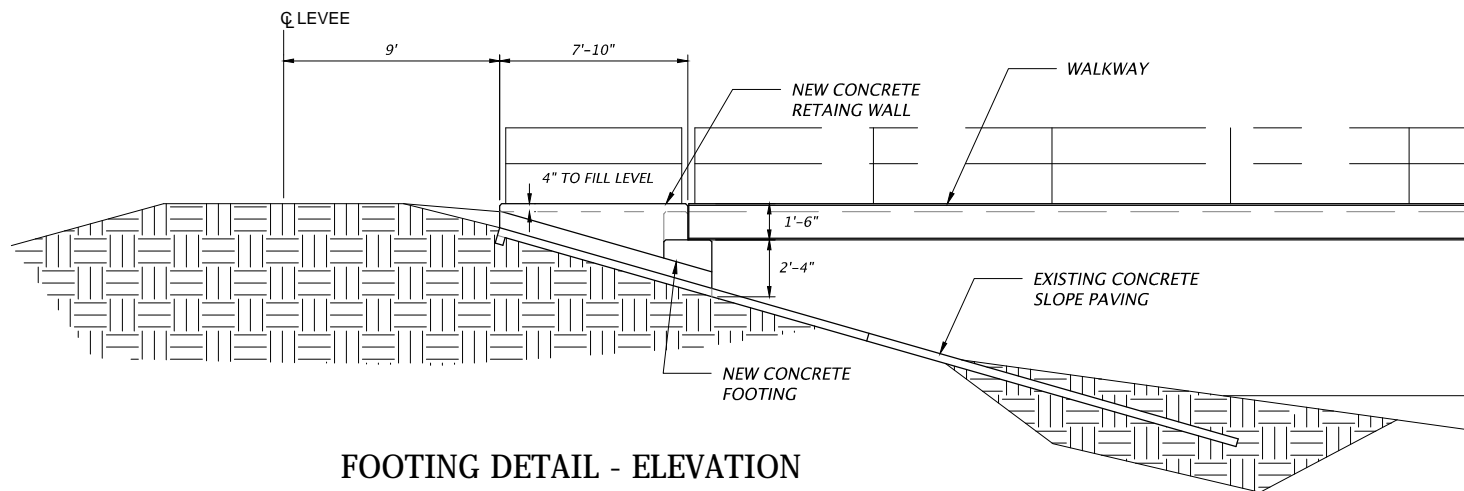
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MORAN TOWING
PROPOSED DOCK & WALKWAY
DOLPHIN DETAIL
MARRERO, LA

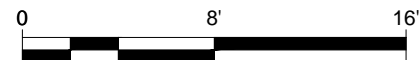
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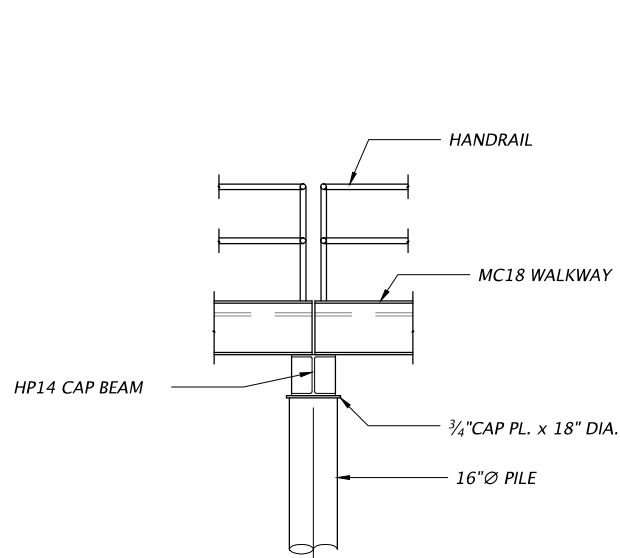
FOOTING DETAIL - PLAN



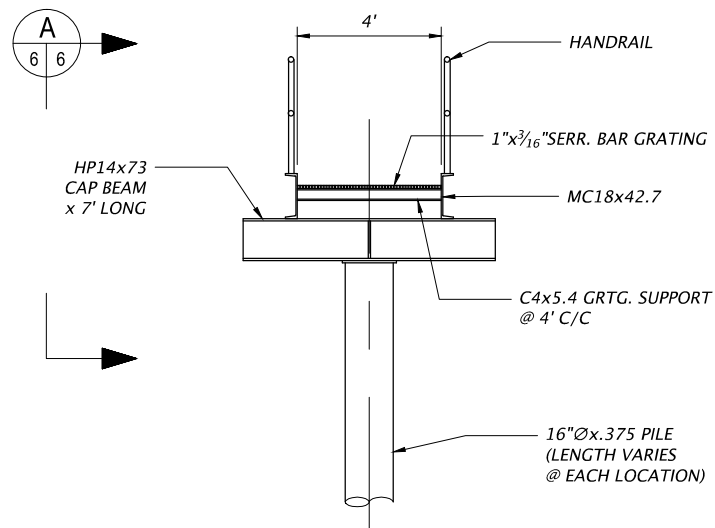
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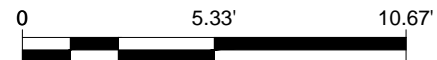
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					SCALE *	FOOTING ON LEVEE - DETAIL		
						MARRERO, LA		REV 0



SECTION A
6



WALKWAY SECTION AND SUPPORT



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					CHECK BY DAB	PROPOSED DOCK & WALKWAY		06
					SCALE *	WALKWAY & SUPPORTS - DETAILS		
						MARRERO, LA		REV 0