

JOINT PUBLIC NOTICE

June 2, 2014

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

(504) 862-2045
jennifer.e.burkett@usace.army.mil
Project Manager
Jennifer Burkett
Permit Application Number
MVN 2013-3042 EBB

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 Johnson
WQC Application Number
WQC 140131-01

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 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).

SHIP DOCK ON MISSISSIPPI RIVER IN JEFFERSON PARISH

NAME OF APPLICANT: Blackwater Harvey, LLC c/o Barnes Engineering Company at Post Office Box 55726, Metairie, Louisiana 70055.

LOCATION OF WORK: On the right descending bank of the Mississippi River, approximately 97.8 miles above HOP, at 1805 4th Street, Harvey, in Jefferson Parish, Louisiana, as shown on the attached drawings.

HUC: 08090100; Lower Mississippi River – New Orleans

CHARACTER OF WORK: To install and maintain a 9' x 835' elevated roadway, 16' x 270' elevated pipe rack, four breasting dolphins with connecting walkways, four anchor piles and buoys, and a 47' x 100' dock loading platform with hose tower, all to serve a proposed tanker loading dock for bulk liquids. The operation will protrude approximately 400 feet into the Mississippi River and require clearing of 0.05 acre of batture wetlands and installation of 384 cubic yards of riprap around piles which penetrate the revetment. The applicant proposes to buy credits from a mitigation bank to offset any unavoidable losses to wetland functions caused by project implementation.

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 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. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

The project site is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*). The Corps has determined is that the project is "not likely to adversely affect" the pallid sturgeon as it does not require dredging, water intake structures, or riverine pathway obstruction. The Corps is unaware of any other species listed as endangered by the U.S. Departments of Interior or Commerce, nor any habitat designated as critical to the survival and recovery of any endangered species in the project area.

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 0.05 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 before a permit is issued.

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.

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.

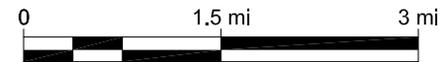
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosures



VICINITY MAP



#	REVISION	BY	DATE



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

DRAWN BY
PBB
 CHECK BY
DAB
 SCALE
*

BLACKWATER HARVEY, LLC.
PROPOSED SHIP DOCK
 VICINITY MAP
 HARVEY, LA

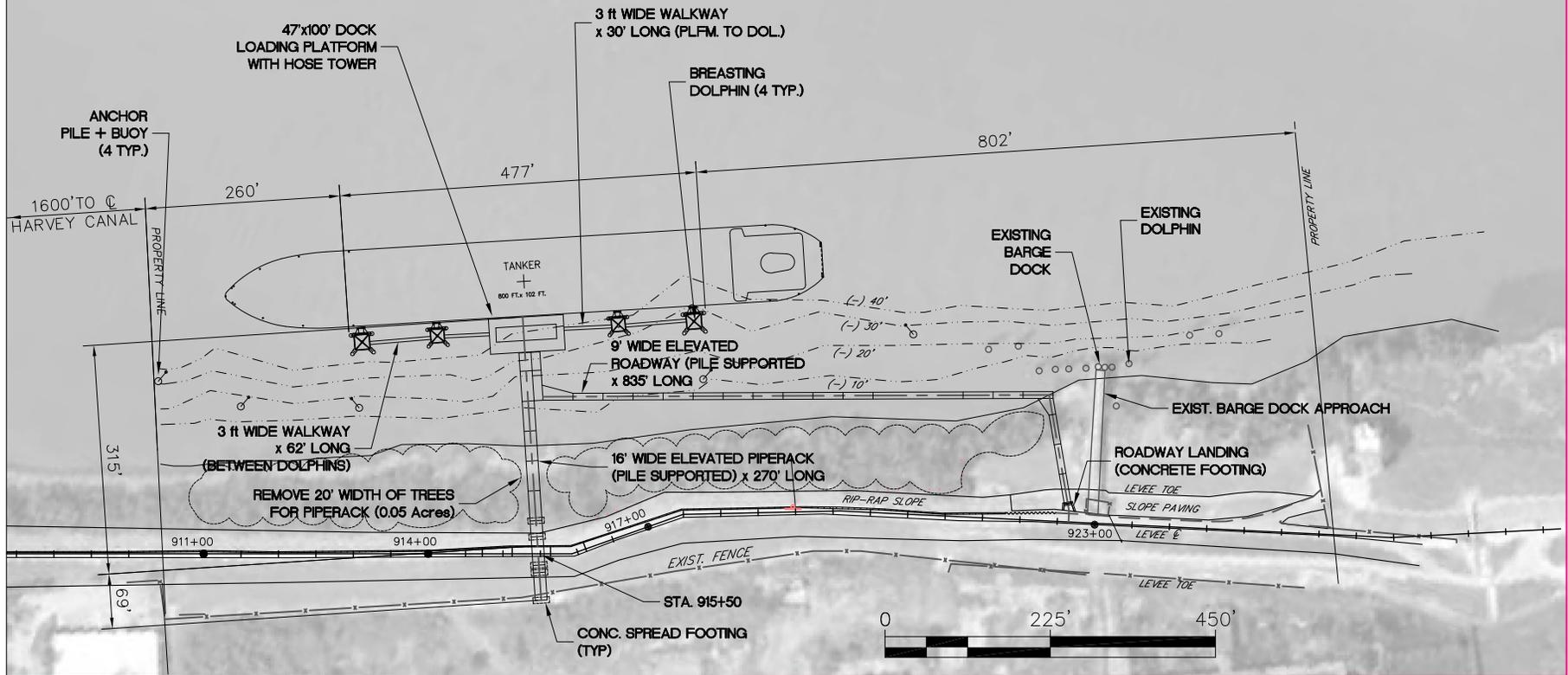
8/20/2013

01

REV 0

⊕ M.P. 97.8

MISSISSIPPI RIVER
FLOW



#	REVISION	BY	DATE

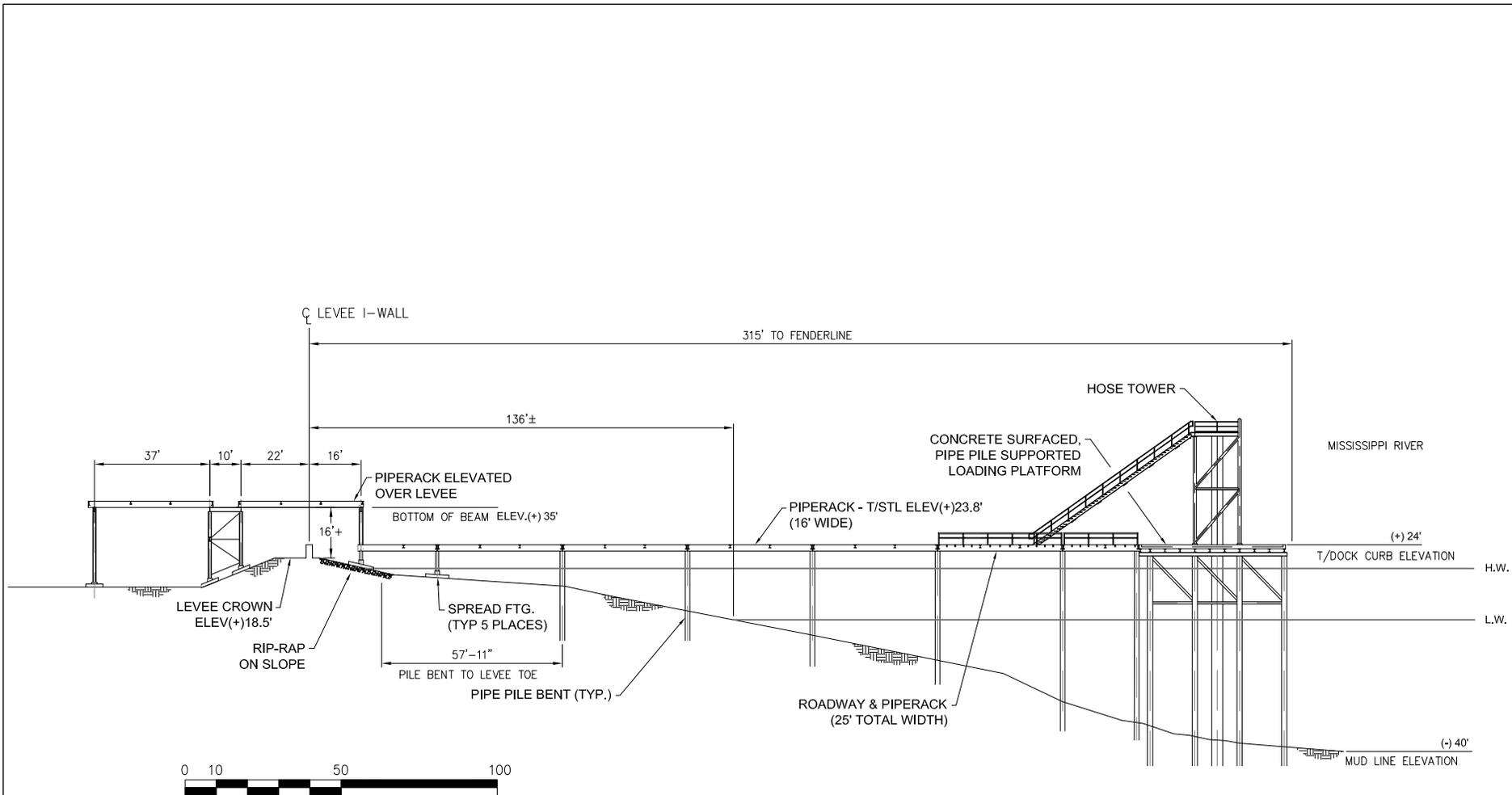


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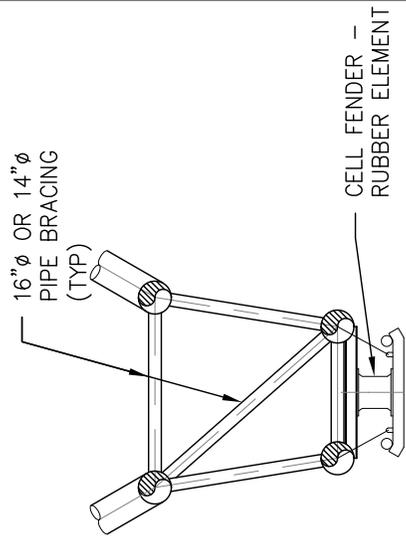
BLACKWATER HARVEY, LLC
PROPOSED SHIP DOCK
SITE PLAN
HARVEY, LA

4/28/2014
02
REV 1

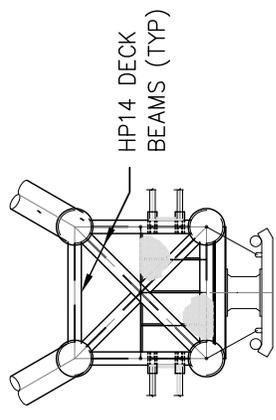


**ELEVATION THRU SHIP DOCK AND PIPERACK
@ STA. 915+50**

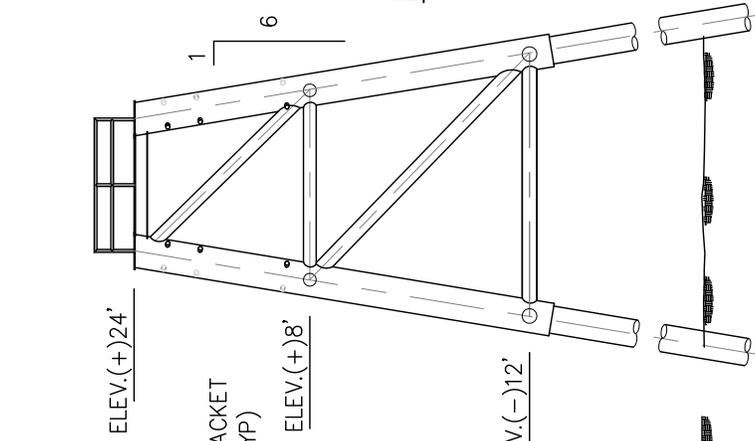
#	REVISION	BY	DATE	 Barnes Engineering Company, Inc. Structural • Marine • Bulk Handling P.O. BOX 55726, 119 ROSEWOOD DRIVE METAIRIE, LOUISIANA 70055 (504)616-7772 Don@Barnesengineering.net	DRAWN BY PBB	BLACKWATER HARVEY, LLC	04/28/2014
					CHECK BY DAB		PRIOPROSED SHIP DOCK
					SCALE 1/64"=1'	ELEVATION AT STATION 915+50	
						HARVEY, LA	REV 1



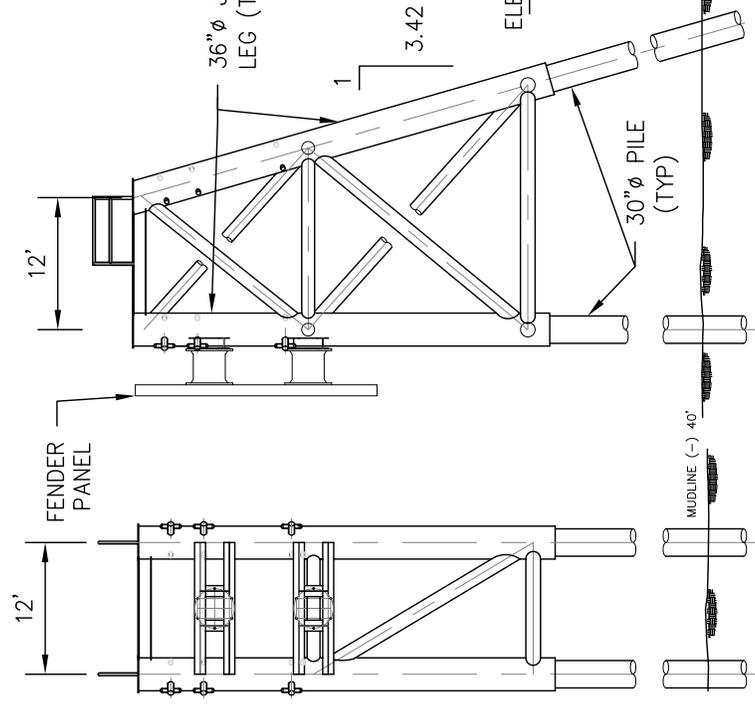
BRACING @ EL.(+)8' & (-)12'



FRAMING PLAN @ EL. (+) 24'

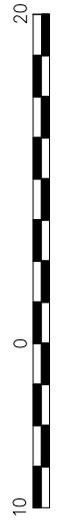


BACK VIEW

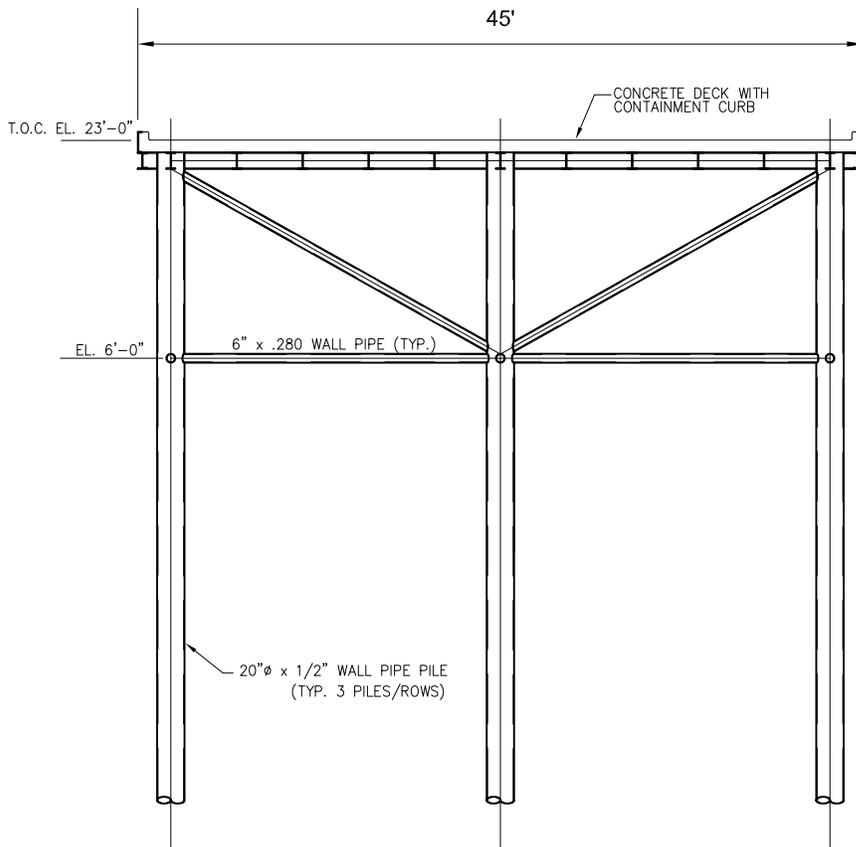


FRONT VIEW

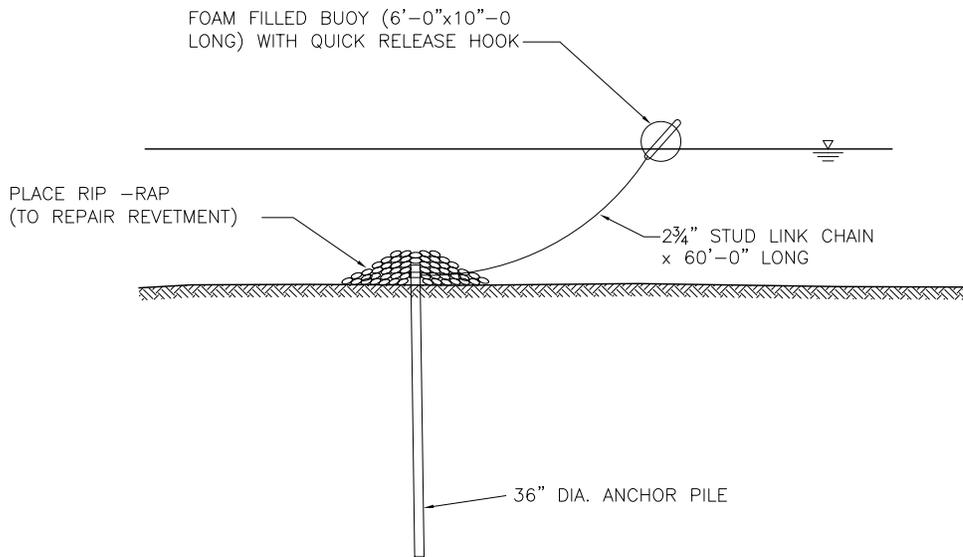
DOLPHIN DETAIL



#	REVISION	BY	DATE	 <p>Barnes Engineering Company, Inc. Structural • Marine • Bulk Handling P.O. BOX 55726, 119 ROSEWOOD DRIVE METairie, LOUISIANA 70055 (504)616-7772 (504)835-0935 (FAX)</p>	DRAWN BY	8/20/2013
					CHECK BY	BLACKWATER HARVEY, LLC.
				CHECK BY	PROPOSED DOLPHIN DETAIL	04
				CHECK BY	ELEVATION & SECTION	
				SCALE	HARVEY, LA	REV 0



ELEVATION OF DOCK PLATFORM



ANCHOR PILE AND BUOY

#	REVISION	BY	DATE	DRAWN BY	09/09/2013
				PBB	05
				CHECK BY	
				DAB	
				SCALE	
				*	
				BLACKWATER HARVEY, LLC	
				PROPOSED SHIP DOCK	
				PLATFORM ELEVATION	
				& ANCHOR PILE/BUOY DETAIL	
				Barnes Engineering Company, Inc. Structural • Marine • Bulk Handling P.O. BOX 55726, 119 ROSEWOOD DRIVE METAIRIE, LOUISIANA 70055 DON@BARNESENGINEERING.NET (504)616-7772	

