

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 17, 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: 16-107, Yuhuang Chemical Inc. proposes to construct a ship dock with breasting and mooring dolphins, a new barge loading dock, a new marine offloading facility, and a new water intake, along with associated roads, ramps, walkways, pipelines, electrical service, and other features. All of the construction would occur on the right descending (west) bank of the Mississippi River in the vicinity of levee station number 945+00 near the community of St. James, in St. James 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: November 1, 2016

REQUESTED ALTERATION: Yuhuang Chemical Inc. proposes to construct a new ship dock with breasting and mooring dolphins, a new barge loading dock, a new marine offloading facility, and a new water intake, along with associated access roads, overhead road and levee crossings, ramps, walkways, pipelines, electrical service, and other features. The ship dock would be used to transfer methanol. Portions of the proposed action are located outside of USACE project areas. Activities located outside the USACE project area will not necessarily be evaluated in the environmental assessment for this proposed action.

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

REQUESTER: Yuhuang Chemical Inc., 10777 Westheimer, Suite 800, Houston, TX 77042

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: Yuhuang Chemical Inc. 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-2014-00940-CG) 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 projects.

LOCATION OF PROPOSED ACTION: Along the right descending bank of the Mississippi River in the vicinity of levee station number 945+00 in St. James Parish, Louisiana near Latitude: 29°59'32"N, Longitude: 90°50'02" as shown on the attached drawings. It would be located in the vicinity of Mississippi River mile 157.5.

WRITTEN COMMENTS MAY BE MAILED TO:

Department of the Army
Corps of Engineers, New Orleans District
ATTN: Howard Ladner (CEMVN-PDC)
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:

 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.

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- 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. The requester has agreed to design the water intake structure to comply with requirements found in the Pallid Sturgeon Recovery Plan. Pallid sturgeon are an endangered species occurring in the Mississippi River.
- 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 received concurrence (P20150795) from the Office of Coastal Management that the project is consistent with the Coastal Zone Management Act to the maximum extent practicable on January 27, 2016.
- 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. 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.

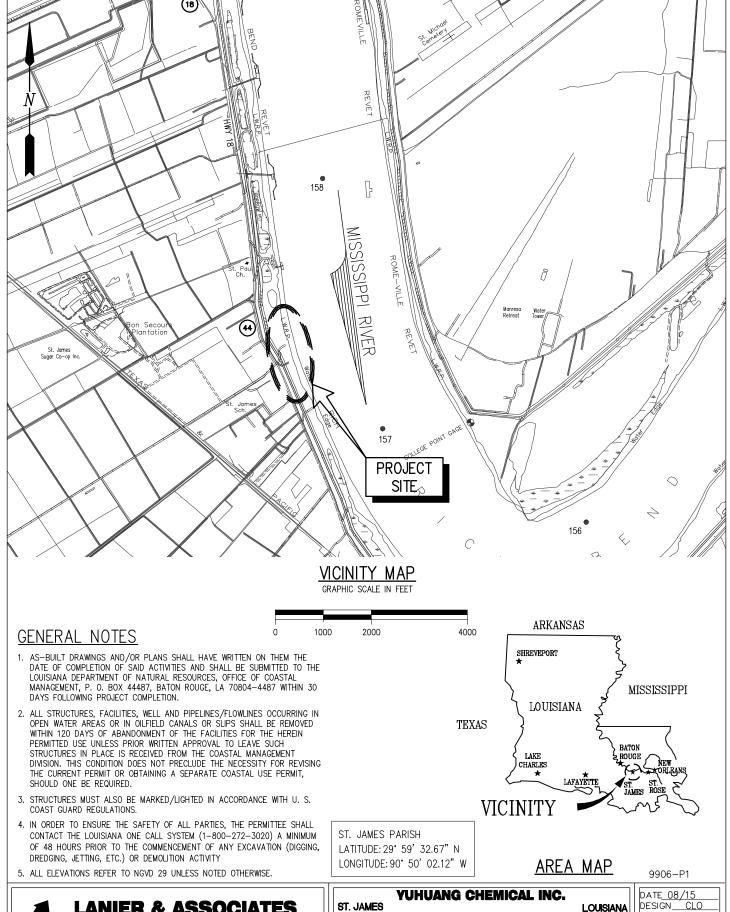
Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

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

FOR THE DISTRICT COMMANDER:

Sandra E. Stiles Acting Chief, Environmental Planning Branch

Enclosures





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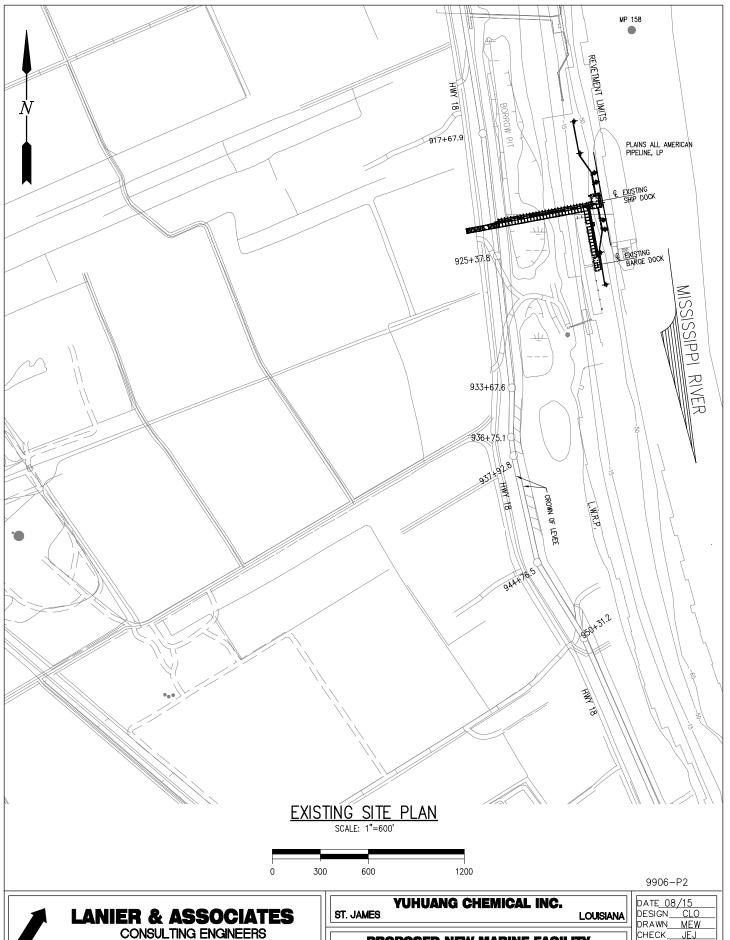
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VICINITY MAP, AREA MAP AND GENERAL NOTES

PROPOSED NEW MARINE FACILITY

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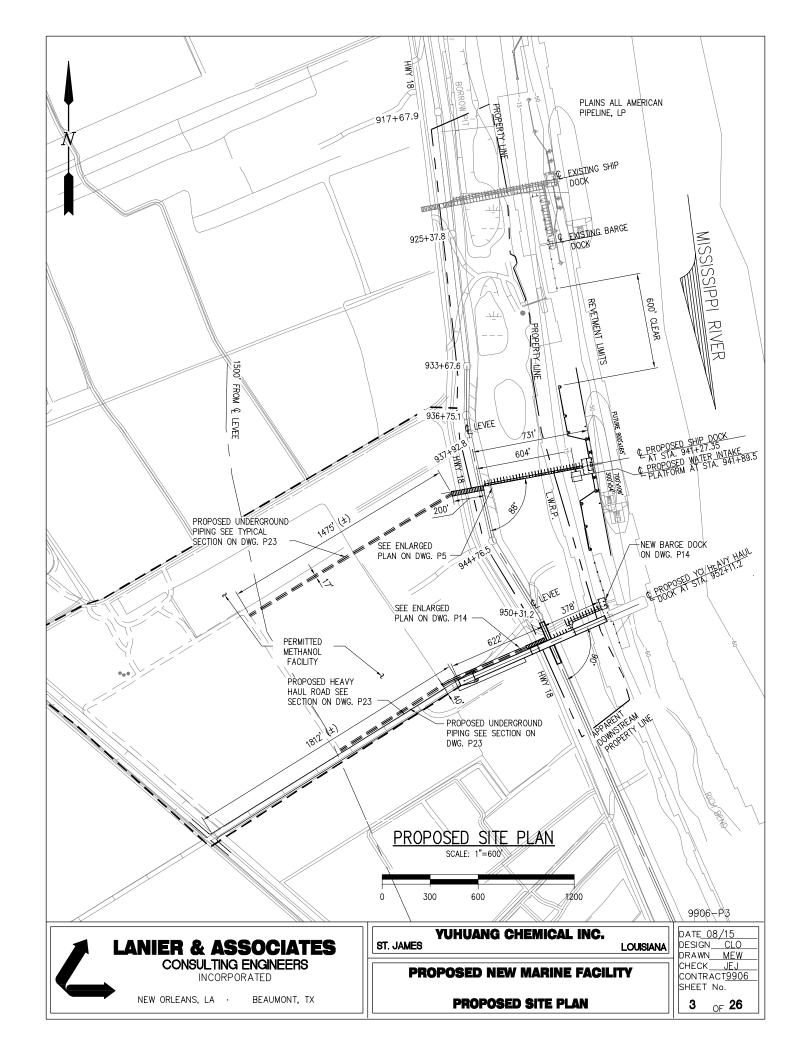


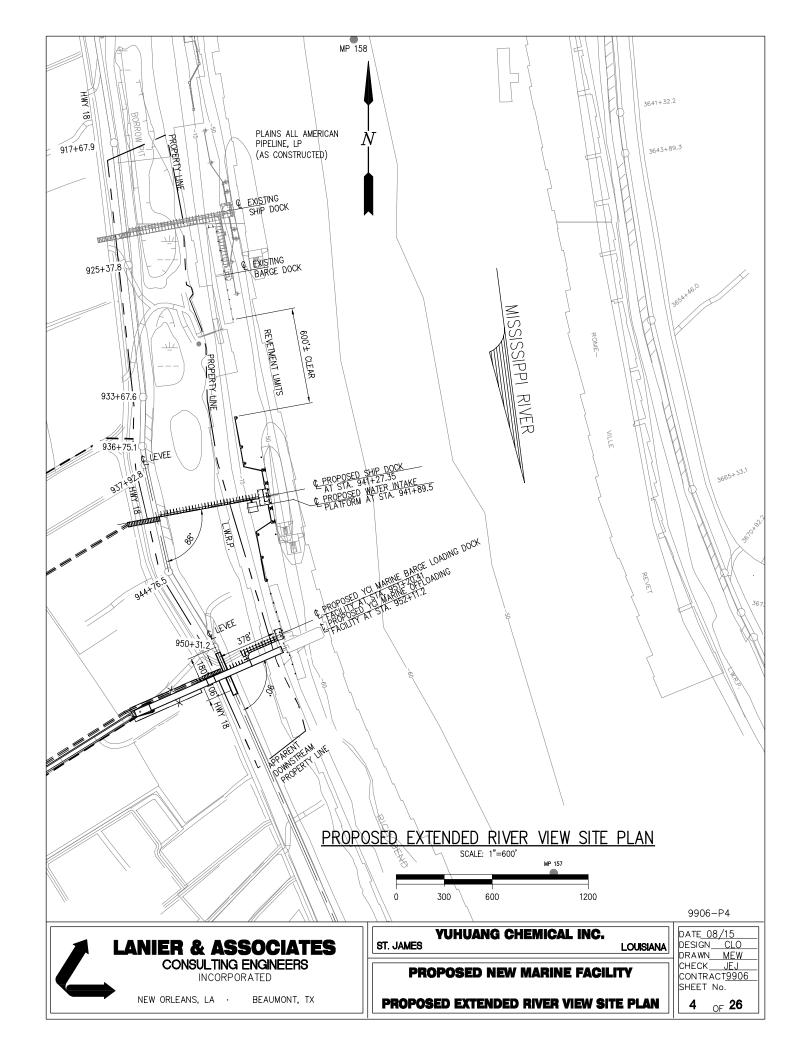


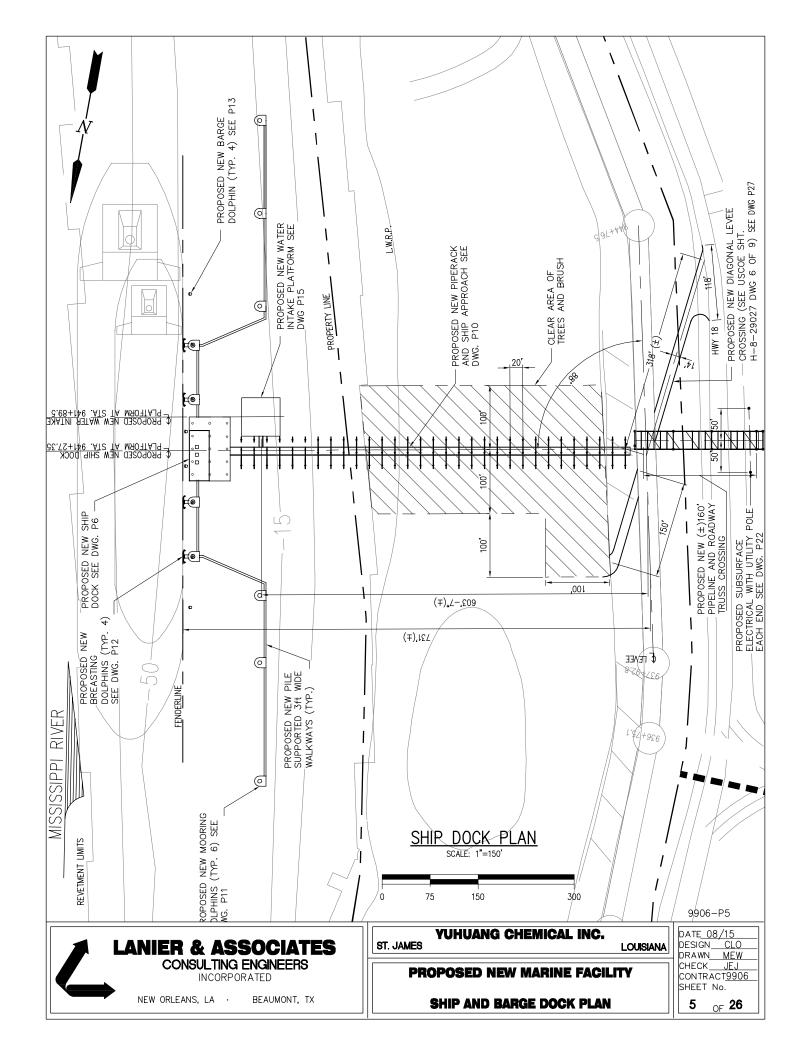
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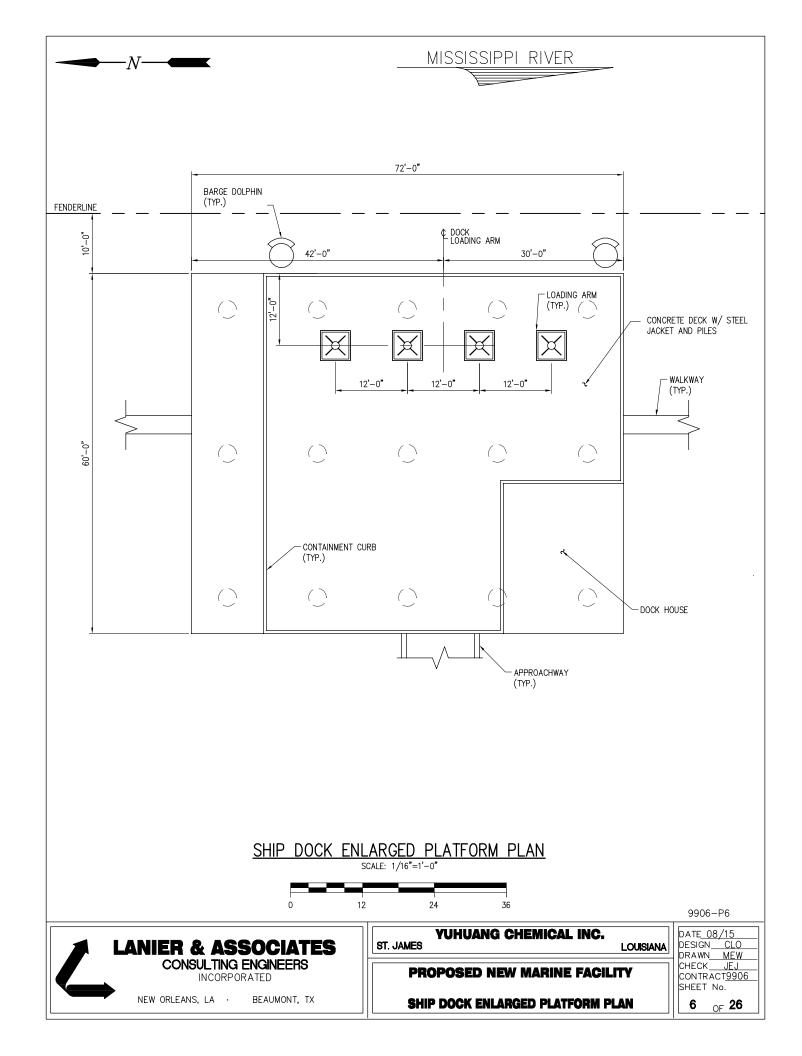
EXISTING SITE PLAN

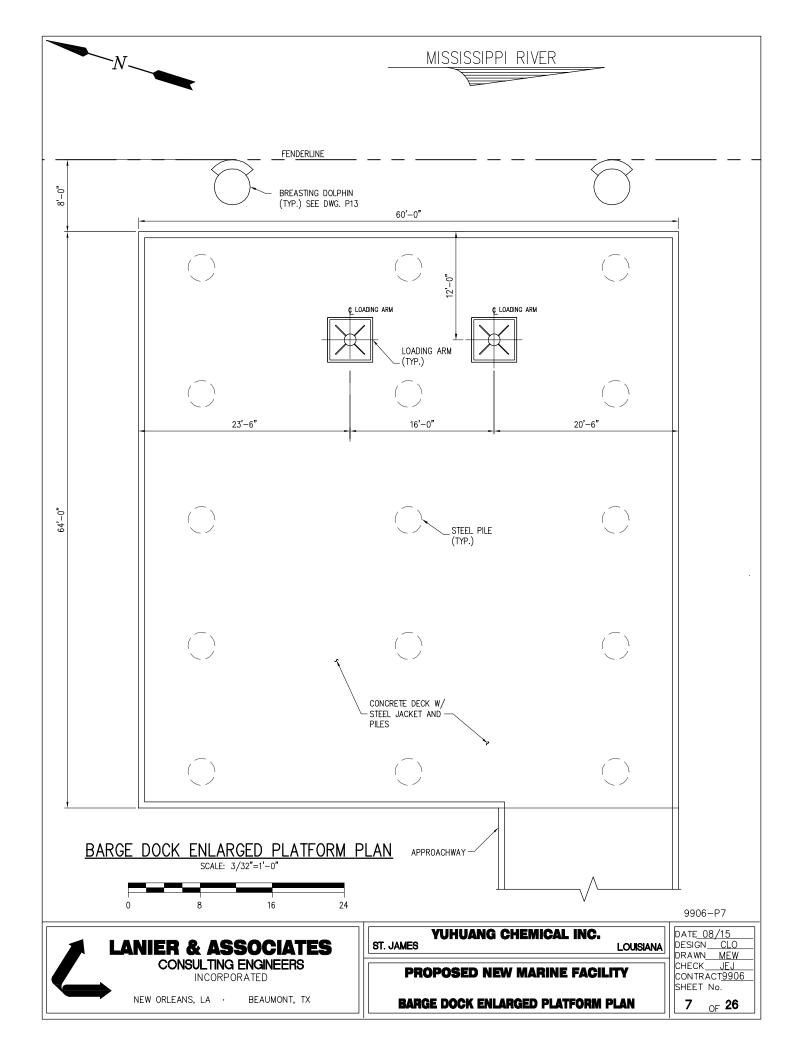
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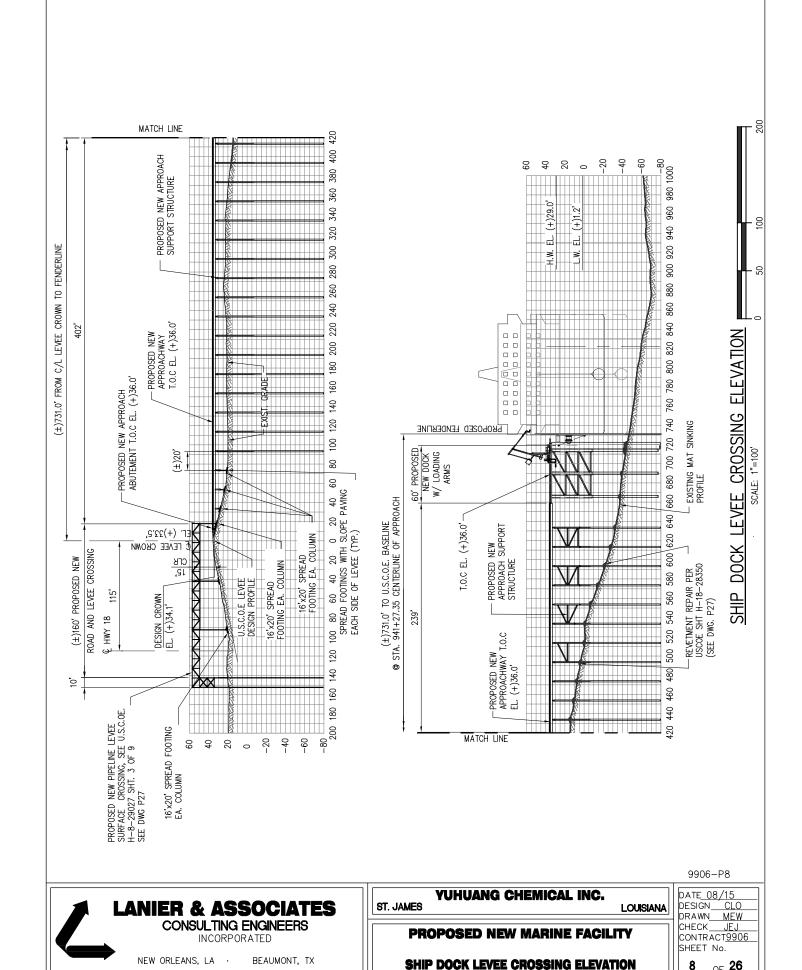






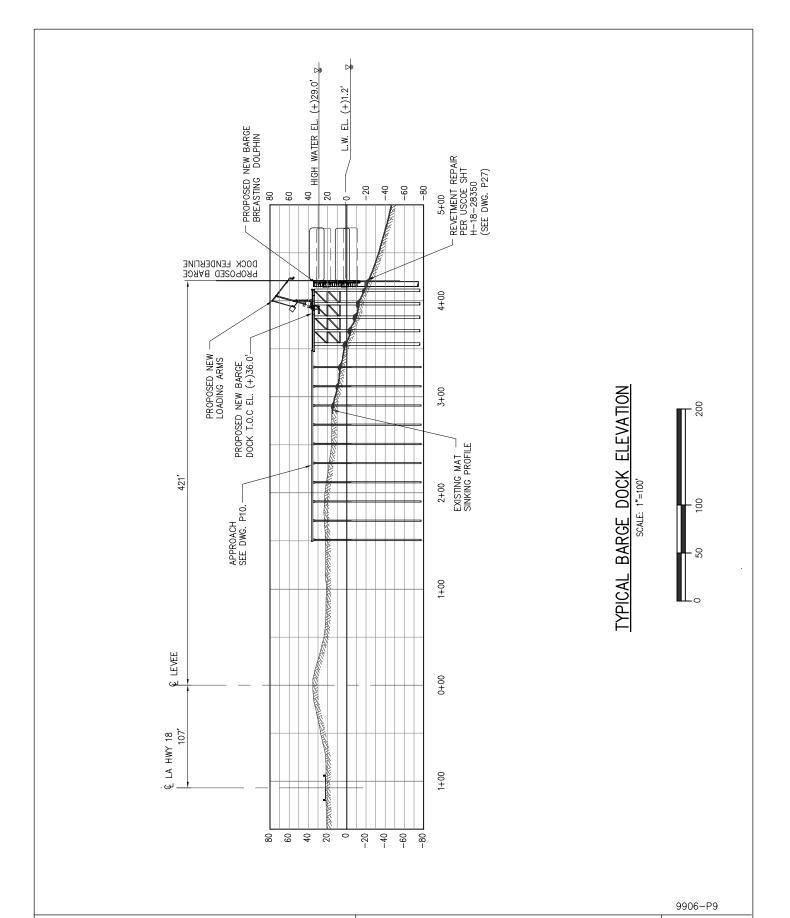






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LANIER & ASSOCIATES CONSULTING ENGINEERS INCORPORATED

> NEW ORLEANS, LA . BEAUMONT, TX

YUHUANG CHEMICAL INC.

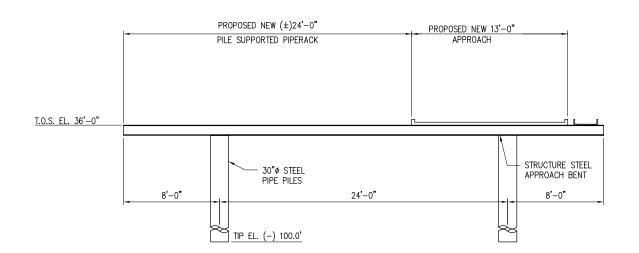
PROPOSED NEW MARINE FACILITY

TYPICAL BARGE DOCK ELEVATION

LOUISIANA

DATE<u>08/15</u> DESIGN<u>CLO</u> CHECK JEJ CONTRACT9906 SHEET No.

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TYPICAL SHIP DOCK AND BARGE DOCK APPROACH SCALE: 1/8"=1'-0"



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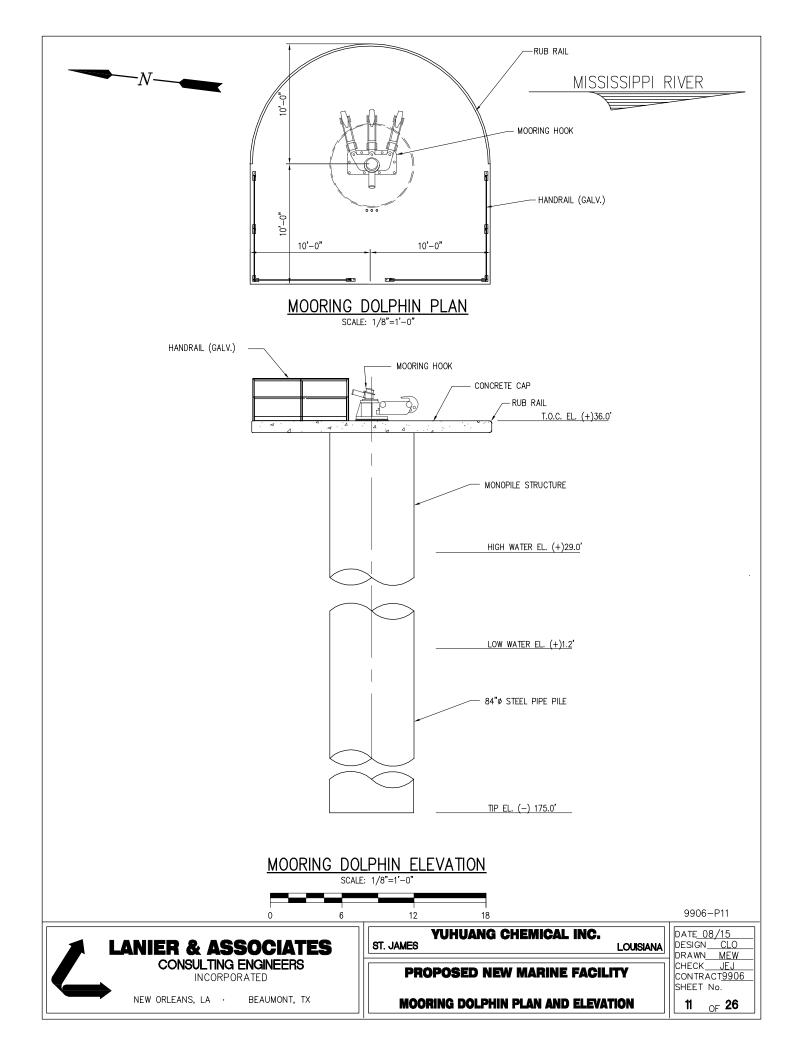


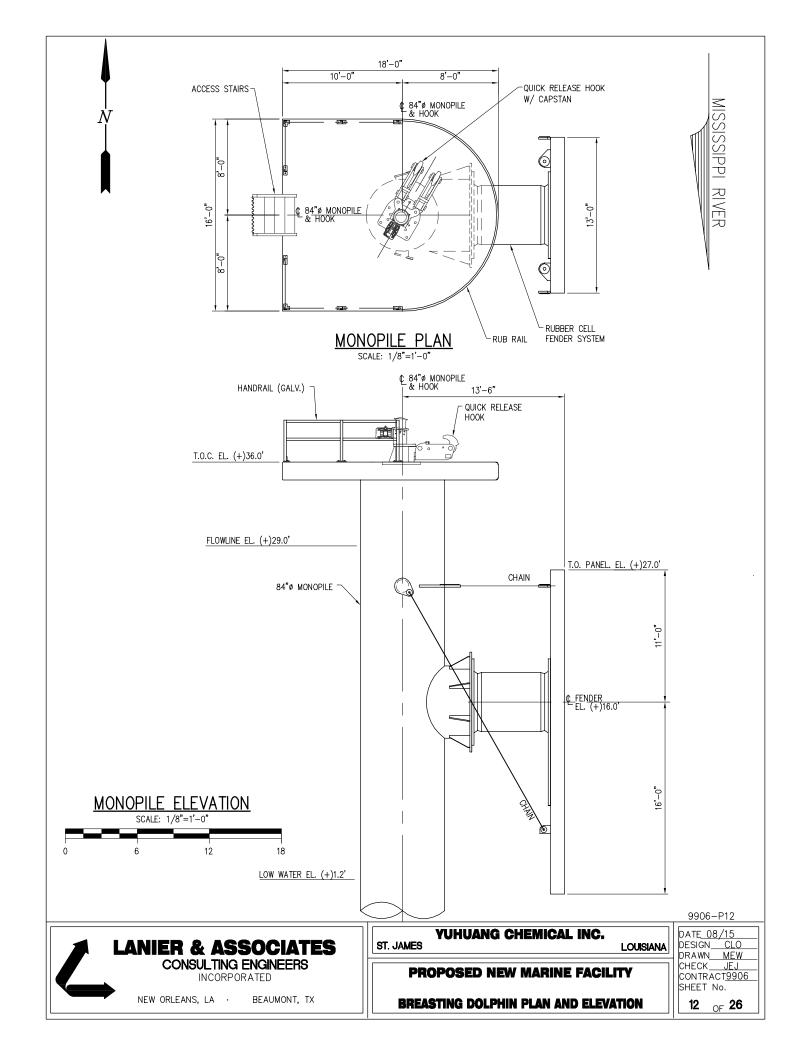
YUHUANG CHEMICAL INC.

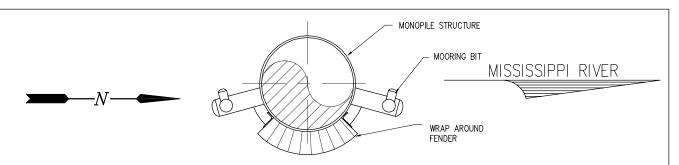
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TYPICAL SHIP AND BARGE DOCK APPROACHES

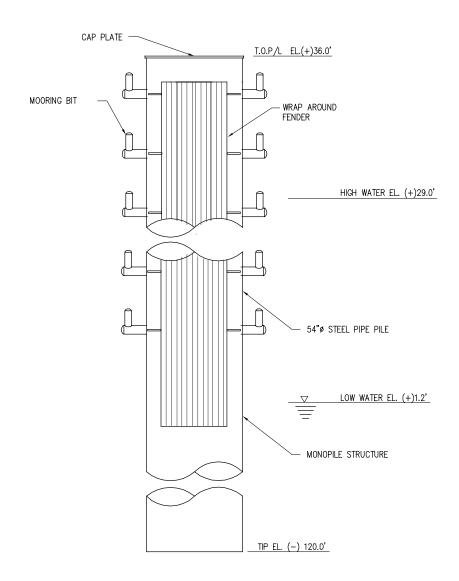
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BARGE DOLPHIN PLAN SCALE: 1/8"=1'-0"



BARGE DOLPHIN ELEVATION SCALE: 1/8"=1'-0"

9906-P13



NEW ORLEANS, LA · BEAUMONT, TX

YUHUANG CHEMICAL INC. ST. JAMES

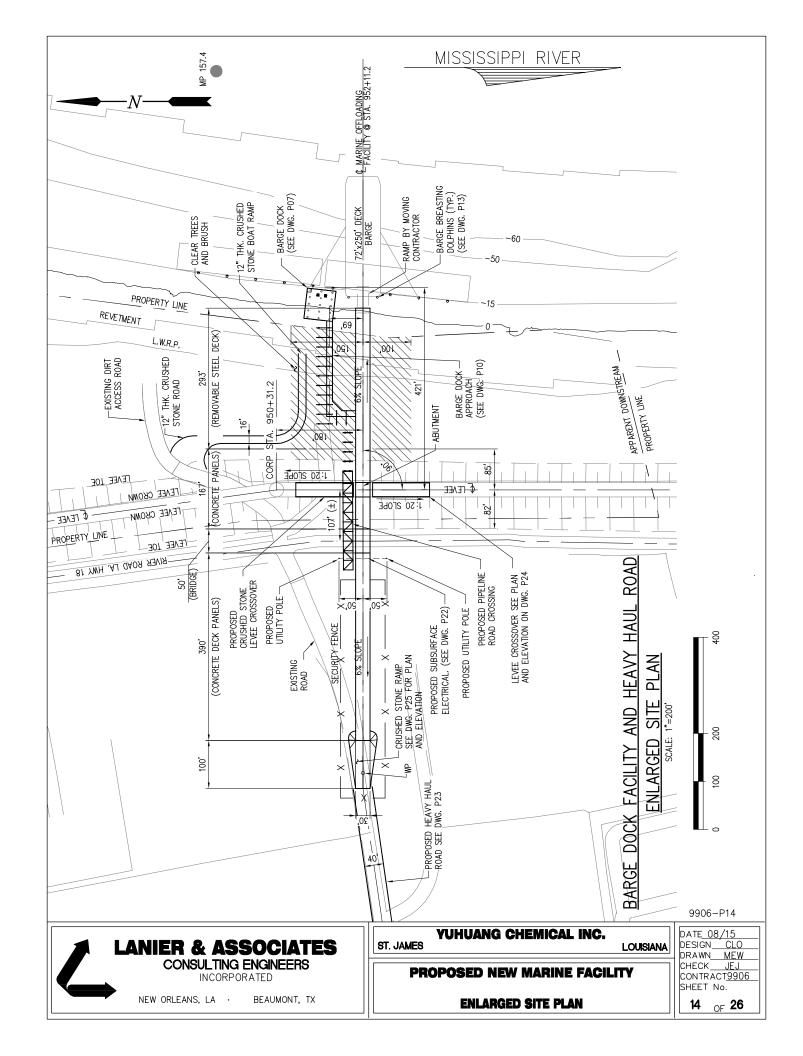
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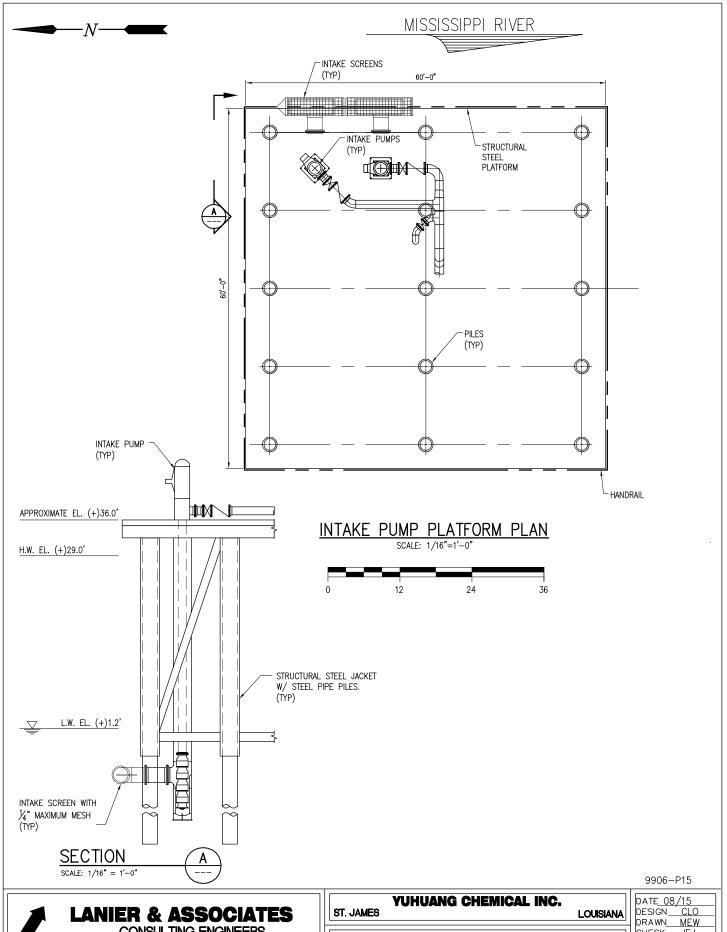
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BARGE DOLPHIN PLAN AND ELEVATION

PROPOSED NEW MARINE FACILITY





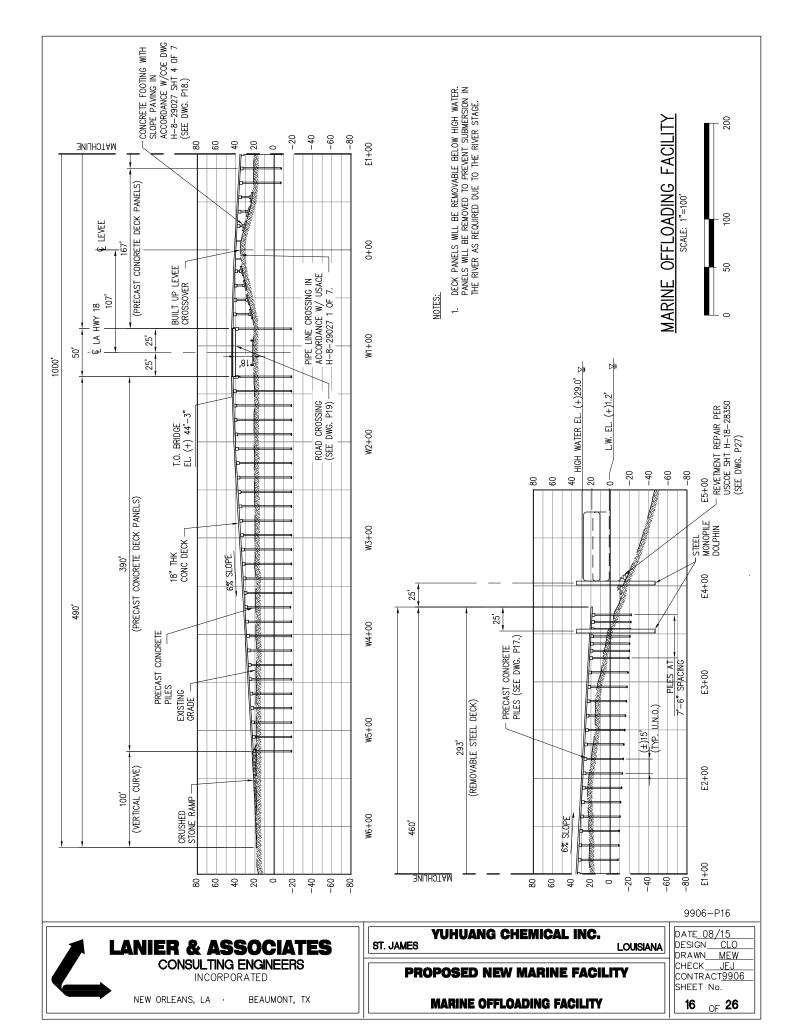


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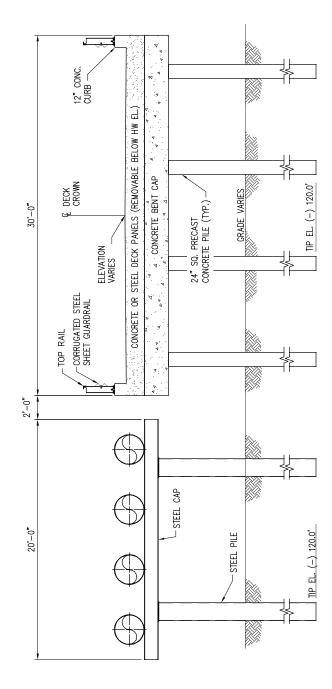
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NOTE:

STEEL PIPE SUPPORT OCCURS FROM 10' OFFSHORE OF TOE OF LEVEE TO TYPICAL BARGE DOCK APPROACH SECTION.





9906-P17



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YUHUANG CHEMICAL INC.

PROPOSED NEW MARINE FACILITY

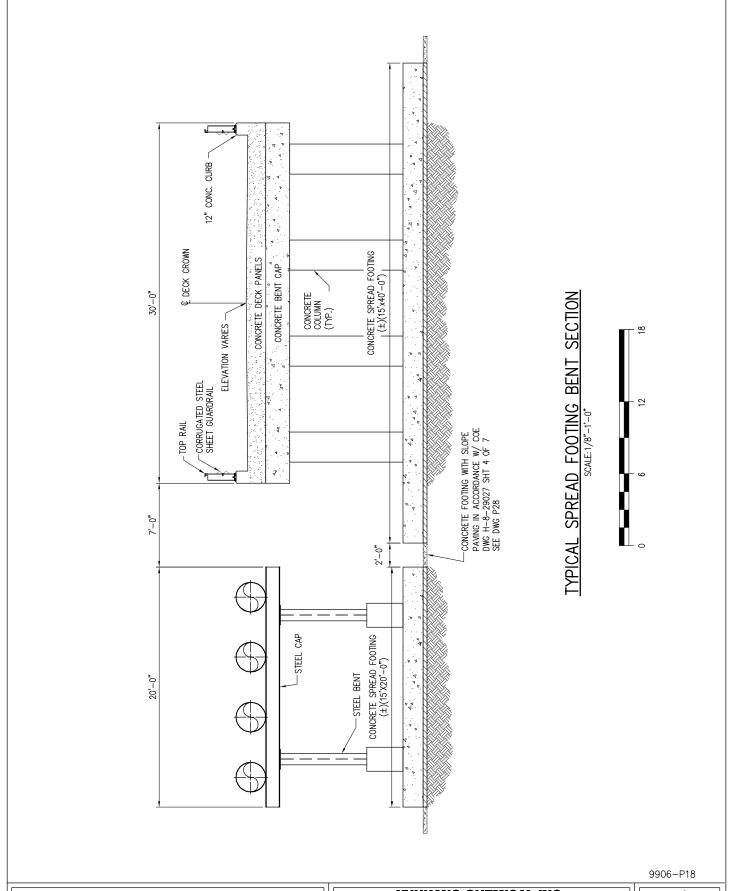
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TYPICAL PILE BENT SECTION





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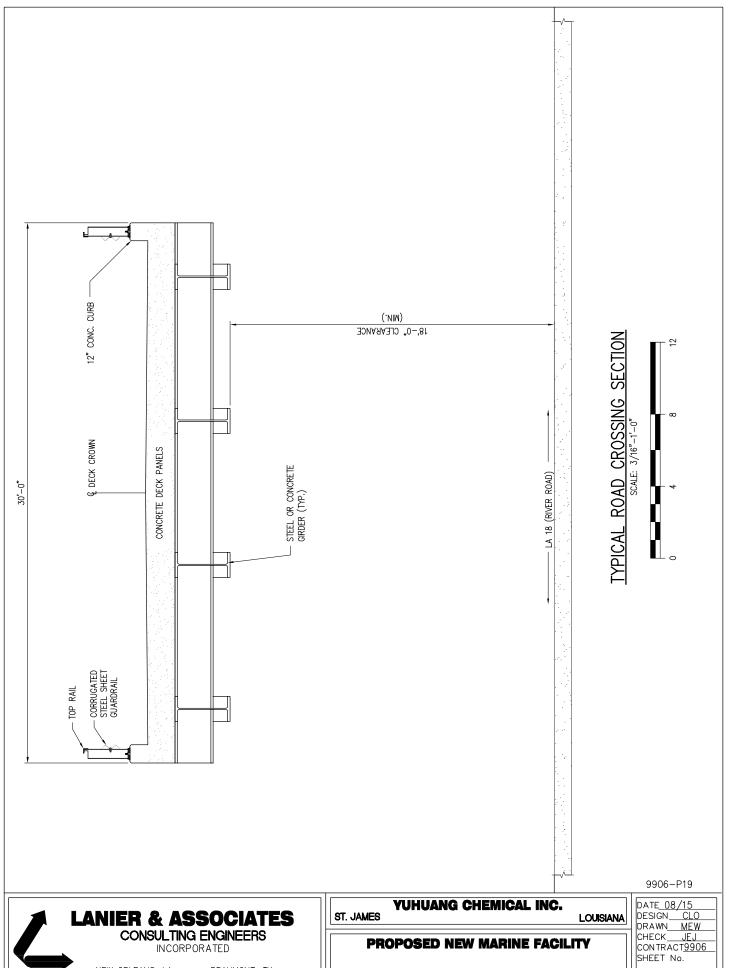
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PROPOSED NEW MARINE FACILITY TYPICAL SPREAD FOOTING BENT SECTION

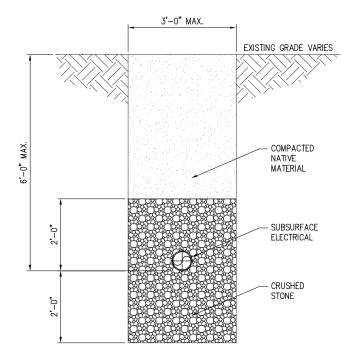


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TYPICAL ROAD CROSSING SECTION



TYPICAL ELECTRICAL SUBSURFACE SECTION



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YUHUANG CHEMICAL INC. ST. JAMES

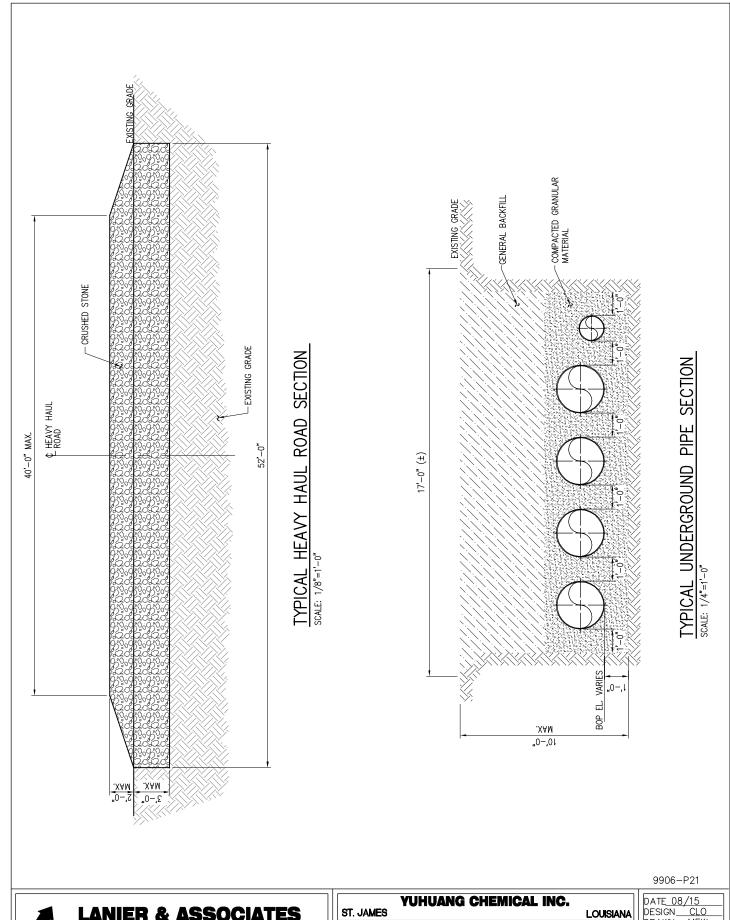
PROPOSED NEW MARINE FACILITY

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TYPICAL PIPE PILE BENT SECTION



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CONSULTING ENGINEERS

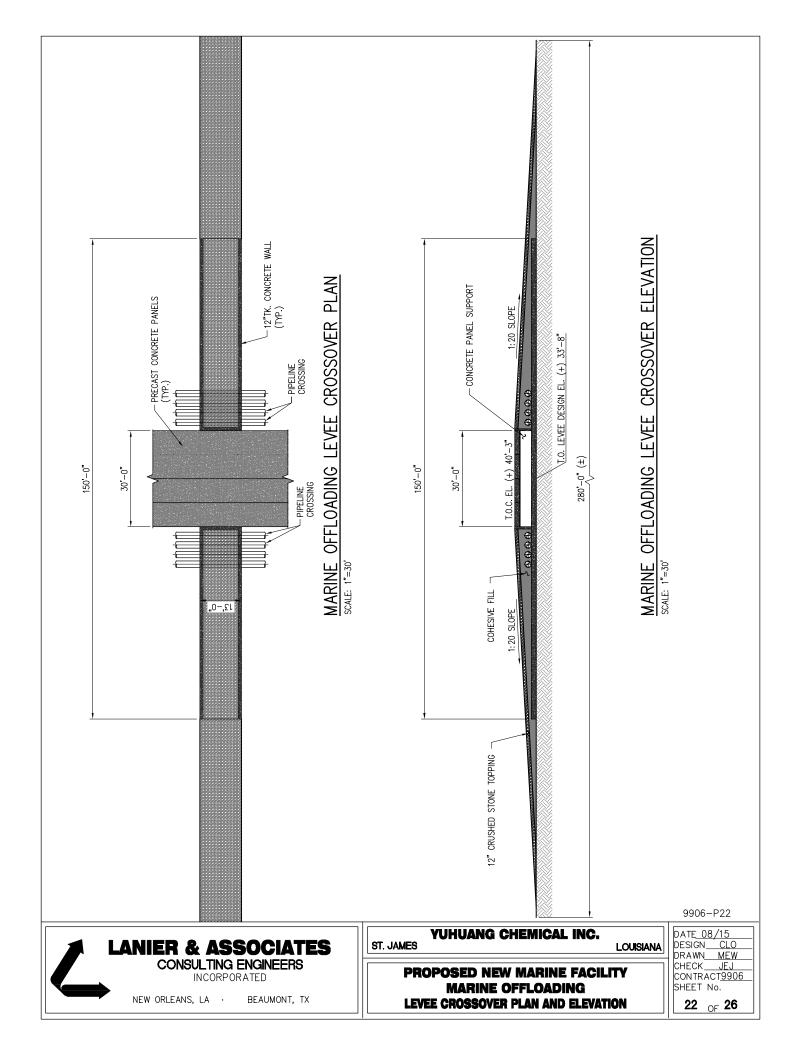
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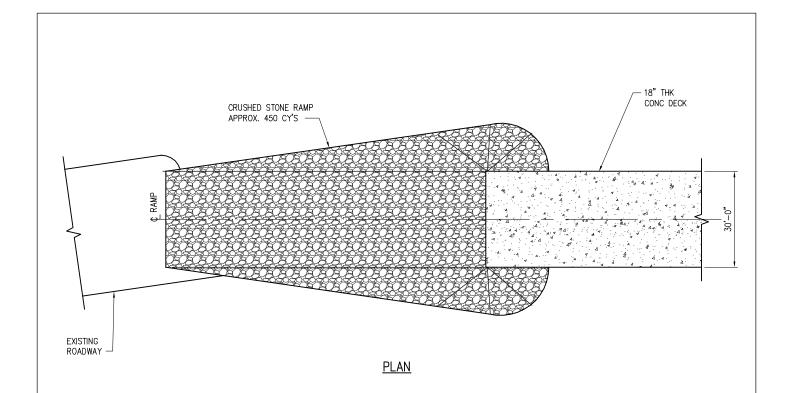
NEW ORLEANS, LA · BEAUMONT, TX

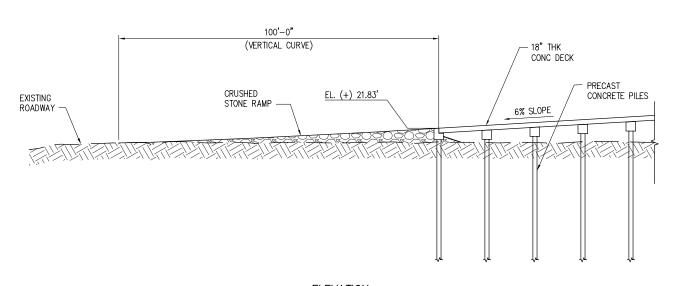
PROPOSED NEW MARINE FACILITY

TYPICAL SECTIONS

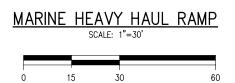
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<u>ELEVATION</u>



9906-P23



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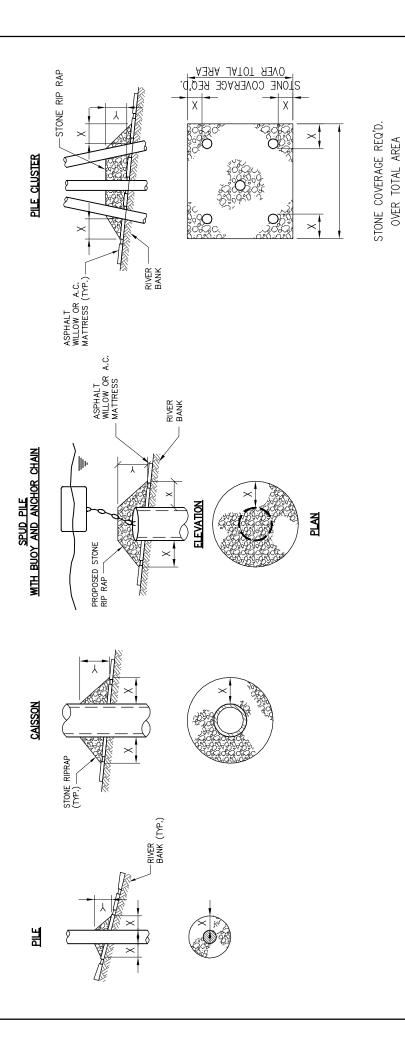
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MARINE HEAVY HAUL RAMP

PROPOSED NEW MARINE FACILITY



LANIER & ASSOCIATES

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COROUMD DEPENDENT

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WHEN USING ANCHOR CHAIN AND BUOY SYSTEM ANCHOR CHAIN MUST BE ATTACHED AT TOP OF PILE TO MINIMIZE REVETMENT DAMAGE.

WHEN PEICHATHING USER BAWK PANNOR IN A REVEMBENT AREA WITH PLLES CONSONS AND ON PILE GLUSTERS, A TO INCH THICKNESS OF RIPRAP STONE STALL BE PLACED ONER ALL AREAS WHENE BANK PANNOS DISTURBED BY DRIVING OPERATIONS.

PILE

CAISSON

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DEPTH OF WATER IN FEET
AT POINT OF PENETRATION
AT TIME OF STONE
PLAGEMENT

DIMENSIONS IN FEET FOR PROTECTION AREA REQUIRED

1. SIZE OF RIPRAP TO VARY BETWEEN 6 POUNDS AND 125 POUNDS WITH 40% TO 60% OF THE STONE WITHIN THE RANGE OF 25 POUNDS TO 75 POUNDS.

REPAIR PROCEDURES REQUIRED WHEN PENETRATING REVETMENTS WITH PILES, CAISSONS AND/OR PILE CLUSTERS

U.S ARMY ENGINEERS DISTRICT, NEW ORLEANS CORPS OF ENGINEERS

CORPS 0

CORPS OF ENGINEER

FILE NO. H-18-28350

DEC. 1987

