

JOINT PUBLIC NOTICE

July 6, 2015

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, Louisiana 70160-0267

(504) 862-1564

Stephanie.L.Castaing@usace.army.mil

Project Manager
Stephanie Castaing
Permit Application Number
MVN 2007-4486-EPP

State of Louisiana
Department of Environmental Quality
ATTN: Water Quality Certifications
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

(225) 219-3225

Project Manager
Elizabeth Hill
WQC Application Number
WQC 150626-01

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the U.S. 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, Water Quality Certifications, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

INSTALL AND MAINTAIN PILES FOR BARGE FLEETING FACILITY, WITHIN THE MISSISSIPPI RIVER, IN JEFFERSON PARISH

NAME OF APPLICANT: Kel-Kat Land, LLC, c/o Coastal Permitting, Post Office Box 1528, Luling, Louisiana 70070.

LOCATION OF WORK: Located on the left descending bank of the Mississippi River, at about 112.9 miles above Head of Passes, in Kenner, Louisiana, in Jefferson Parish, as shown on the attached drawings.

Latitude: 29.97100/Longitude: -90.2448 Hydrologic Unit Codes: 08090100 Lower Mississippi New Orleans.

CHARACTER OF WORK: Install and maintain mooring piles for a barge fleeting operation. Project implementation will require the deposition of approximately 81.4 cubic yards of rock/rip-rap. Work will be conducted by barge mounted crane. The applicant maintains that no jurisdictional wetlands would be directly affected by this action, thus no compensatory mitigation is anticipated.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **30 days** from the date of this joint 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/or this WQC request 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 U.S. 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 U.S. 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 aware of 2 properties listed on the National Register of Historic Places near the proposed project site. The Felix Block Building is approximately 1,000 feet from the proposed project site and the Kenner Town Hall Building approximately 1,900 feet away. The New Orleans District anticipates no impact to these properties due to the separation of the proposed project site from these properties by the Mississippi River bature, levee, LA 48 as well as local streets. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites or data. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The New Orleans District has determined that the proposed project is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*) and determined that the proposed activity is not likely to adversely affect the species based on the Standard Local Operating Procedure for Endangered Species of Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, Ecological Services Office.

Our initial finding is that the proposed work would not affect any species, nor affect any habitat designated as critical to the survival and recovery of such species, listed as endangered by the U.S. Department of Commerce.

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 **0.02** acre 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 applicable water quality standards will be required from the Department of Environmental Quality, Water Quality Certifications, 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.

The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

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.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosure



North



Vicinity Map
Kel-Kat Land, LLC
Proposed Barge Facilities
Jefferson Parish, Louisiana

NE Corner: Lat: 29° 58' 09.75"; Long: -90° 14' 23.88"
NW Corner: Lat: 29° 58' 15.62"; Long: -90° 14' 41.27"



NDSI NOTE:

1. AS-BUILT DRAWINGS AND/OR PLATS SHALL HAVE WRITTEN ON THEM THE DATE OF COMPLETION OF SAID ACTIVITIES AND SHALL BE SUBMITTED TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, P. O. BOX 44487, BATON ROUGE, LA 70804-4487 WITHIN 30 DAYS FOLLOWING PROJECT COMPLETION.
2. ALL STRUCTURES BUILT UNDER THE AUTHORIZATION AND CONDITIONS OF THIS PERMIT SHALL BE REMOVED FROM THE SITE WITHIN 120 DAYS OF ABANDONMENT OF THE FACILITIES FOR THE HEREIN PERMITTED USE, OR WHEN THESE STRUCTURES FALL INTO A STATE OF DISREPAIR SUCH THAT THEY CAN NO LONGER FUNCTION AS INTENDED. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED, FOR SUCH REMOVAL ACTIVITIES.
3. STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U. S. COAST GUARD REGULATIONS.
4. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITEE SHALL CONTACT THE LOUISIANA ONE CALL SYSTEM (1-800-272-3020) A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION (DIGGING, DREDGING, JETTING, ETC.) OR DEMOLITION ACTIVITY.

Coastal Permitting



an environmental consulting group
www.coastalpermitting.net phone: 504-452-7439

DATE	DESCRIPTION	NO.
4/2/15	REVISED LAYOUT	1
	REVISIONS	

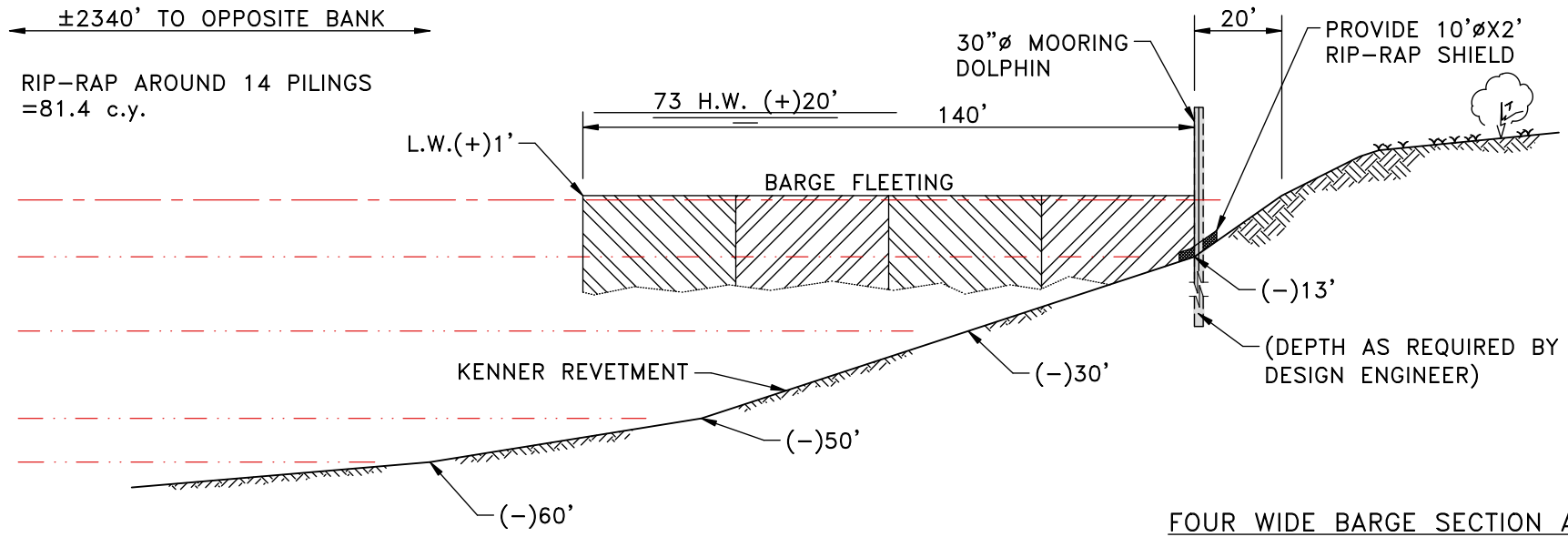
KEL-KAT LAND, LLC

RIVER RIDGE, LOUISIANA

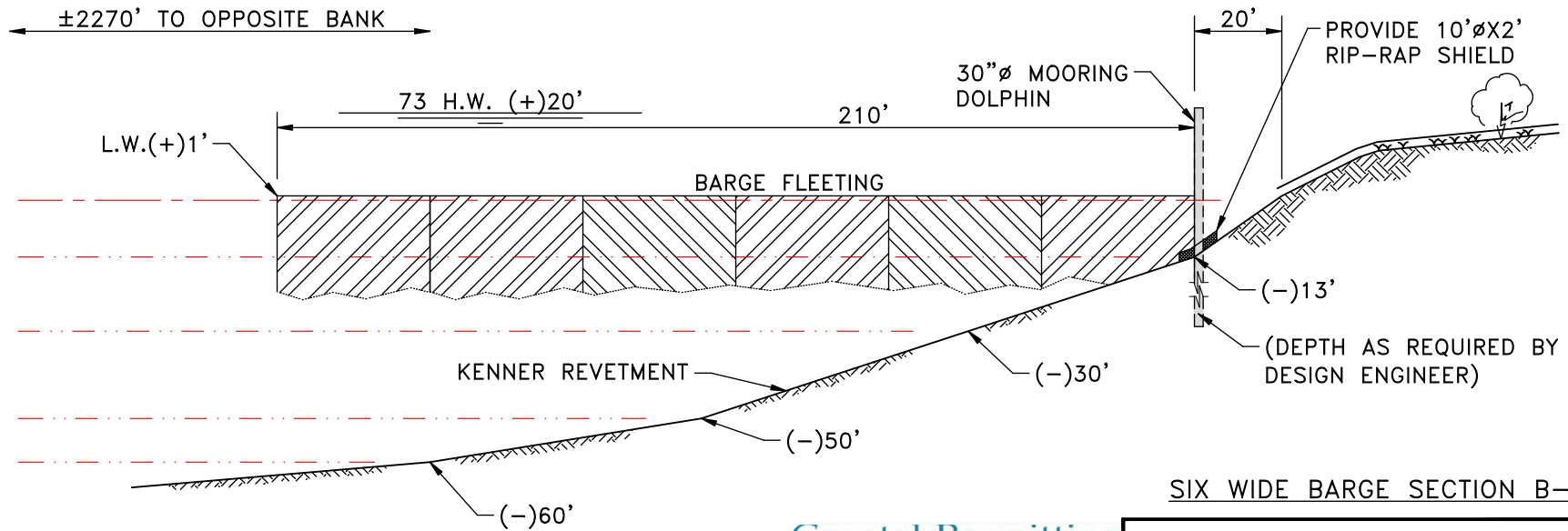
PROPOSED BARGE FLEET FACILITIES
PLAN VIEW

NOTE: PERMIT DRAWING ONLY. NOT RESPONSIBLE FOR:
ENGINEERING, ARCHITECTURAL, AND/OR CONSTRUCTION DESIGN

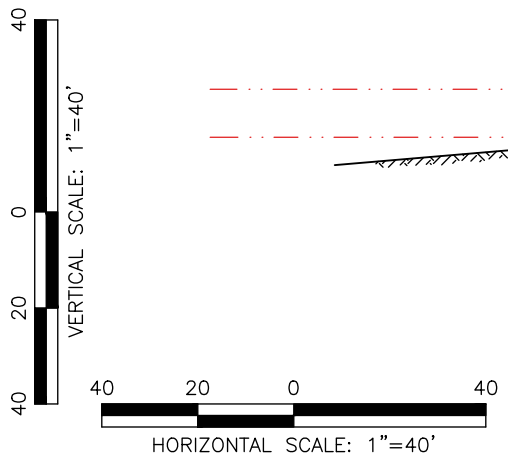
DATE	PLOT SCALE	DRAWING NO.
11/10/14	1" = 300'	1
DESIGNED BY: D.J.H.	DRAWN BY: I.S.B.	
CHECKED BY: D.J.H.	CHECKED BY: D.J.H.	APPROVED BY: D.J.H.



FOUR WIDE BARGE SECTION A-A

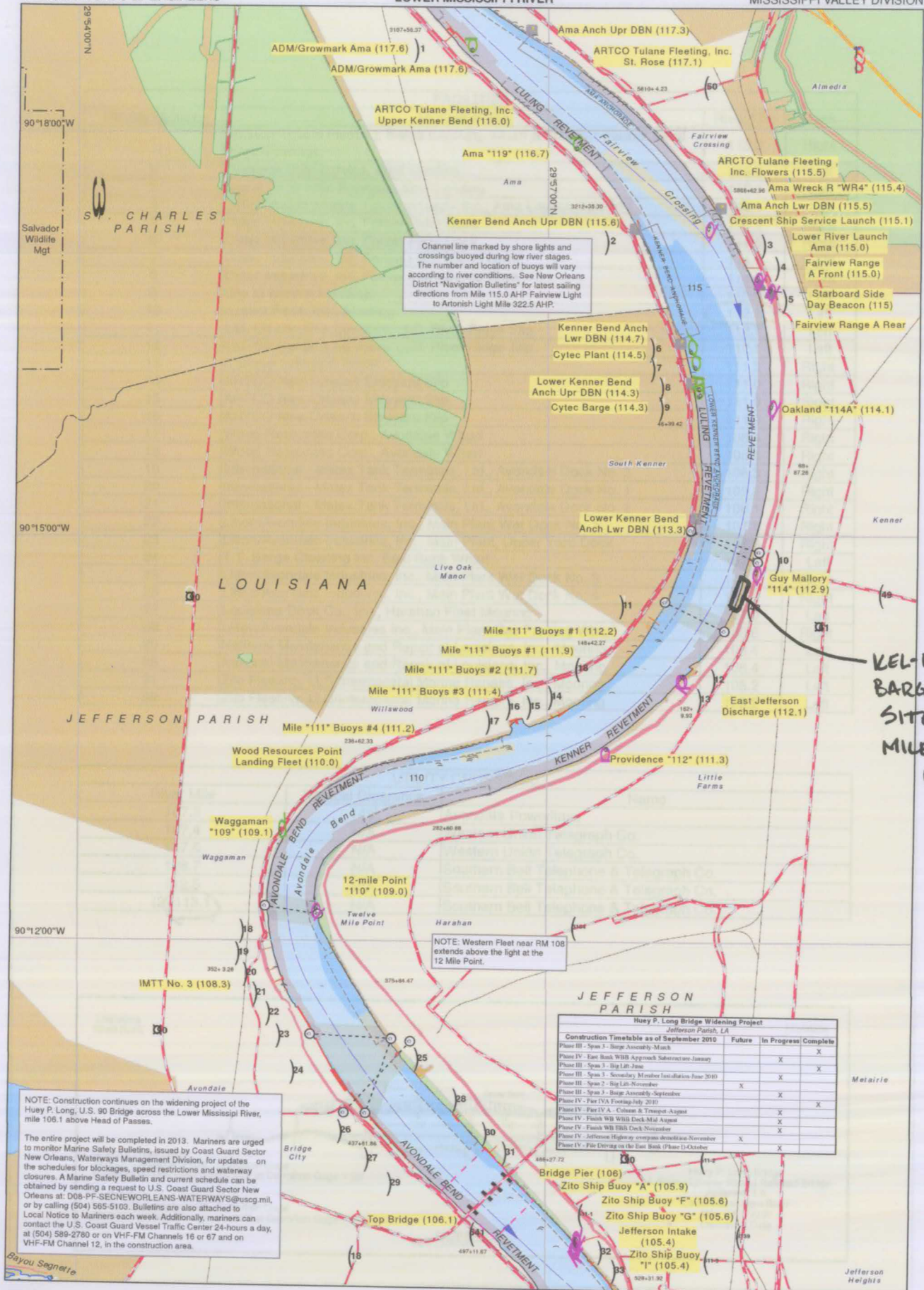


SIX WIDE BARGE SECTION B-B



KEL-KAT LAND, LLC		
RIVER RIDGE, LOUISIANA		
PROPOSED BARGE FLEET FACILITIES SITE CROSS SECTIONS		
NOTE: PERMIT DRAWING ONLY. NOT RESPONSIBLE FOR: ENGINEERING, ARCHITECTURAL, AND/ OR CONSTRUCTION DESIGN		
DATE:	11/10/14	PLOT SCALE: 1" = 40'
DESIGNED BY:	D.J.H.	DRAWN BY: I.S.B.
CHECKED BY:	D.J.H.	APPROVED BY: D.J.H.

DATE	DESCRIPTION	NO.
4/2/15	REVISED LAYOUT	1



KEL-KAT BARGE FLEET SITE MILE MARKER 112.9

