

# JOINT PUBLIC NOTICE

October 3, 2016

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 Quality Certification Section  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-2675  
Project Manager  
Jamie Crowe  
Jamie.M.Crowe@usace.army.mil  
Permit Application Number  
MVN 2008-03645 CO

(225) 219-3225  
Project Manager  
Elizabeth Hill

WQC Application Number  
WQC 160916-04

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, Office of Environmental Services, 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).

## **MAINTENANCE DREDGING AROUND EXISTING DOCKS IN MISSISSIPPI RIVER IN EAST BATON ROUGE PARISH**

**NAME OF APPLICANT:** ExxonMobil Refining and Supply – Baton Rouge Refinery, Post Office Box 551, Baton Rouge, Louisiana 70821.

**LOCATION OF WORK:** Within the Mississippi River Basin, in the Lower Mississippi River – Baton Rouge hydrologic unit (HUC 08070100), in the Mississippi River, left descending bank, approximately 232.2 miles above the Head of Passes, in Baton Rouge, Louisiana, in East Baton Rouge Parish, as shown on the enclosed drawings.

**CHARACTER OF WORK:** The applicant has requested authorization to remove silt accumulations around existing docks and intake structures in the Mississippi River to maintain the integrity and function of these structures. Approximately 13,343 cubic yards of silt will be removed from the site using typical construction equipment (excavators, dozers, etc.) placed on the batture during the low water period of the

Mississippi River. Silt removed from the site will be placed in a non-wetland soil disposal area within the refinery. Dredging will impact 2.8 acres of non-vegetated water bottoms. Dredging activities are expected to last approximately one month and will occur annually.

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** 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 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 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 State Historic Preservation Officer.

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.

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.

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 **N/A 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.

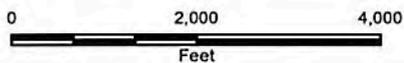
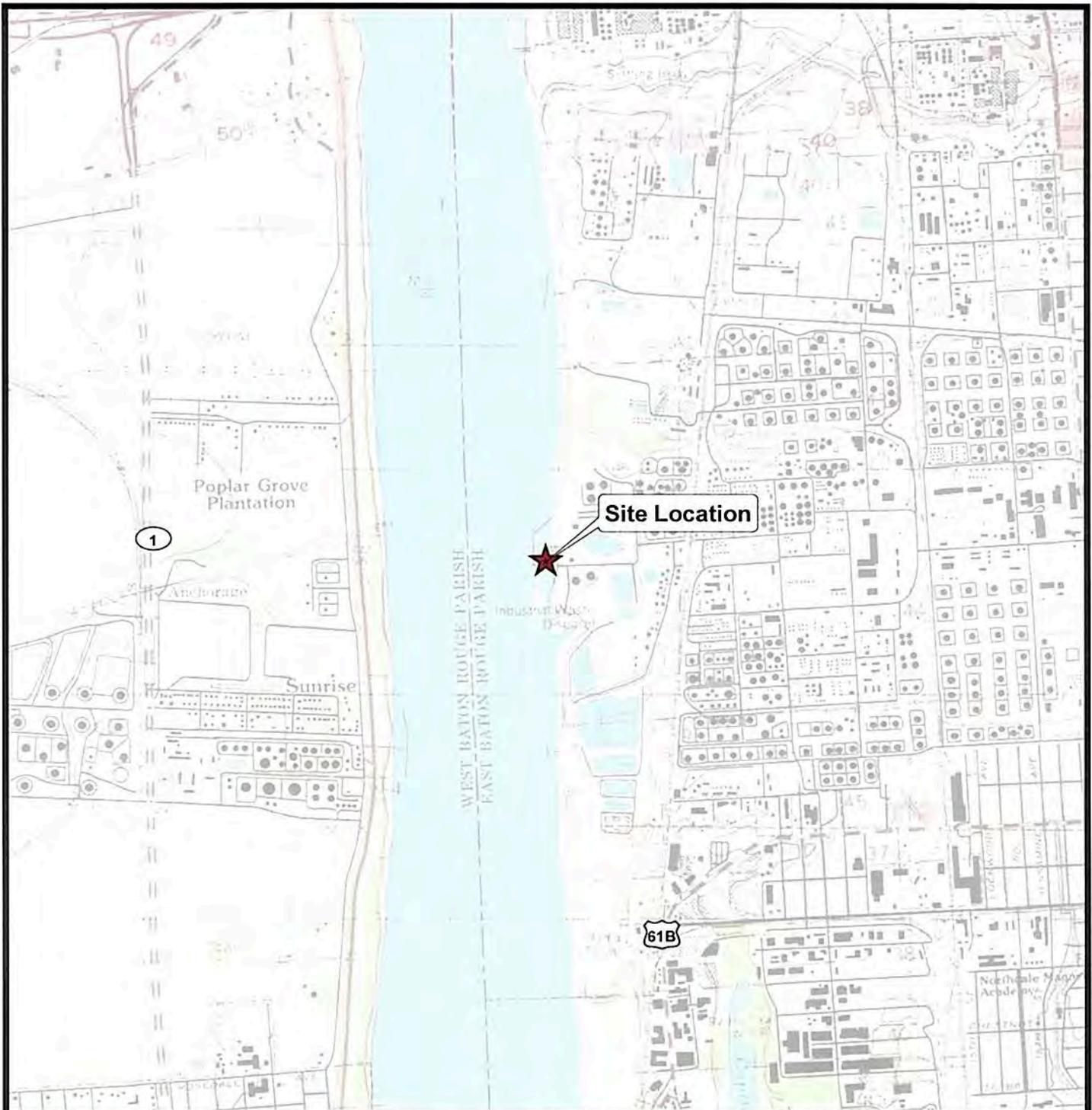
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable 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.

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John M. Herman  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure



**ExxonMobil Refining and Supply - Baton Rouge Refinery**  
 Baton Rouge, Louisiana

Maintenance Dredging Permitting

## Site Location Map

East Baton Rouge Parish

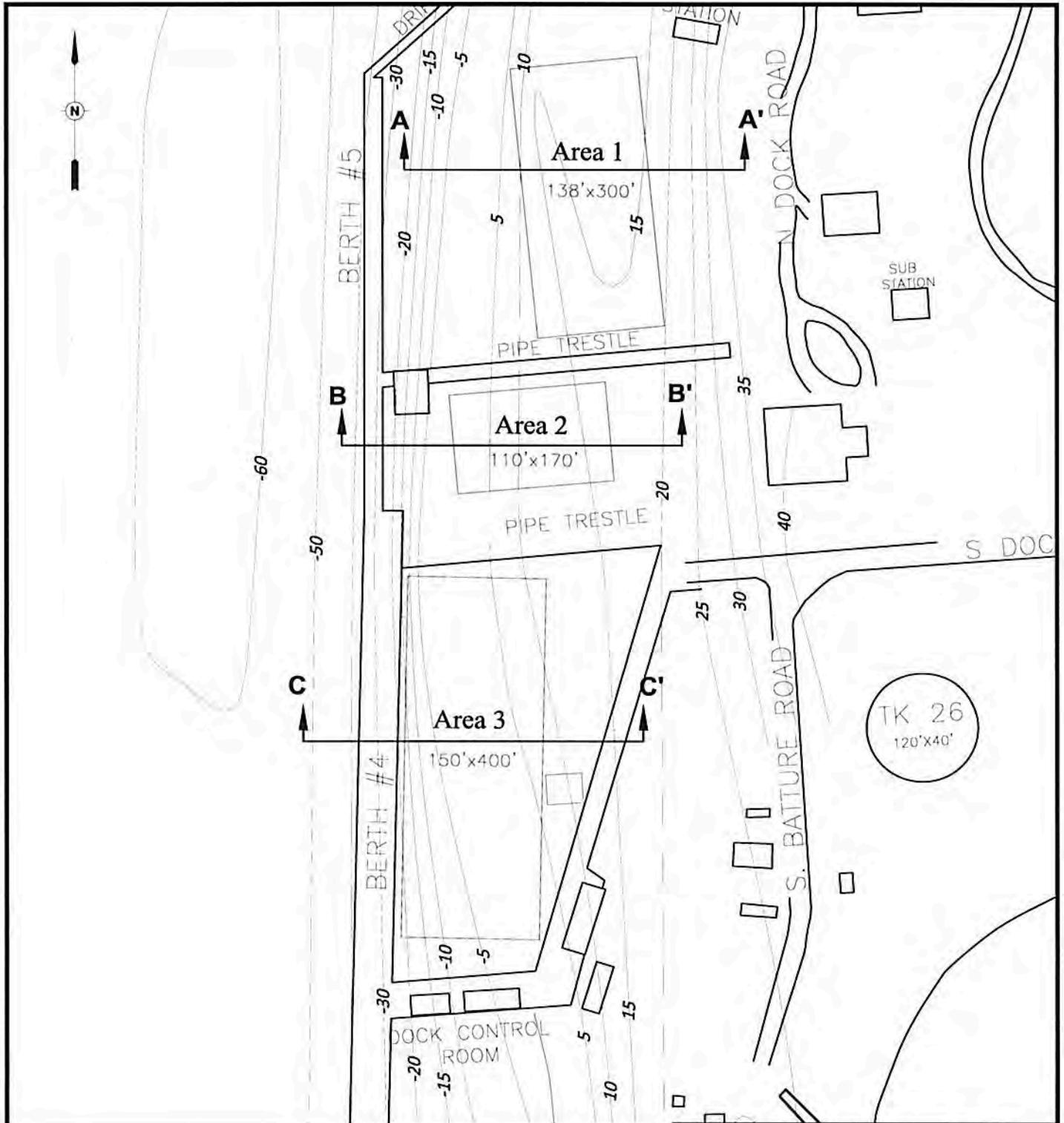
Drawn:	CPL/AM10.4
Checked:	CP
Approved:	TEW
Date:	05/06/2016
Dwg. No.:	A13610-01

**Figure 1**

Reference

U.S.G.S. 24K SERIES QUAD MAP, BATON ROUGE WEST, LA.

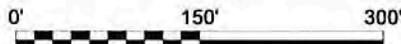




**Legend**



Proposed Silt Removal Area



SCALE: 1" = 150'

ExxonMobil Refining and Supply - Baton Rouge Refinery  
Baton Rouge, Louisiana

Maintenance Dredging Permitting

**Plan View**

East Baton Rouge Parish



Drawn:	CPL/ACAD
Checked:	CP
Approved:	TEW
Date:	06/24/2016
Dwg. No.:	A13610-02

**Figure 2**



REFINING & SUPPLY COMPANY  
BATON ROUGE, LA.



GRAPHIC SCALE

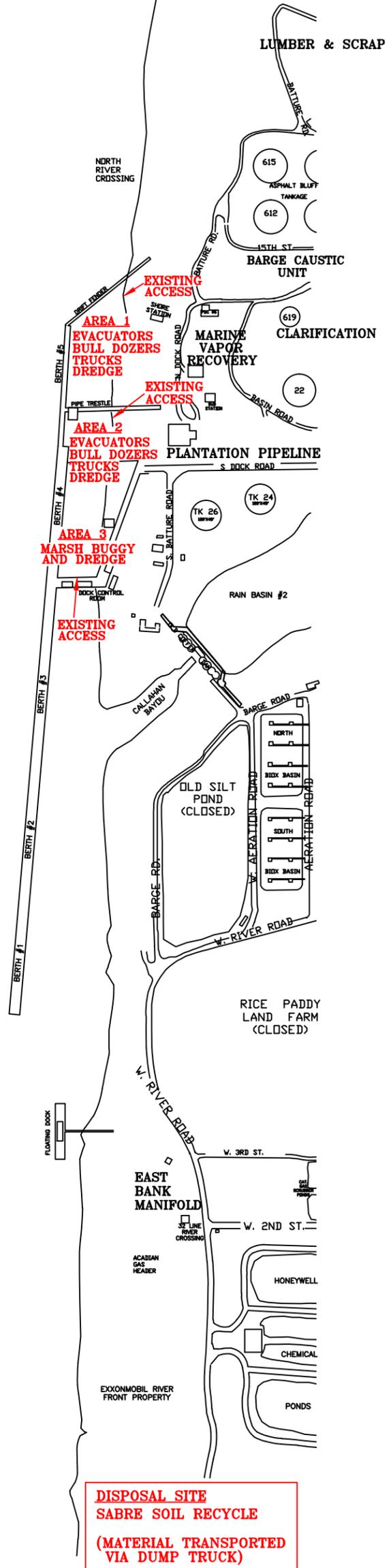


**EXXONMOBIL REFINERY AND SUPPLY  
BATON ROUGE REFINERY**

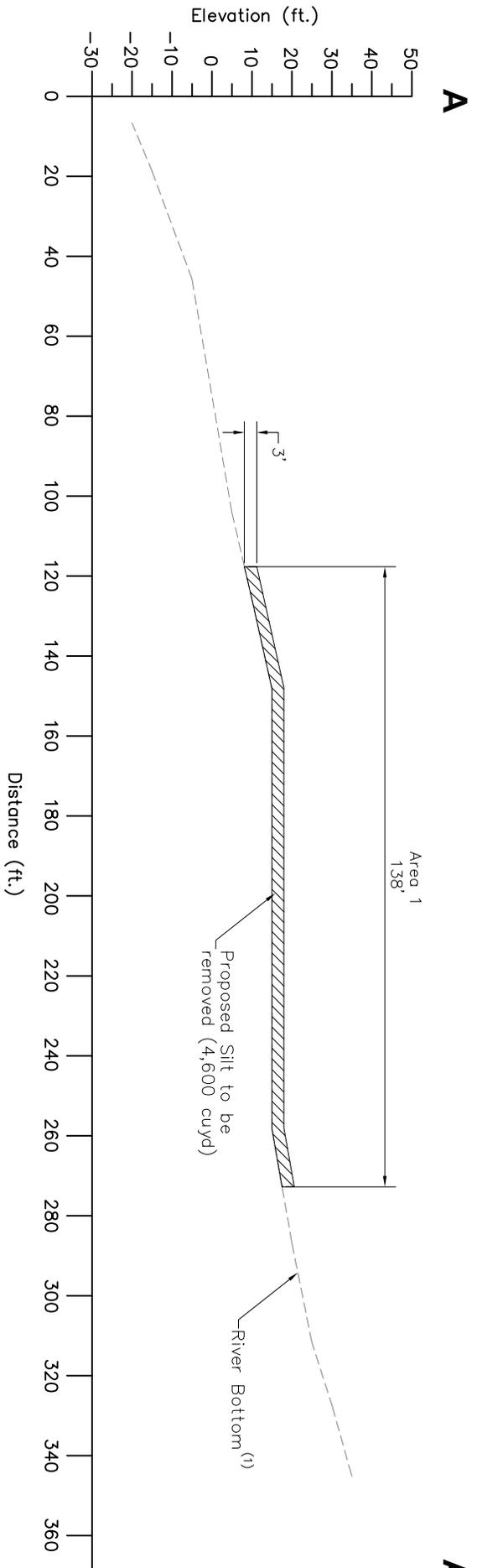
**REQUEST FOR AUTHORIZATION OF  
GENERAL PERMIT NOD-23  
PROPOSED SILT REMOVAL PROJECT**

**RESPONSE TO JAMIE CROWE EMAIL  
DATED JULY 14, 2016**

**SUBJECT: MUN2008-03645CO**







### Cross Section A-A'

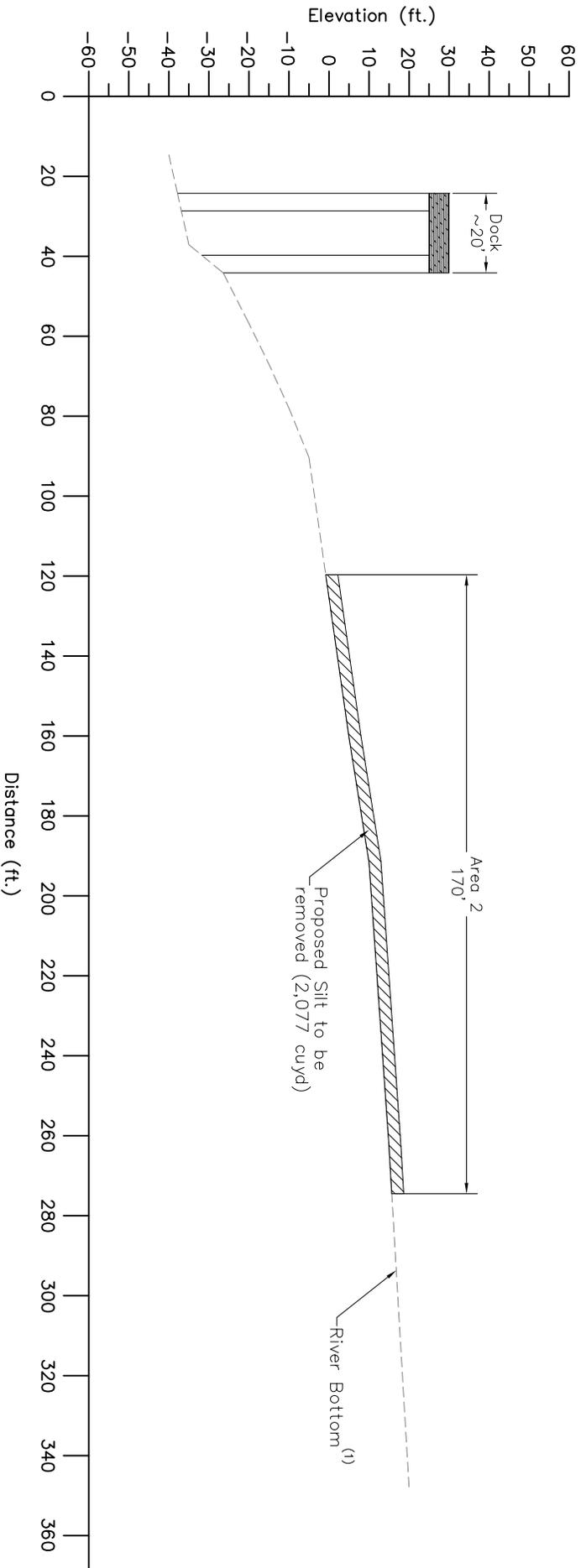
**ExxonMobil Refining and Supply - Baton Rouge Refinery**  
 Baton Rouge, Louisiana  
 Maintenance Dredging Permitting

East Baton Rouge Parish	
Drawn:	CR/L/GAD
Checked:	CP
Approved:	TEW
Date:	07/27/2016
Dwg. No.:	A13610-03
<b>Figure 3</b>	

(1) Proposed project not intended to alter pre-accumulation contours.  
 River Bottom from Mississippi River Hydrographic Survey 2013, File No. H-5-47753, Sheet 25.

B

B'



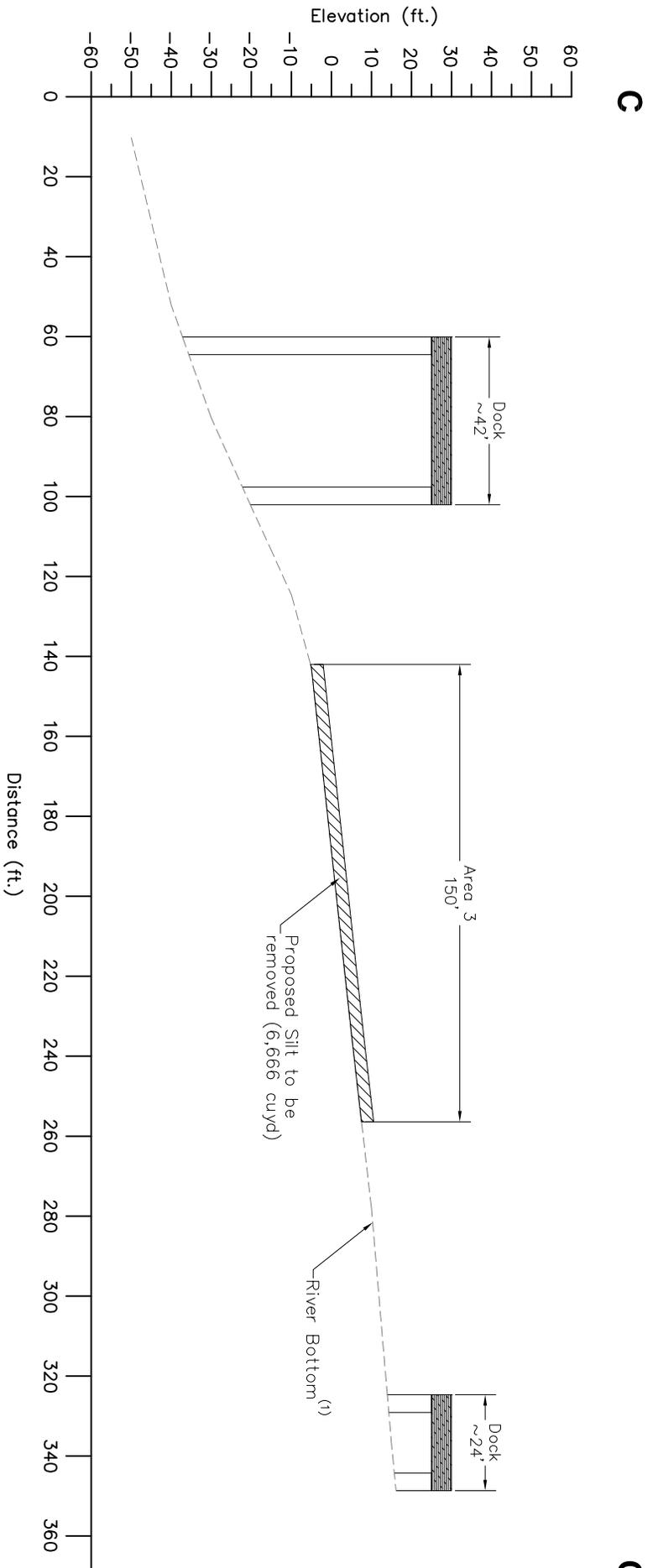
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# Cross Section B-B'

**ExxonMobil Refining and Supply - Baton Rouge Refinery**  
 Baton Rouge, Louisiana  
 Maintenance Dredging Permitting

East Baton Rouge Parish	
Drawn:	CR/L/GAD
Checked:	CP
Approved:	TEW
Date:	07/27/2016
Dwg. No.:	A13610-04
<b>Figure 4</b>	

(1) Proposed project not intended to alter pre-accumulation contours.  
 River Bottom from Mississippi River Hydrographic Survey 2013, File No. H-5-47753, Sheet 25.



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## Cross Section C-C'

East Baton Rouge Parish

**ExxonMobil Refining and Supply - Baton Rouge Refinery**  
 Baton Rouge, Louisiana  
 Maintenance Dredging Permitting

Drawn:	CP/L/GAD
Checked:	CP
Approved:	TEW
Date:	07/29/2016
Dwg. No.:	A13610-05
<b>Figure 5</b>	

(1) Proposed project not intended to alter pre-accumulation contours.  
 River Bottom from Mississippi River Hydrographic Survey 2013, File No. H-5-47753, Sheet 25.