

# JOINT PUBLIC NOTICE

November 17, 2014

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

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

(504) 862-2045  
[jennifer.e.burkett@usace.army.mil](mailto:jennifer.e.burkett@usace.army.mil)  
Project Manager  
Jennifer Burkett  
Permit Application Number  
MVN 2014-2506 EBB

(225) 219-3225  
Project Manager  
Elizabeth Johnson  
WQC Application Number  
WQC 141113-01

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).

## **CARGO DOCK ON MISSISSIPPI RIVER IN PLAQUEMINES PARISH**

**NAME OF APPLICANT:** Daybrook Fisheries, LLC c/o Burk-Kleinpeter, Inc. at 4176 Canal Street, New Orleans, Louisiana 70119.

**LOCATION OF WORK:** On the right descending bank of the Mississippi River, approximately 29 miles above Head of Passes, at 136 Daybrook Road, Buras, in Plaquemines Parish, Louisiana, as shown on the attached drawings.

**HUC:** 08090100; Lower Mississippi River – New Orleans

**CHARACTER OF WORK:** To install and maintain a 57'6" x 258'4" reinforced concrete dock for bulk cargo carriers, 11' x 340' raised access ramp, and two 3-pile mooring dolphins with 4' x 182' catwalks, all to serve the existing Daybrook Fisheries business, requiring fill of 0.065 acre of non-vegetated water bottom for riprap around pilings. Construction of the dock, two mooring dolphins and access platform from the dock to the mooring dolphins will be constructed from a barge mounted crane and pile driving rig located on the water; the remainder of the work will be performed from land. The project will protrude approximately 250' into the Mississippi River, which is approximately 2500' wide at this location. No adverse impacts to special aquatic sites are proposed; no compensatory mitigation is anticipated at this time.

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.

Our initial finding is that the proposed is not likely to adversely affect the West Indian manatee (*Trichechus manatus*) or pallid sturgeon (*Scaphirhynchus albus*), 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 these species.

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 0.065 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 before a permit is issued.

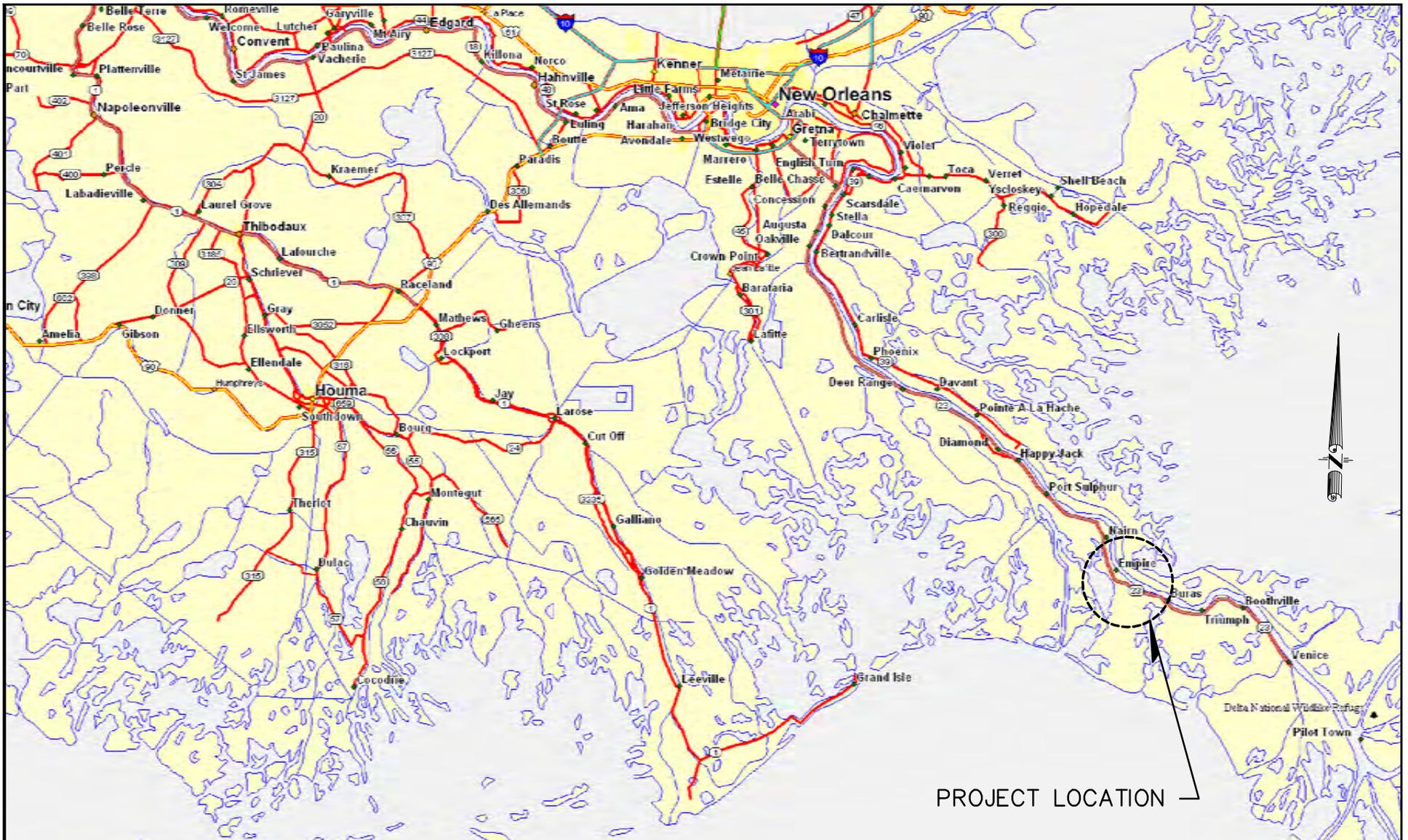
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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



DAYBROOK FISHERIES EMPIRES, LA

NEW DOCK FACILITY

**BURK-KLEINPETER, INC.**  
 ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
 4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
 (504) 486-5901 FAX (504) 488-1714

PARISH OF PLAQUEMINES STATE: LA  
 APPLICATION: DAYBROOK FISHERIES, INC.

BKI NO. 13.040

OCTOBER 9, 2014

SHEET: 1



**NOTES:**

1. ALL STRUCTURES, FACILITIES, WELL AND PIPELINES/FLOWLINES OCCURRING IN OPEN WATER AREAS OR IN OILFIELD CANALS OR SLIPS SHALL BE REMOVED WITHIN 120 DAYS OF ABANDONMENT OR THE FACILITIES FOR THE HEREIN PERMITTED USE UNLESS PRIOR WRITTEN APPROVAL TO LEAVE SUCH STRUCTURES IN PLACE IS RECEIVED FROM THE COASTAL MANAGEMENT DIVISION. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED.
2. STRUCTURES SHALL BE MARKED/LIGHTED IN ACCORDANCE WITH U. S. COAST GUARD REGULATIONS.
3. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITTEE 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.
4. AS-BUILT DRAWINGS WILL BE SUBMITTED WITHIN 30 DAYS OF COMPLETION OF THIS PROJECT TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, P. O. BOX 44487, BATON, ROUGE, LA 70804-4487.

**SITE PLAN**



**DAYBROOK FISHERIES EMPIRES, LA**

**NEW DOCK FACILITY**

PARISH OF PLAQUEMINES STATE: LA  
APPLICATION: DAYBROOK FISHERIES, INC.

**SHEET: 2**

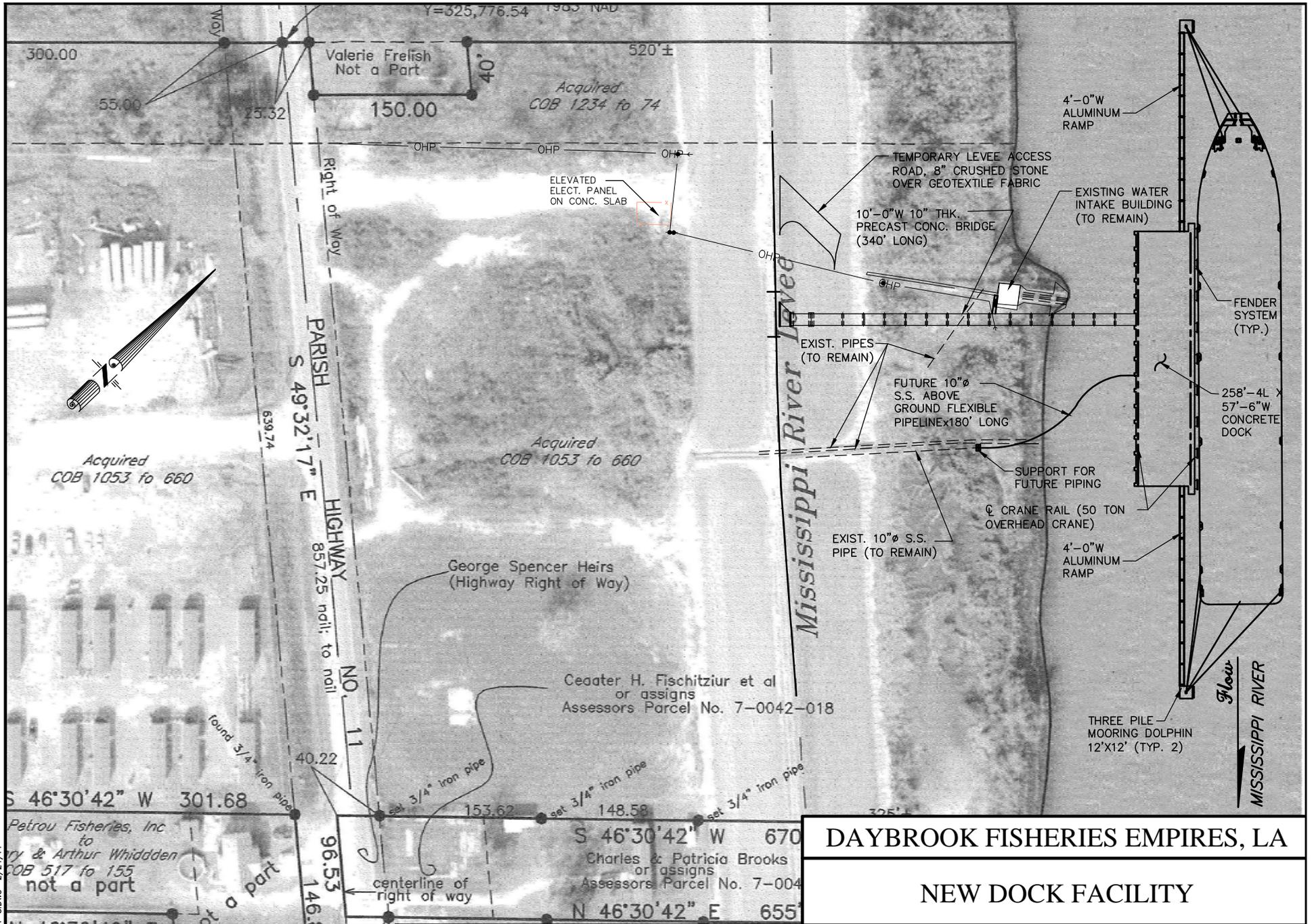
**BURK-KLEINPETER, INC.**

ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
(504) 486-5901 FAX (504) 488-1714

BKI NO. 13.040

OCTOBER 9, 2014

PERMIT-2.DWG 2/24/14



PERMIT-3.DWG 2/24/14

**SITE PLAN**



**BURK-KLEINPETER, INC.**  
 ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
 4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
 (504) 486-5901 FAX (504) 488-1714

BKI NO. 13.040

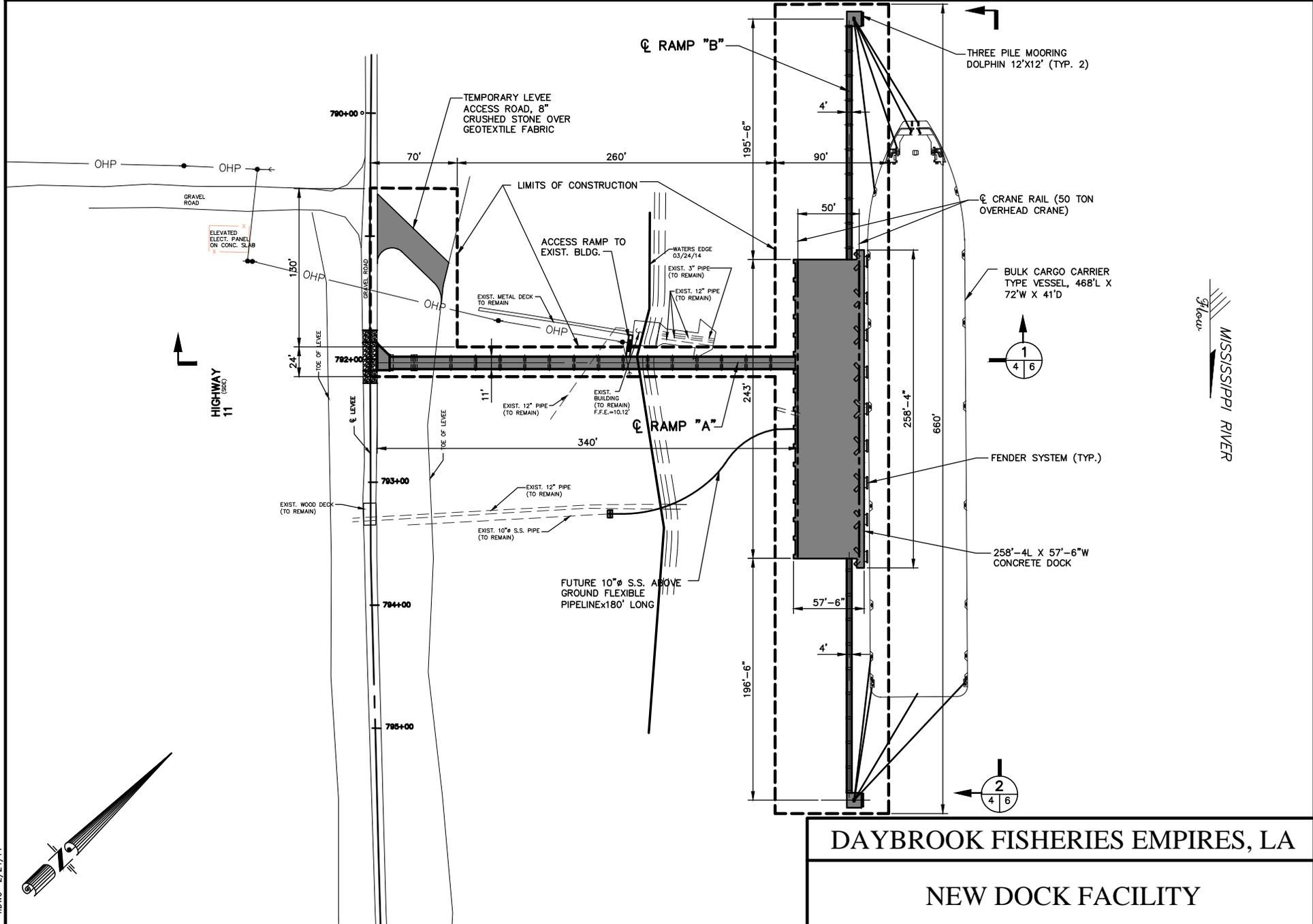
OCTOBER 9, 2014

**DAYBROOK FISHERIES EMPIRES, LA**

**NEW DOCK FACILITY**

PARISH OF PLAQUEMINES STATE: LA  
 APPLICATION: DAYBROOK FISHERIES, INC.

SHEET: 3



PERMIT-4.DWG 2/24/14

**SITE PLAN**



**BURK-KLEINPETER, INC.**  
 ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
 4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
 (504) 486-5901 FAX (504) 488-1714

BKI NO. 13.040

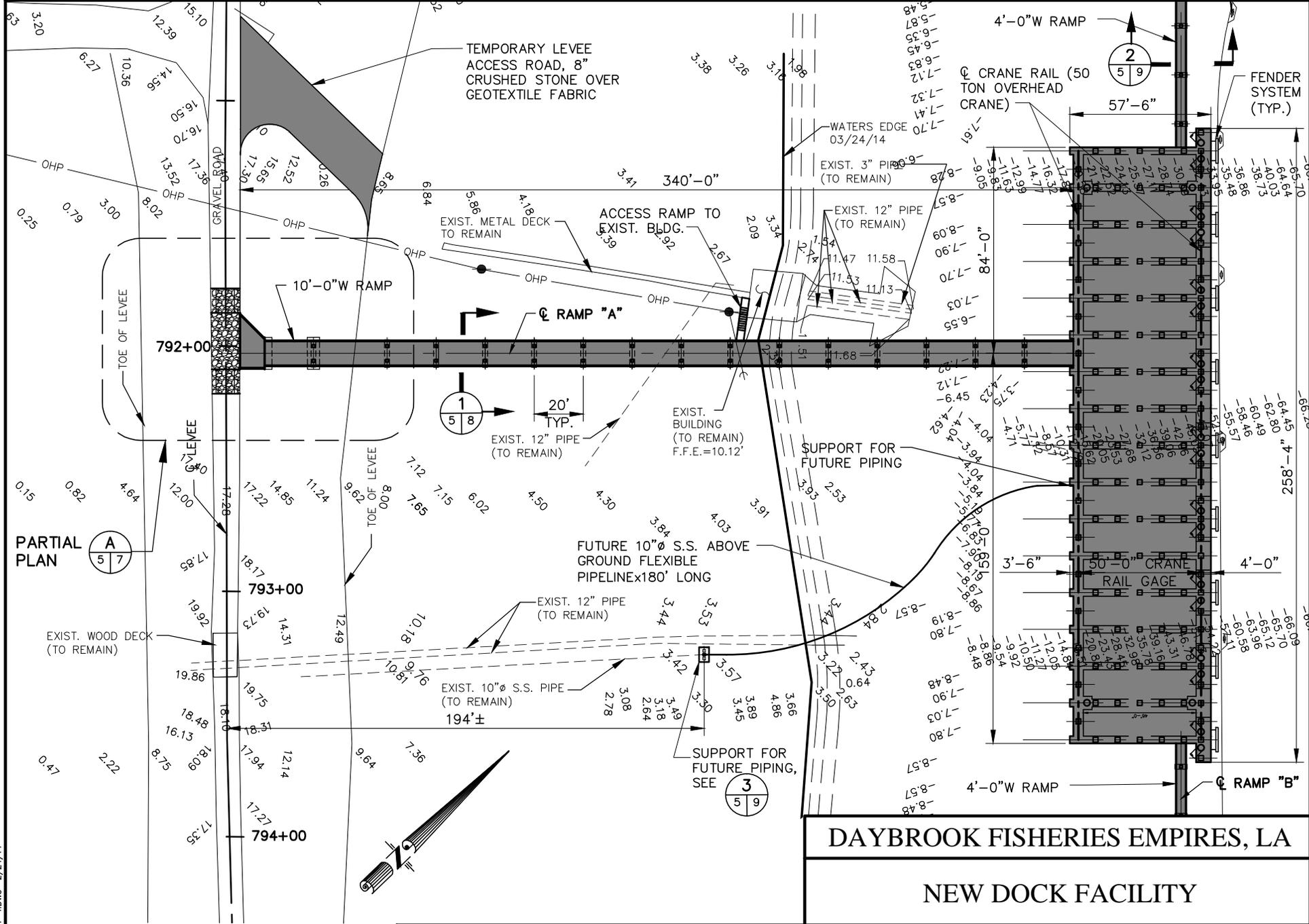
OCTOBER 9, 2014

**DAYBROOK FISHERIES EMPIRES, LA**

**NEW DOCK FACILITY**

PARISH OF PLAQUEMINES STATE: LA  
 APPLICATION: DAYBROOK FISHERIES, INC.

**SHEET: 4**



PERMIT-4.DWG 2/24/14

**PLAN**



**BURK-KLEINPETER, INC.**  
 ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
 4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
 (504) 486-5901 FAX (504) 488-1714

BKI NO. 13.040

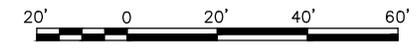
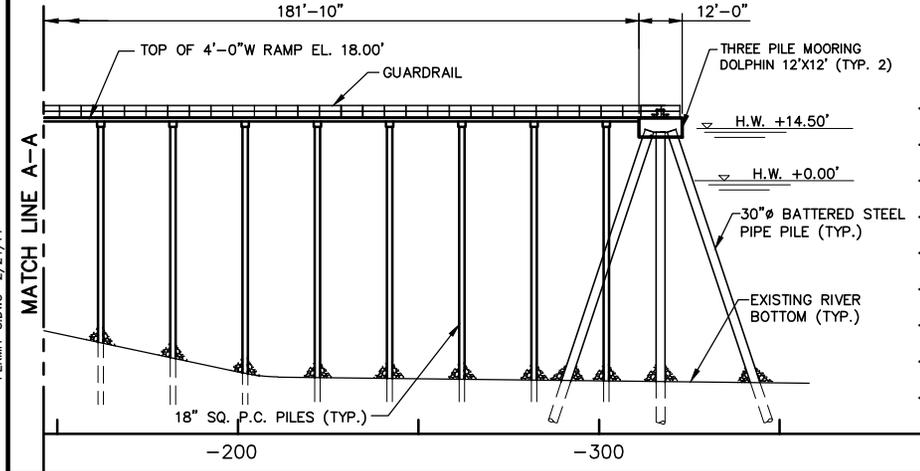
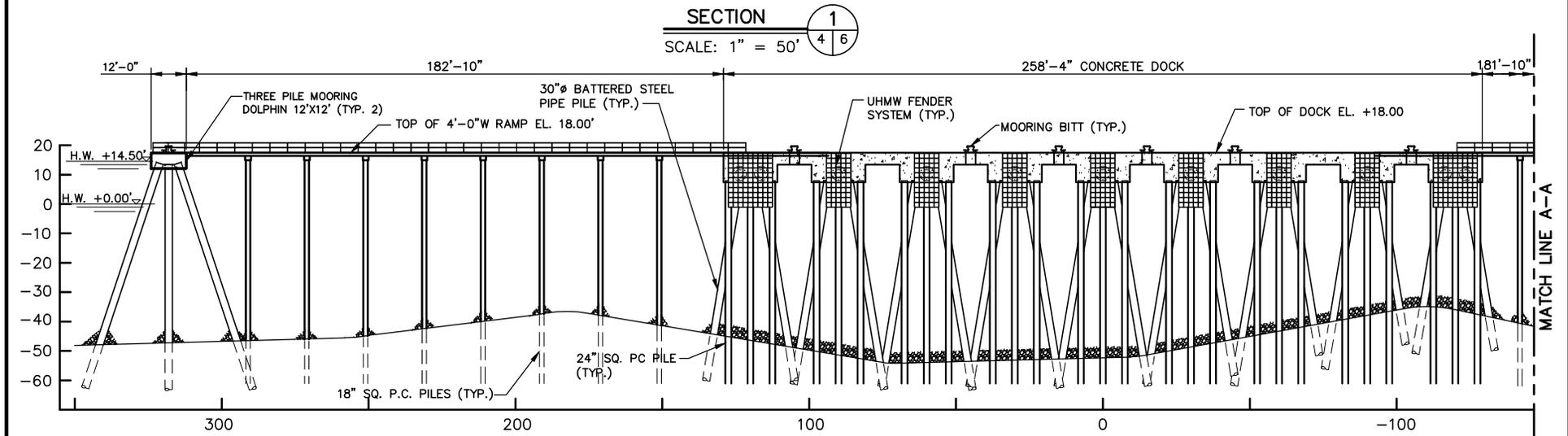
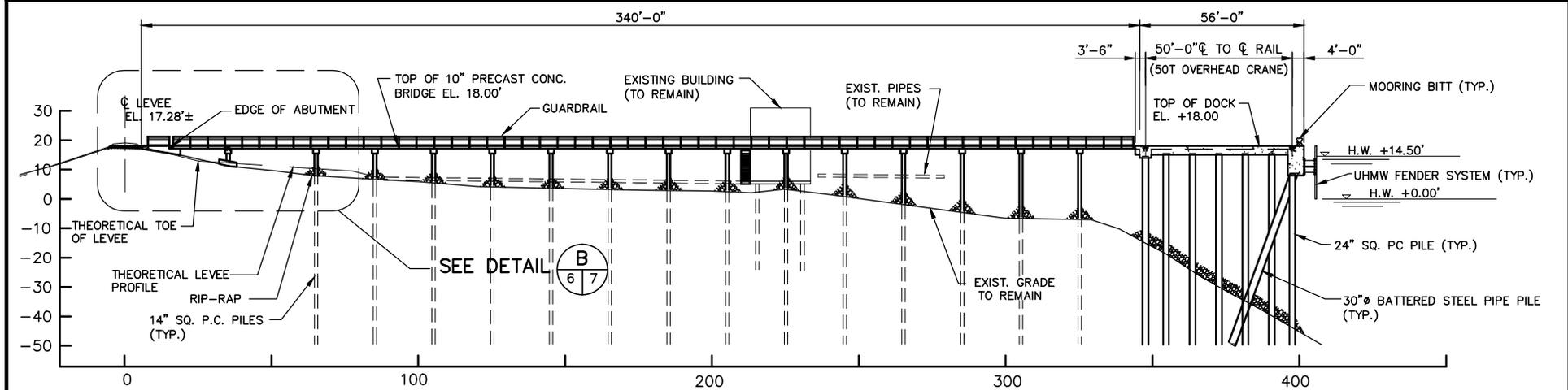
OCTOBER 9, 2014

**DAYBROOK FISHERIES EMPIRES, LA**

**NEW DOCK FACILITY**

PARISH OF PLAQUEMINES STATE: LA  
 APPLICATION: DAYBROOK FISHERIES, INC.

SHEET: 5



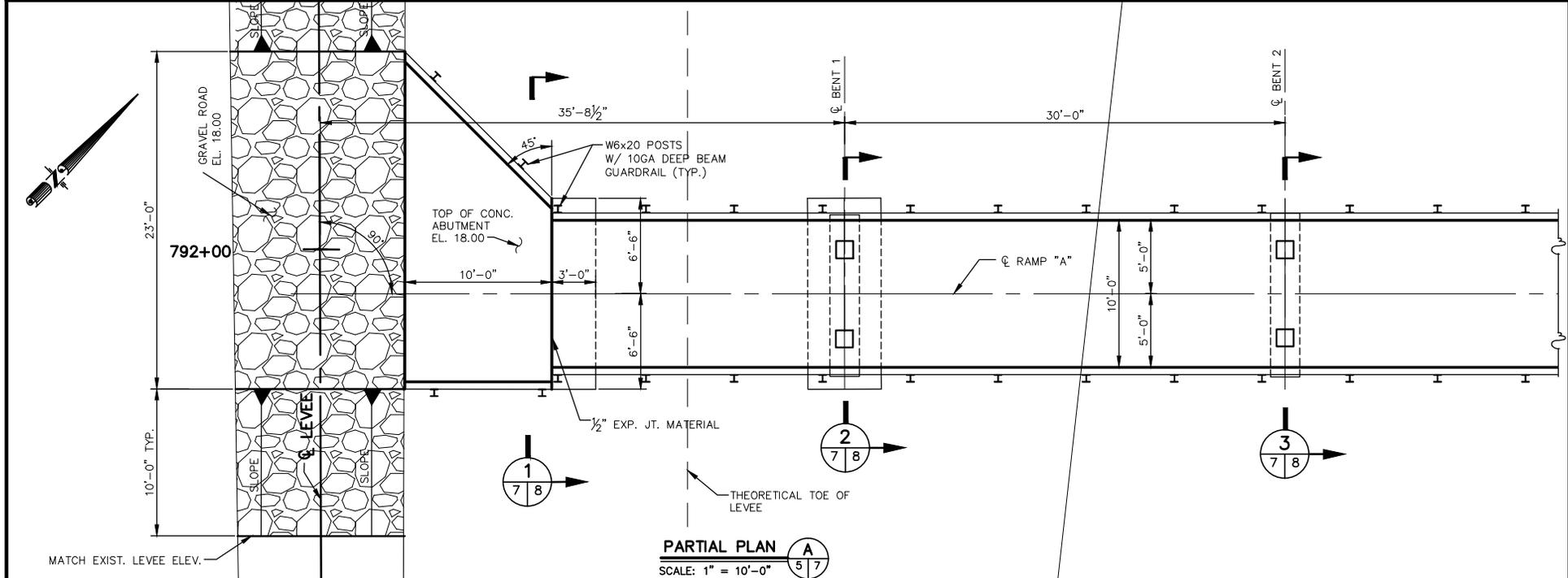
**BURK-KLEINPETER, INC.**  
 ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
 4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
 (504) 486-5901 FAX (504) 488-1714  
 BKI NO. 13.040 OCTOBER 9, 2014

**DAYBROOK FISHERIES EMPIRES, LA**

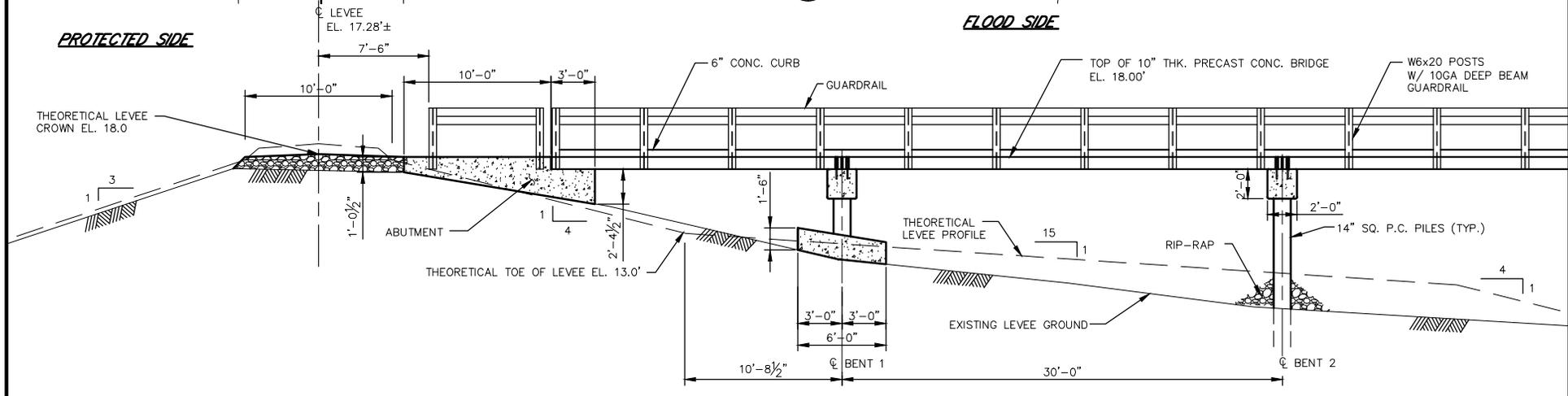
**NEW DOCK FACILITY**

PARISH OF PLAQUEMINES STATE: LA  
 APPLICATION: DAYBROOK FISHERIES, INC.  
 SHEET: 6

PERMIT-5.DWG 2/24/14



**PARTIAL PLAN A**  
SCALE: 1" = 10'-0"



**DETAIL B**  
SCALE: 1" = 10'

**DAYBROOK FISHERIES EMPIRES, LA**

**NEW DOCK FACILITY**

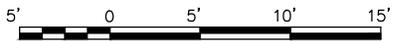
PARISH OF PLAQUEMINES STATE: LA  
APPLICATION: DAYBROOK FISHERIES, INC.

**BURK-KLEINPETER, INC.**  
ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
(504) 486-5901 FAX (504) 488-1714

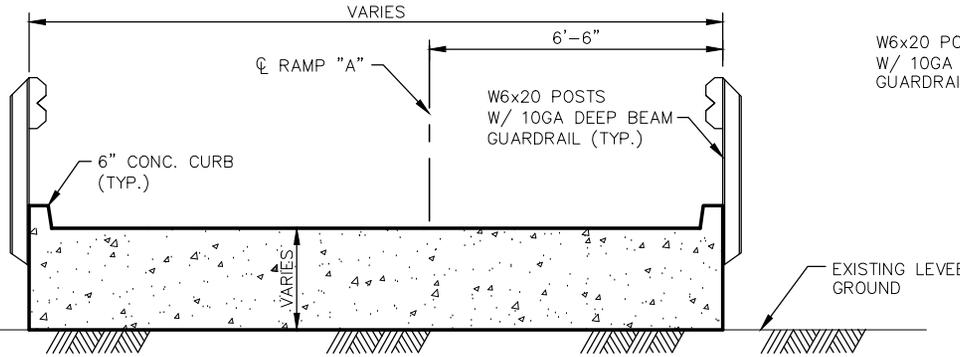
BKI NO. 13.040

OCTOBER 9, 2014

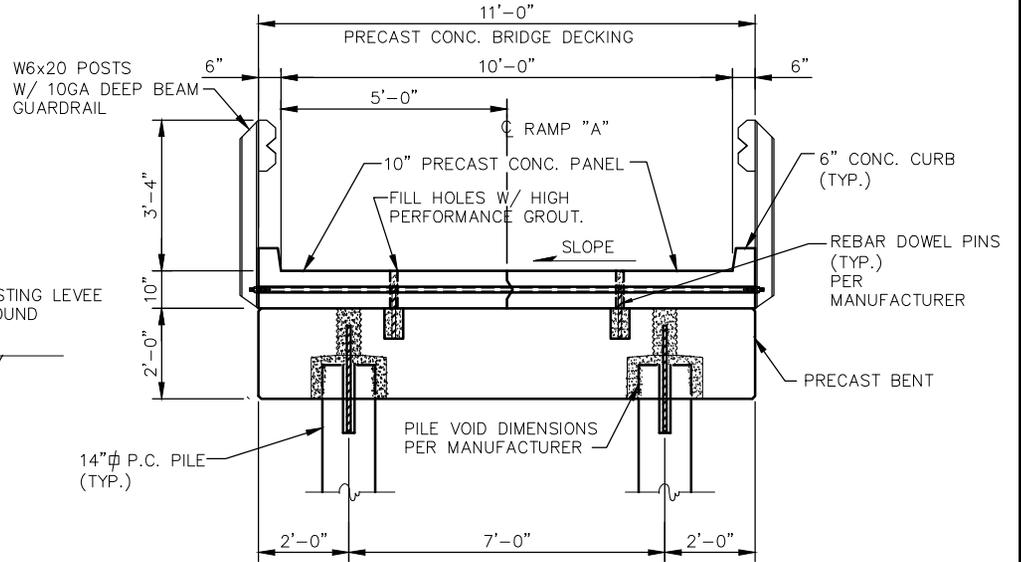
SHEET: 7



PERMIT-5.DWG 2/24/14

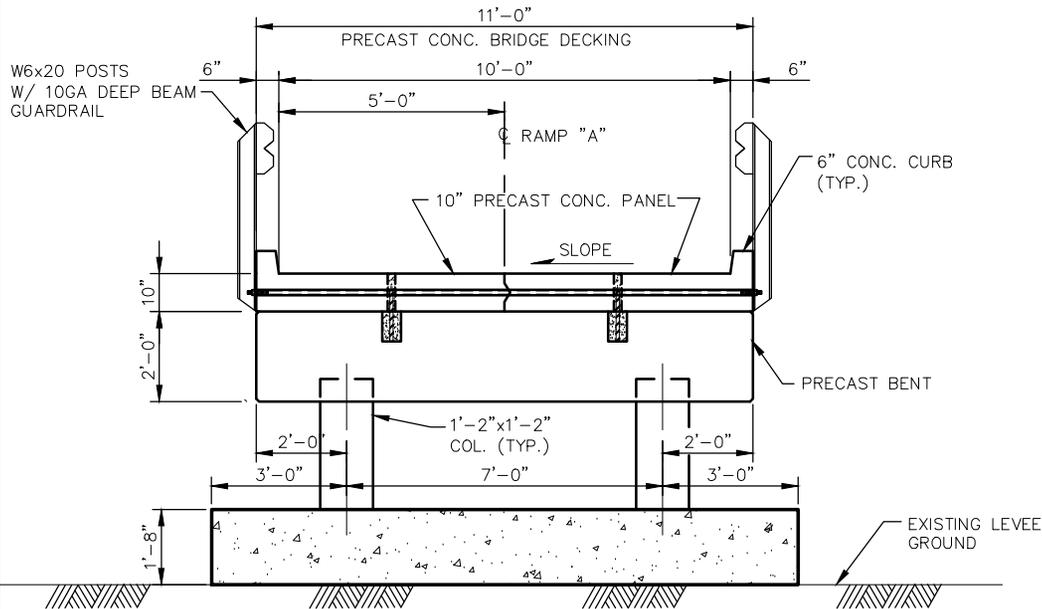


SECTION 1  
SCALE: 1/4" = 1'-0"



SECTION 3  
SCALE: 1/4" = 1'-0"

NOTE:  
PRECAST BRIDGE, BENT, PILES AND GUARDRAIL  
SHALL BE DESIGNED AND SPECIFIED BY WASKEY  
BRIDGES INC. OR EQUAL.



SECTION 2  
SCALE: 1/4" = 1'-0"

DAYBROOK FISHERIES EMPIRES, LA

NEW DOCK FACILITY

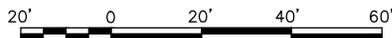
PARISH OF PLAQUEMINES STATE: LA  
APPLICATION: DAYBROOK FISHERIES, INC.

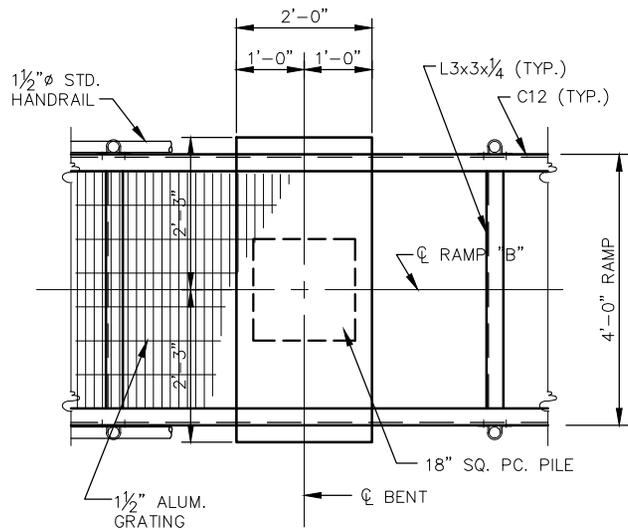
SHEET: 8

BURK-KLEINPETER, INC.  
ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
(504) 486-5901 FAX (504) 488-1714

BKI NO. 13.040

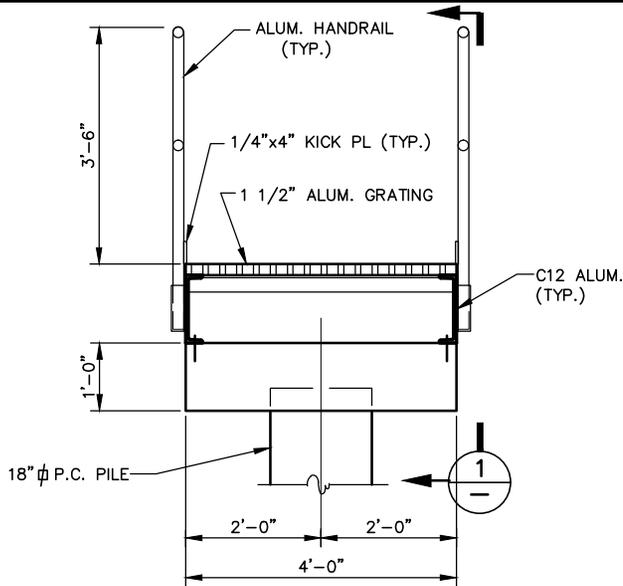
OCTOBER 9, 2014





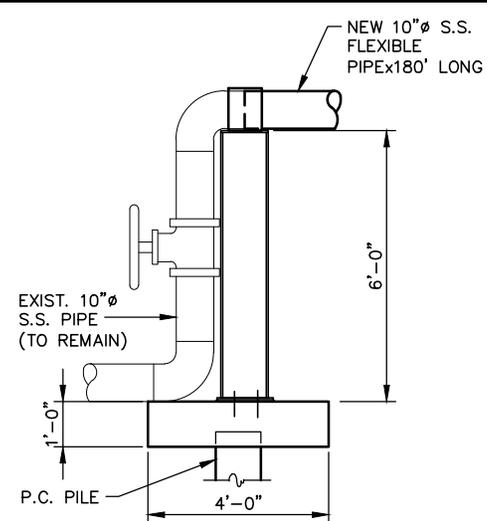
**4'-0" W RAMP - PLAN**

SCALE: 3/8" = 1'-0"



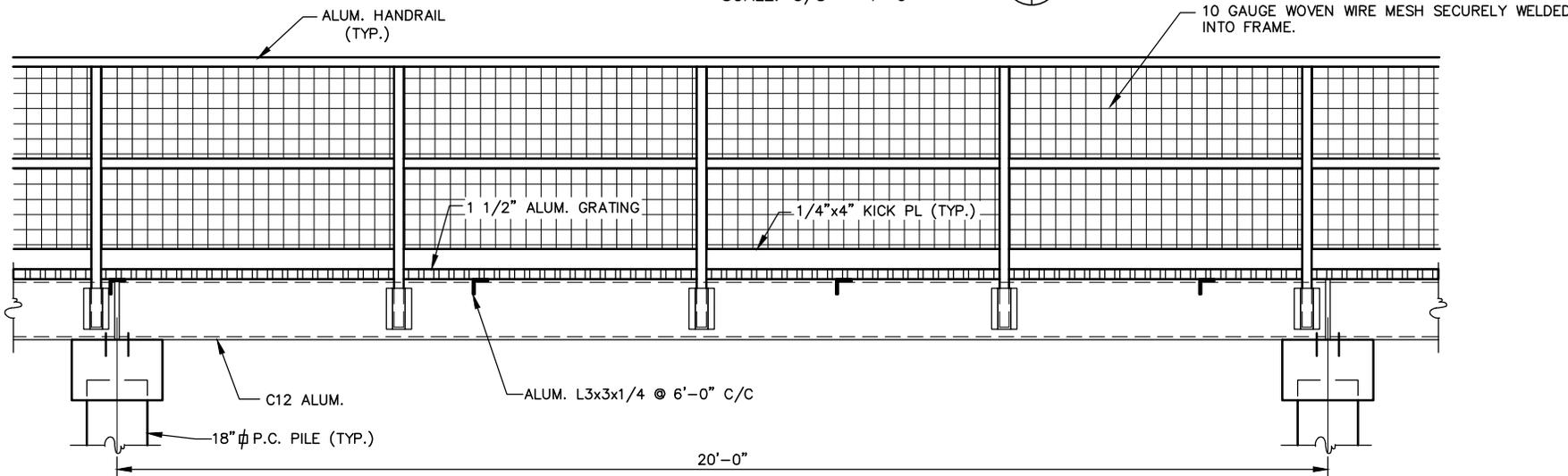
**4'-0" W RAMP SECTION**

SCALE: 3/8" = 1'-0"



**SUPPORT PIPE BENT SECTION**

SCALE: 1/4" = 1'-0"



**SECTION**

SCALE: 3/8" = 1'-0"

**DAYBROOK FISHERIES EMPIRES, LA**

**NEW DOCK FACILITY**

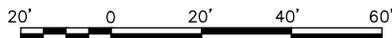
PARISH OF PLAQUEMINES STATE: LA  
APPLICATION: DAYBROOK FISHERIES, INC.

**BURK-KLEINPETER, INC.**  
ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS  
4176 CANAL STREET, NEW ORLEANS, LOUISIANA 70119-5994  
(504) 486-5901 FAX (504) 488-1714

BKI NO. 13.040

OCTOBER 9, 2014

SHEET: 9



PERMIT-6.DWG 2/24/14