

# JOINT PUBLIC NOTICE

September 24, 2018

United States Army Corps of Engineers  
New Orleans District  
Regulatory Branch  
7400 Leake Avenue  
New Orleans, Louisiana 70118

State of Louisiana  
Department of Environmental Quality  
Water Permits Division  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-1545  
Project Manager  
S. Gail Gainey  
[Sandra.G.Gainey@usace.army.mil](mailto:Sandra.G.Gainey@usace.army.mil)  
MVN 1998-02566-CG

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC # 180824-02

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US Army Corps of Engineers pursuant to: [X] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

Application has also been made to the Louisiana Department of Environmental Quality, Office of Environmental Services, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act.

## **MAINTENANCE DREDGING IN THE MISSISSIPPI RIVER IN IBERVILLE PARISH**

**NAME OF APPLICANT:** LBC Baton Rouge LLC, c/o P. Owen Parker with Lloyd Engineering, Inc., 6565 West Loop S., Suite 708, Bellaire, Texas 77401.

**LOCATION OF WORK:** In the Mississippi River, left descending bank River Mile 203.9 at the existing Sunshine Terminal Facility near St. Gabriel, Louisiana, in Iberville Parish, within the Mississippi River Basin in hydrologic unit (HUC 08070100), as shown on the attached drawings (Latitude 30.281664 N, Longitude -91.150607 W).

**CHARACTER OF WORK:** The applicant has requested Department of the Army authorization to dredge to remove silt and maintain the area at the existing Sunshine Terminal Facility. Previous authorizations for this work were granted to Nordix, Inc. as LMNOD-SP Mississippi River 913 on April 25, 1977; time extensions have subsequently been granted to Petro United Terminals, Inc. and LBC Baton Rouge LLC, the most recent as MVN-1998-02566-CX on July 14, 2008. Proposed dredging will include the annual removal of approximately 150,000 cubic yards from a 11-acre area of open water to be deposited in the lower Mississippi River Channel below the -50-foot contour, as shown on the attached drawings. No impacts are proposed to wetlands.

The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable by performing all work from marine

equipment from within the waterway to avoid impacts to adjacent wetlands and waterbottoms.

The comment period for the Department of Army will close in **30 days** from the date of this public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit and must be mailed so as to be received before or by the last day of the comment period. Letters concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be mailed to the Corps of Engineers at the address above **ATTENTION: REGULATORY BRANCH**. Similar letters concerning the Water Quality Certification must reference the applicant's name and the WQC Application number and be mailed to the Louisiana Department of Environmental Quality at the address above.

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined during weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction.

### **Corps of Engineers Permit Criteria**

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization 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, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The US Army Corps of Engineers 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 US Army Corps of Engineers to determine whether to make, 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 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.

The New Orleans District is unaware of properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Copies of this notice are being sent to the State Archeologist and the State

Historic Preservation Officer.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species.

The New Orleans District has determined that the proposed project is located in waters known to be utilized by the Pallid Sturgeon (*Scaphirhynchus albus*). Utilizing Standard Local Operating Procedure for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office, the Corps has determined that with the inclusion of the dredge and cutterhead recommendations, proposed work is not likely to adversely affect the Pallid Sturgeon.

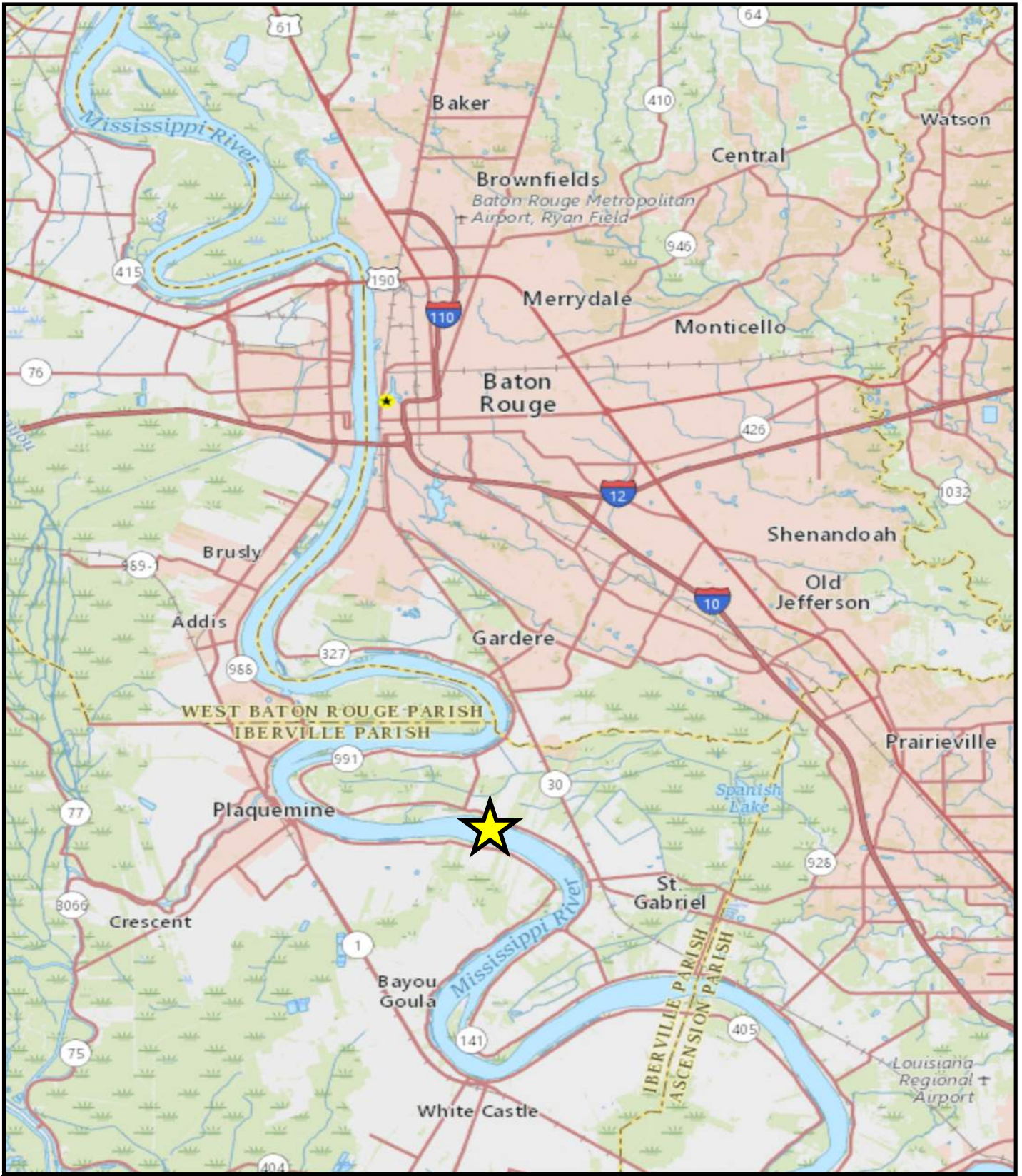
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of up to 0 acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate water quality standards will be required from the Department of Environmental Quality, Office of Environmental Services before a permit is issued.

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. You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosures




**Legend**

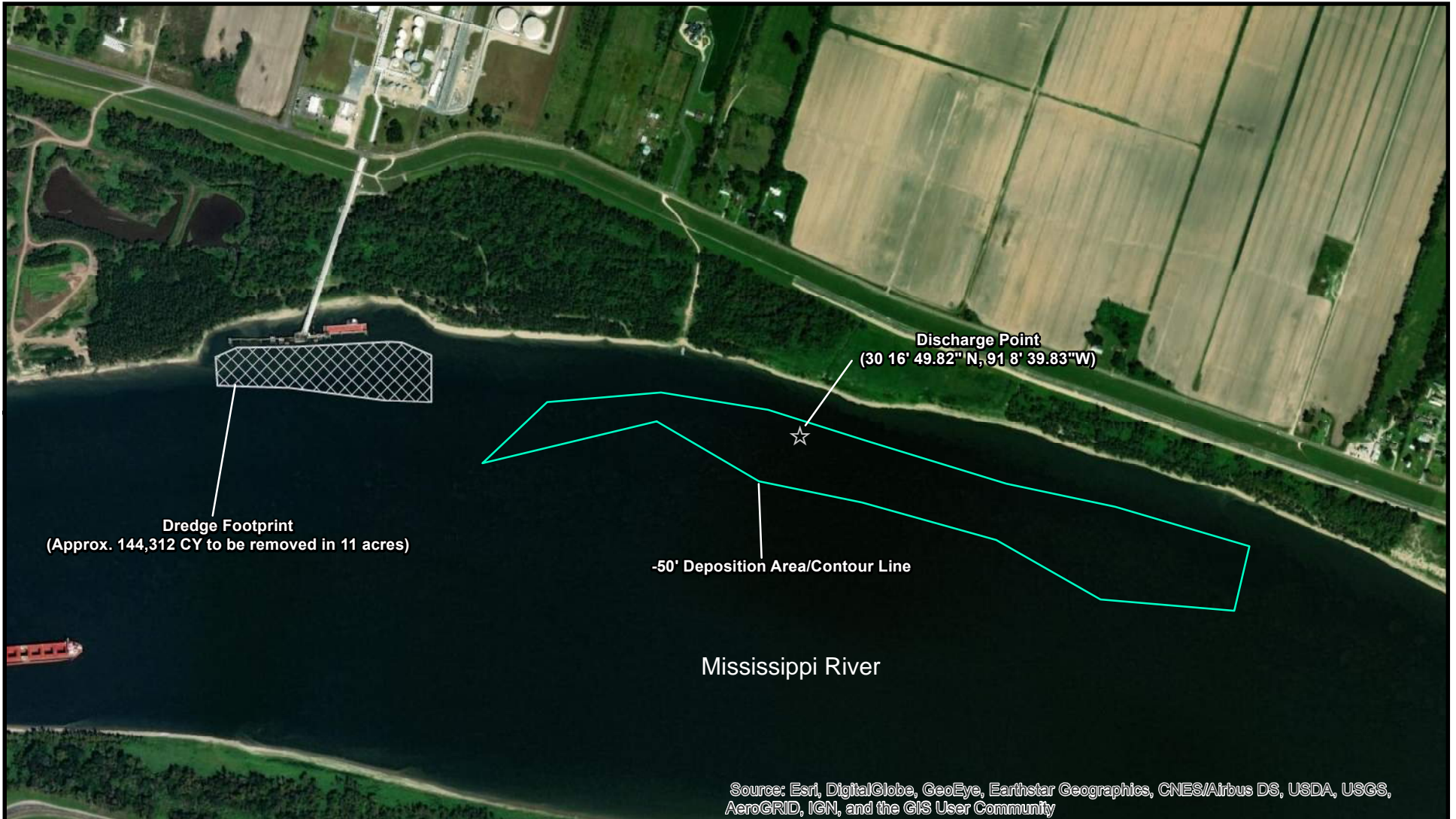
 Project Location

N  
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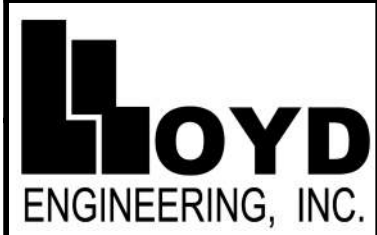
**Figure 1**  
**Vicinity and Project Location Map**

Extension Request for Maintenance  
Dredging MVN-1998-02566-CX,  
SE (Mississippi River) 913  
Iberville Parish, LA

Date: Jul 11, 2018	
Prepared By: C. Gerken	
LBC Baton Rouge	
1 inch = 20,833 feet	



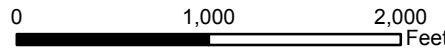
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Coordinate System: NAD 1983 StatePlane Texas South Central FIPS 4204 Feet  
 Projection: Lambert Conformal Conic  
 Datum: North American 1983  
 False Easting: 1,969,500.0000  
 False Northing: 13,123,333.3333  
 Central Meridian: -99.0000  
 Standard Parallel 1: 29.3833  
 Standard Parallel 2: 30.2833  
 Latitude Of Origin: 27.8333  
 Units: Foot US

**Legend**

- ☆ Discharge Point (30 16' 49.82"N 91 8' 39.83"W)
- ▭ -50' Deposition Area/ Contour Line
- ▨ Dredge Footprint (11 acres)



**Figure 2**

**Project Overview Map  
 Maintenance Dredging Extension Request  
 MVN-1998-02566-CG  
 LBC Baton Rouge, LLC**

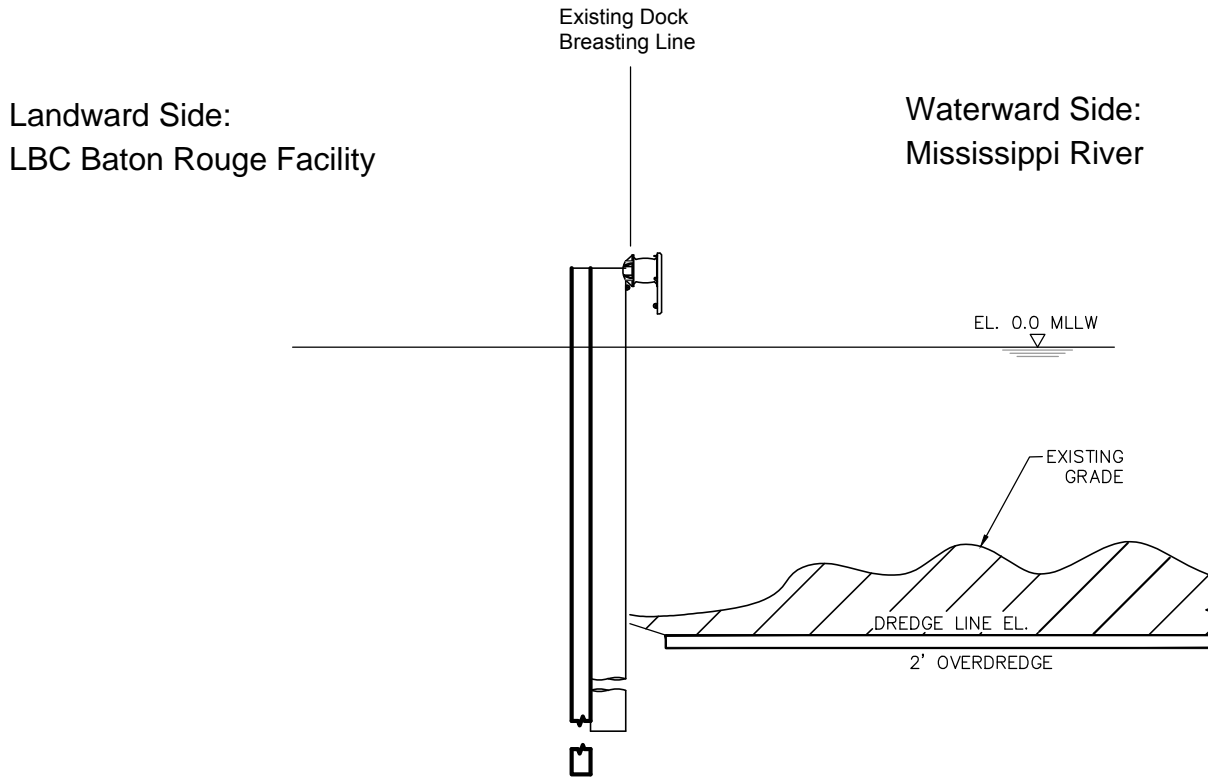
**Iberville Parish, Louisiana**

1 inch = 1,000 feet

Date: Aug 31, 2018

Prepared By: J. Wiedeman

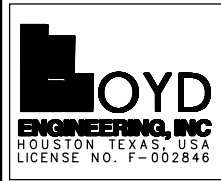
FILE NAME: L:\LEI Projects\Magellan\Magellan GP\Ship Dock 2nd\Drawings\CONCEPT\PERMIT\_FUTURE\6\_SECTION.dwg LAYOUT NAME: Layout1 PLOTTED: Wednesday, December 20, 2017 - 4:17pm USER: rc



\* Estimated removal and relocation of approximately 144,312 CY of material within an approximate 11-acre dredge footprint

PURPOSE:	Maintenance Dredge Cross-Section LBC Dock Maintenance Dredging
LOCATION:	Baton Rouge, Louisiana

OWNER:	LBC Baton Rouge, LLC
APPLIED BY:	Lloyd Engineering, Inc.
APPLIC. No:	MVN-1998-02566-CG
COUNTY:	Iberville Parish, Louisiana
WATER BODY:	Mississippi River
DATUM:	MLLW



DESIGN BY:	KEM
DRAWN BY:	JB
SCALE:	1"=30'-0"
DATE:	/ /
SHEET No:	3