

# PUBLIC NOTICE

December 3, 2018

United States Army  
Corps of Engineers  
New Orleans District  
Attn: Regulatory Branch  
7400 Leake Ave.  
New Orleans, Louisiana 70118-3651

Project Manager:  
Johnny Duplantis  
(504) 862-2548  
Johnny.j.duplantis@usace.army.mil  
Application #: MVN-2001-01542-WPP

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:  Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or  Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

## **DOCK SLIP MAINTENANCE DREDGING IN CALCASIEU PARISH**

**NAME OF APPLICANT:** Rain CII Carbon, LLC, 1920 Pak Tank Road, Sulphur, Louisiana 70665.

**LOCATION OF WORK:** In Section 38, T10S, R10W, Latitude 30.145007, Longitude -93.334054, on the west bank of the Calcasieu River Ship Channel, in Calcasieu Parish, Louisiana.

**CHARACTER OF WORK:** Corps permit SW (Calcasieu River) 595 was issued to the current applicant on July 26, 1991, and subsequently extended as MVN-2001-01542-WPP on November 8, 2012 for maintenance dredging. The latest permit modification expired on November 30, 2017. The applicant is requesting permission to continue authorization to perform maintenance dredging of an existing dock slip adjacent to the Calcasieu Ship Channel. Dredged spoils would be placed onto a previously permitted and designated spoil disposal area adjacent to the dock slip and the spoil disposal containment banks would be rehabilitated and maintained. No wetland impacts are expected by this proposed activity.

The comment period for the Department of the Army Permit will close **15 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 must be submitted 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 forwarded to the

Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH**. Individuals or parties may request an extension of time in which to comment on the proposed work by writing, faxing, or e-mailing the Corps of Engineers Project Manager listed above. Any request must be specific and substantively supportive of the requested extension, and received by this office prior to the end of the initial comment period. The Section Chief will review the request and the requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous to the initial comment period and, inclusive of the initial comment period, will not exceed a total of 30 calendar days.

### **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 public notice are being sent to the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

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. Based on the South Louisiana **Standard Local Operating Procedure for Endangered Species (SLOPES)**, as signed on October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project would have no effect to

the West Indian Manatee.

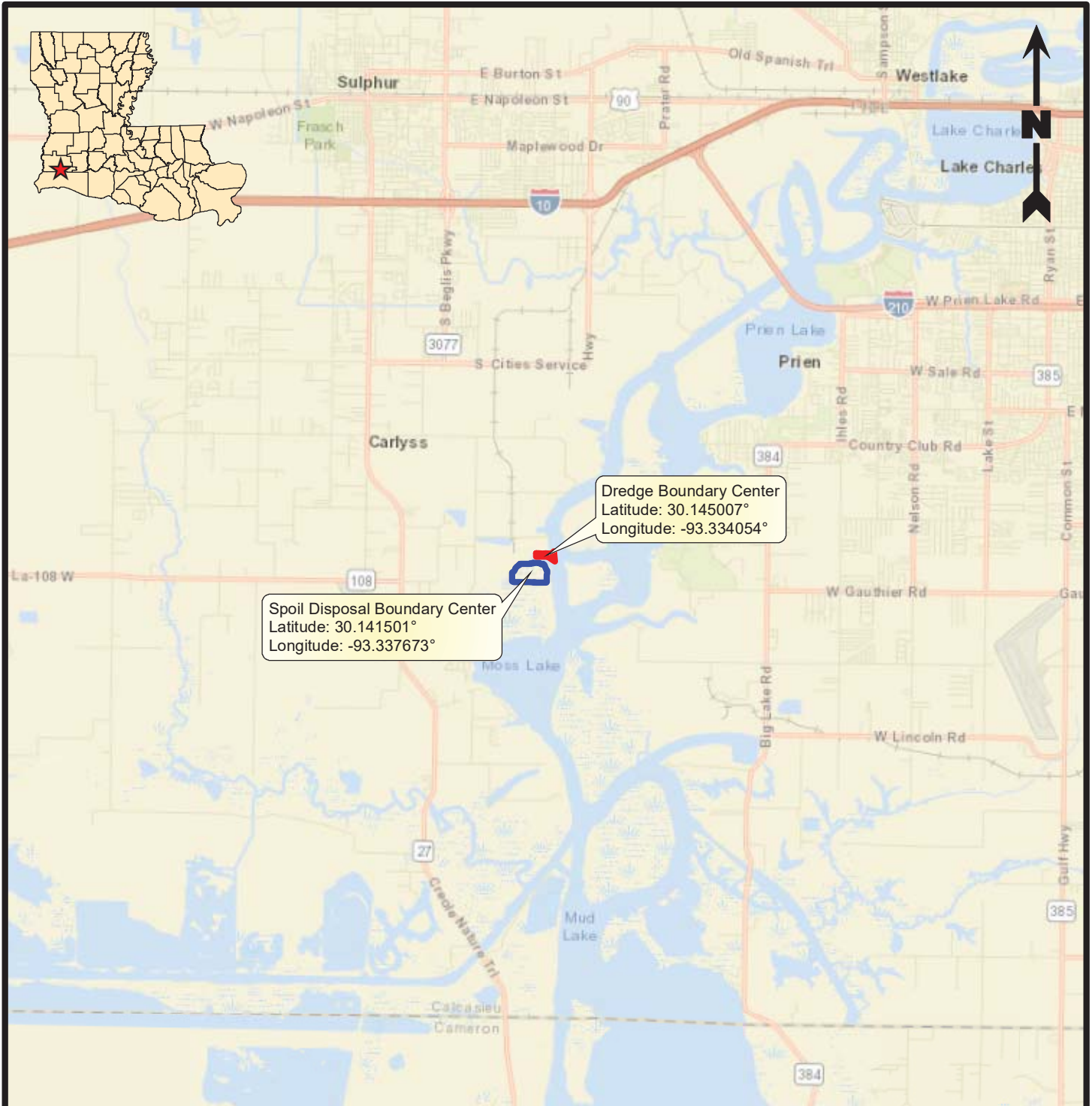
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal may result in the destruction or alteration of **11.5** acres of EFH utilized by various life stages of red drum and penaeid shrimp. 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.

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

Darrell S. Barbara  
Chief, Western Evaluation Section  
Regulatory Branch

Enclosure



**Legend**

- Dredge Boundary
- Spoil Disposal Boundary

**Reference**

Base map comprised of ESRI StreetMap USA data.

**Vicinity Map**

**Section 10 Permit Application**  
Calcasieu Parish, Louisiana

**Rain CII Carbon, LLC**  
Rain Carbon Slip Dredging

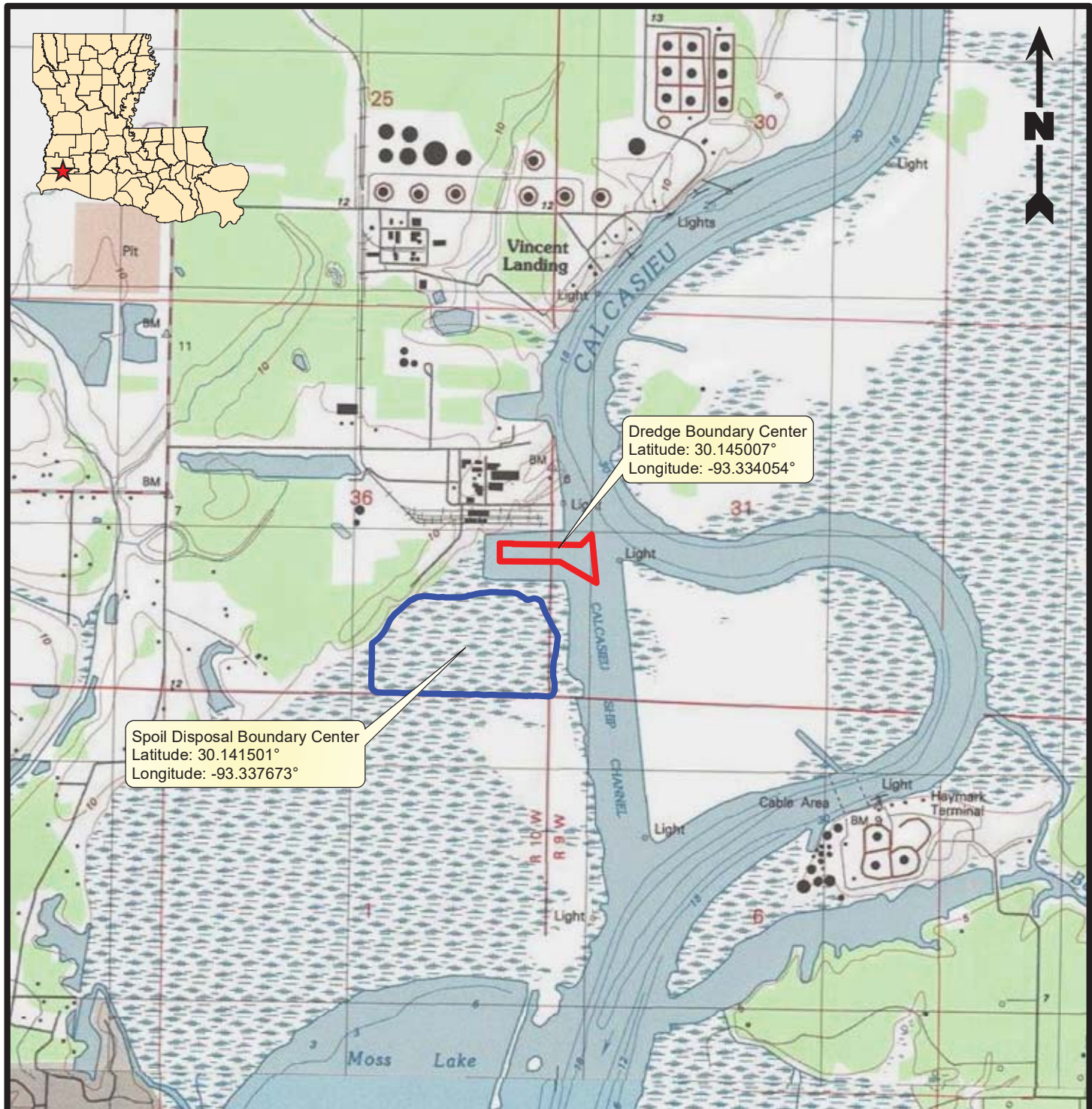


**PROVIDENCE**

Drawn By	CMM	07/20/18
Checked By	TS	07/20/18
Approved By	TS	07/20/18

Project Number	<b>1</b>
151-051	
Drawing Number	Figure
151-051-A001	





Dredge Boundary Center  
 Latitude: 30.145007°  
 Longitude: -93.334054°

Spoil Disposal Boundary Center  
 Latitude: 30.141501°  
 Longitude: -93.337673°



**Legend**

- Dredge Boundary
- Spoil Disposal Boundary

**Reference**

Base map comprised of United States Geological Survey (USGS) 7.5-minute topographic maps, "Westlake, LA" and "Moss Lake, LA".

**Site Location Map**

**Section 10 Permit Application**  
 Calcasieu Parish, Louisiana

**Rain CII Carbon, LLC**  
 Rain Carbon Slip Dredging



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Checked By	TS	07/20/18
Approved By	TS	07/20/18

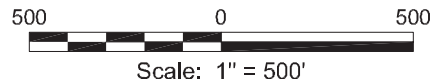
Project Number	151-051	<b>2</b> Figure
Drawing Number	151-051-A002	





**Legend**

- Dredge Boundary
- Spoil Disposal Boundary
- 3:1 Slope Boundary
- ➔ Temporary Access Route
- ➔ Temporary Dredge Discharge Pipe



**Reference**

Base map comprised of Google Earth aerial imagery from 01/24/15.

**Note**

The estimated amount of material to be removed is 76,892 yards. This calculation accounts for the material to be excavated within the -41 contour (orange boundary) and 3:1 slope (pink boundary). The limits of excavation was determined by others and provided to the surveyor.

**Site Plan**

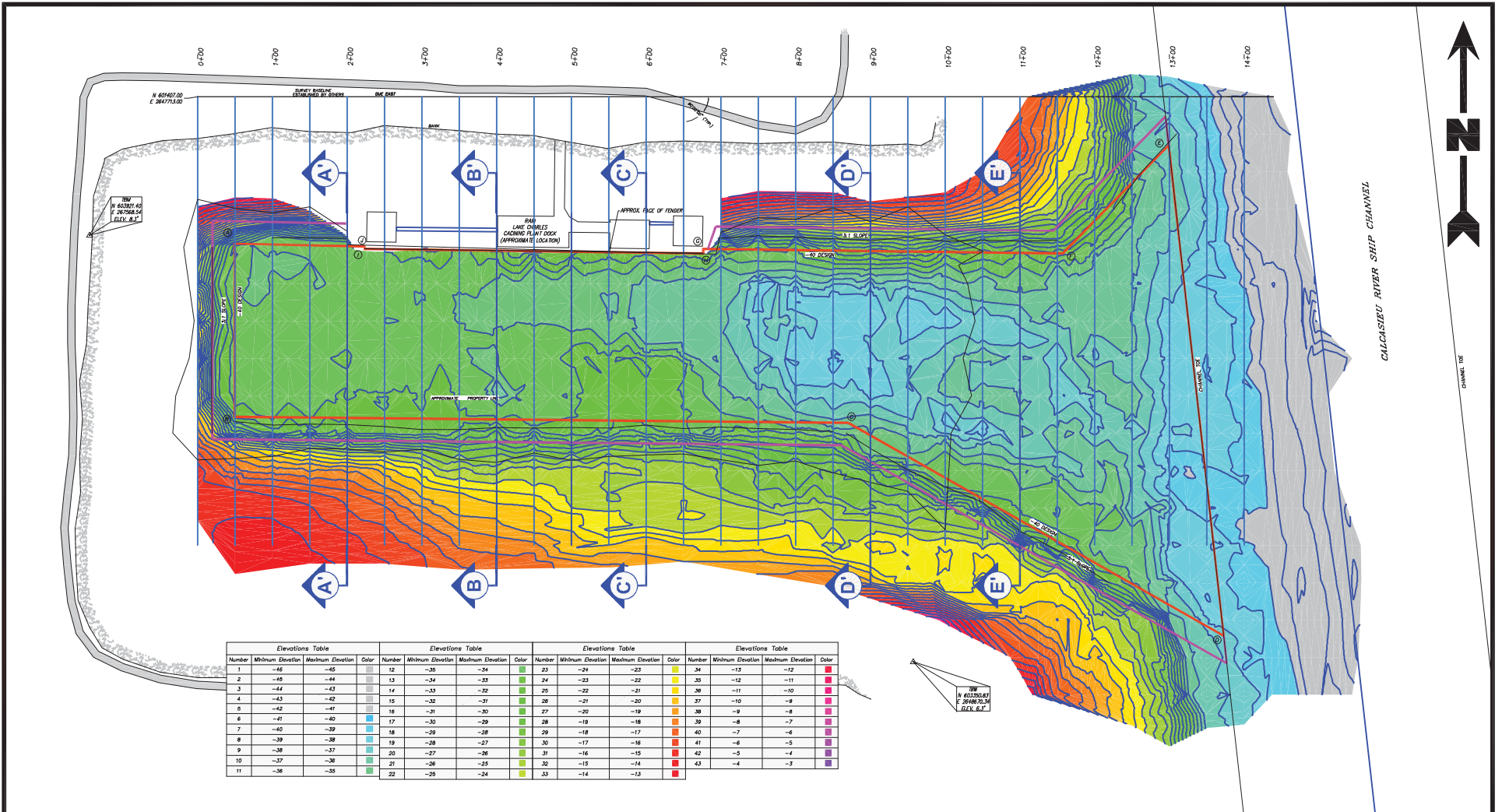
Section 10 Permit Application  
Calcasieu Parish, Louisiana

**Rain CII Carbon, LLC**  
Rain Carbon Slip Dredging



Drawn By	CMM	07/20/18
Checked By	TS	07/20/18
Approved By	TS	07/20/18

Project Number 151-051	<b>3</b> Figure
Drawing Number 151-051-A003	



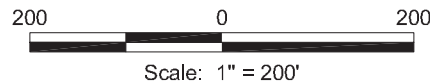
Elevations Table				Elevations Table				Elevations Table				Elevations Table			
Number	Minimum Elevation	Maximum Elevation	Color	Number	Minimum Elevation	Maximum Elevation	Color	Number	Minimum Elevation	Maximum Elevation	Color	Number	Minimum Elevation	Maximum Elevation	Color
1	-46	-45		12	-35	-34		23	-24	-23		34	-13	-12	
2	-45	-44		13	-34	-33		24	-23	-22		35	-12	-11	
3	-44	-43		14	-33	-32		25	-22	-21		36	-11	-10	
4	-43	-42		15	-32	-31		26	-21	-20		37	-10	-9	
5	-42	-41		16	-31	-30		27	-20	-19		38	-9	-8	
6	-41	-40		17	-30	-29		28	-19	-18		39	-8	-7	
7	-40	-39		18	-29	-28		29	-18	-17		40	-7	-6	
8	-39	-38		19	-28	-27		30	-17	-16		41	-6	-5	
9	-38	-37		20	-27	-26		31	-16	-15		42	-5	-4	
10	-37	-36		21	-26	-25		32	-15	-14		43	-4	-3	
11	-36	-35		22	-25	-24		33	-14	-13					

**Note**

The estimated amount of material to be removed is 76,892 yards. This calculation accounts for the material to be excavated within the -41 contour (orange boundary) and 3:1 slope (pink boundary). The limits of excavation was determined by others and provided to the surveyor.

**Reference**

Base map comprised of client provided drawing titled: "Hydrographic Survey of Rain CII, Lake Charles Facility, Calcasieu River Ship Channel Mile 26.3", dated: 09/12/18, Project No: 180817, Sheet 1 of 4.



**Hydrographic Survey**

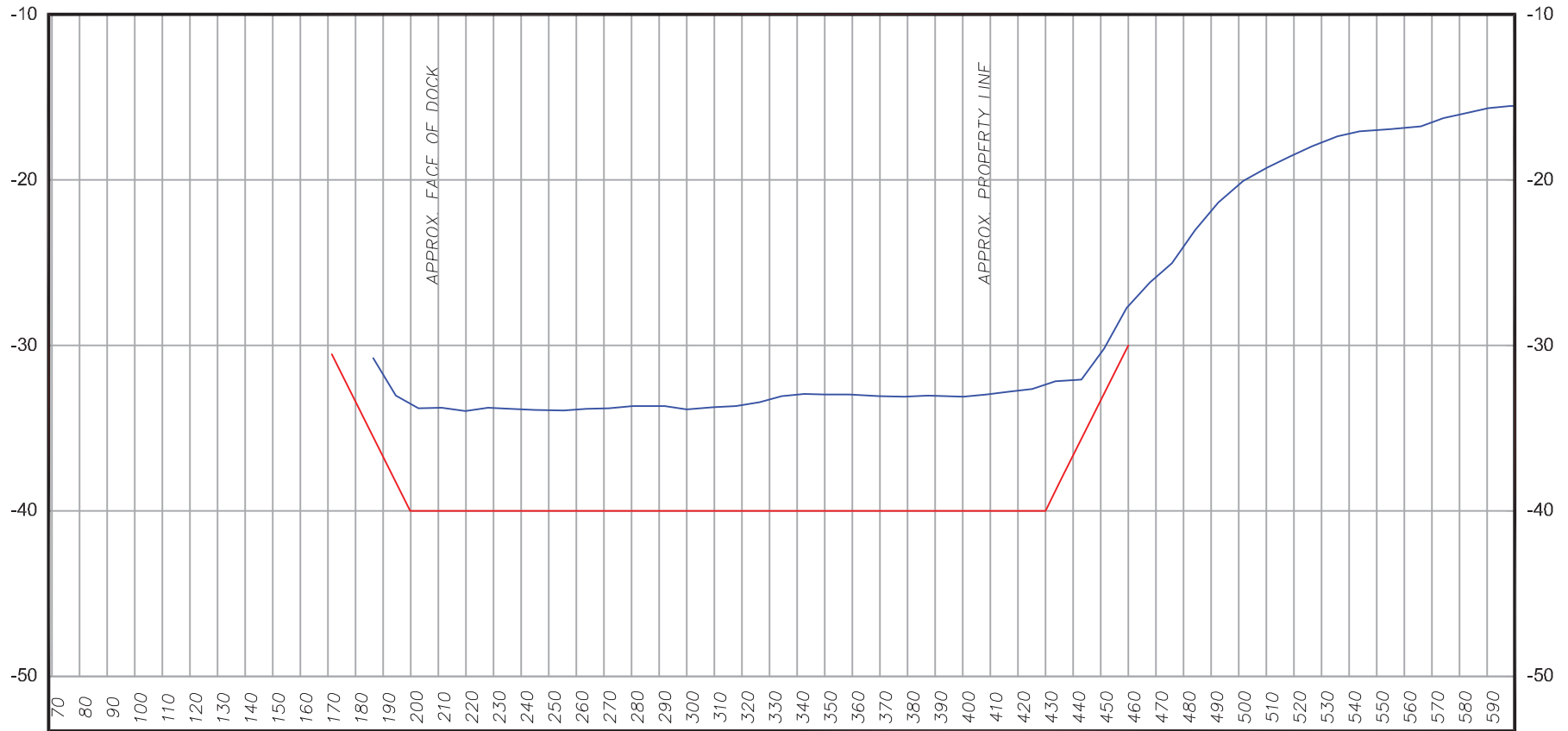
Section 10 Permit Application  
Calcasieu Parish, Louisiana

**Rain CII Carbon, LLC**  
Rain Carbon Slip Dredging



Drawn By	LMM	09/13/18
Checked By	TS	09/13/18
Approved By	TS	09/13/18

Project Number	151-051	<b>4</b> Figure
Drawing Number	151-051-A004	



Scale: As Shown

### Legend

- Design
- September 4, 2018

### Reference

Base map comprised of client provided drawing titled: "Hydrographic Survey of Rain CII, Lake Charles Facility, Calcasieu River Ship Channel Mile 26.3", dated: 09/12/18, Project No: 180817, Sheet 1 of 4.

## Cross Section A-A'

Section 10 Permit Application  
Calcasieu Parish, Louisiana

**Rain CII Carbon, LLC**  
Rain Carbon Slip Dredging

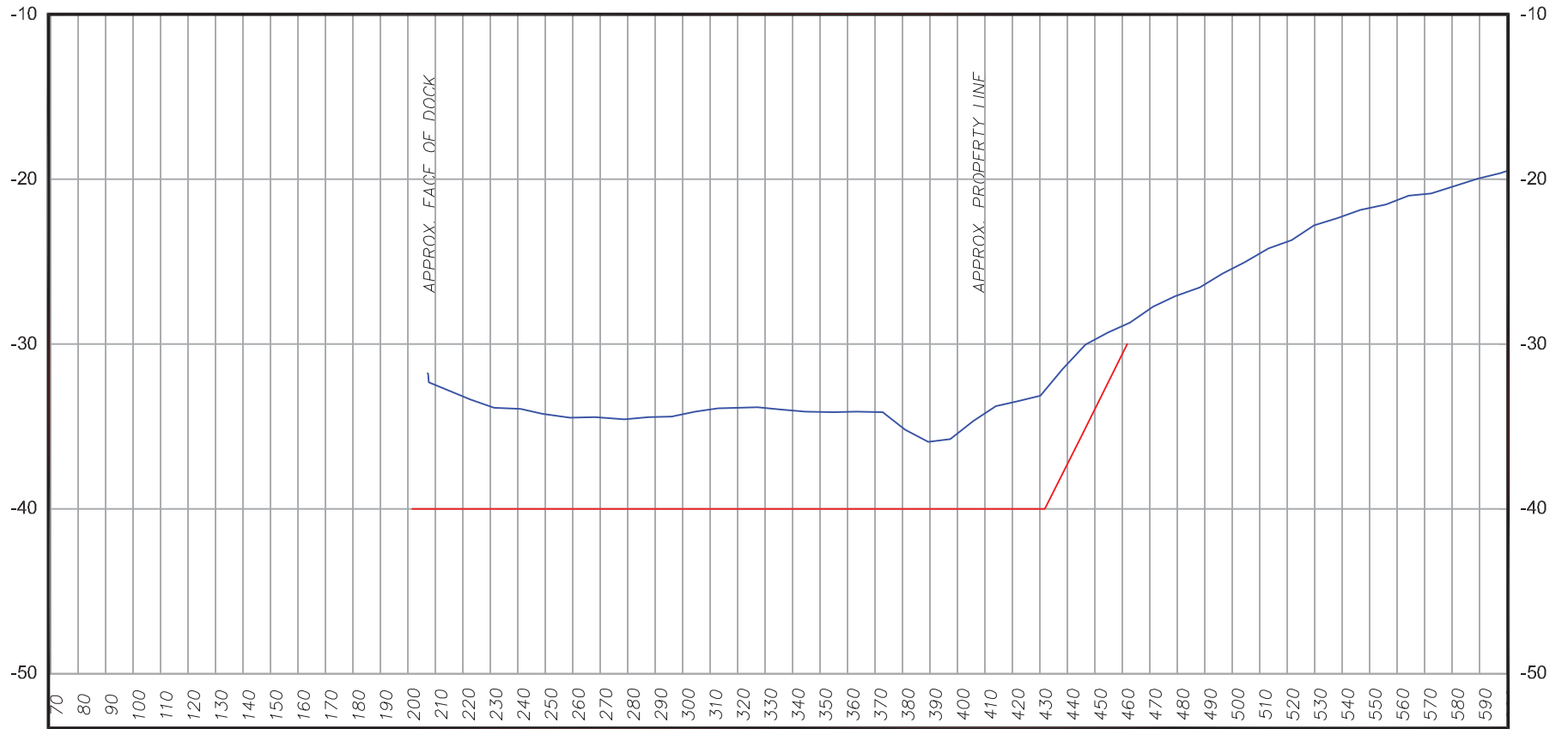


Drawn By	LMM	09/13/18
Checked By	TS	09/13/18
Approved By	TS	09/13/18

Project Number	151-051
Drawing Number	151-051-A005

**4a**  
Figure





Scale: As Shown

### Legend

- Design
- September 4, 2018

### Reference

Base map comprised of client provided drawing titled: "Hydrographic Survey of Rain CII, Lake Charles Facility, Calcasieu River Ship Channel Mile 26.3", dated: 09/12/18, Project No: 180817, Sheet 1 of 4.

## Cross Section B-B'

Section 10 Permit Application  
Calcasieu Parish, Louisiana

**Rain CII Carbon, LLC**

Rain Carbon Slip Dredging

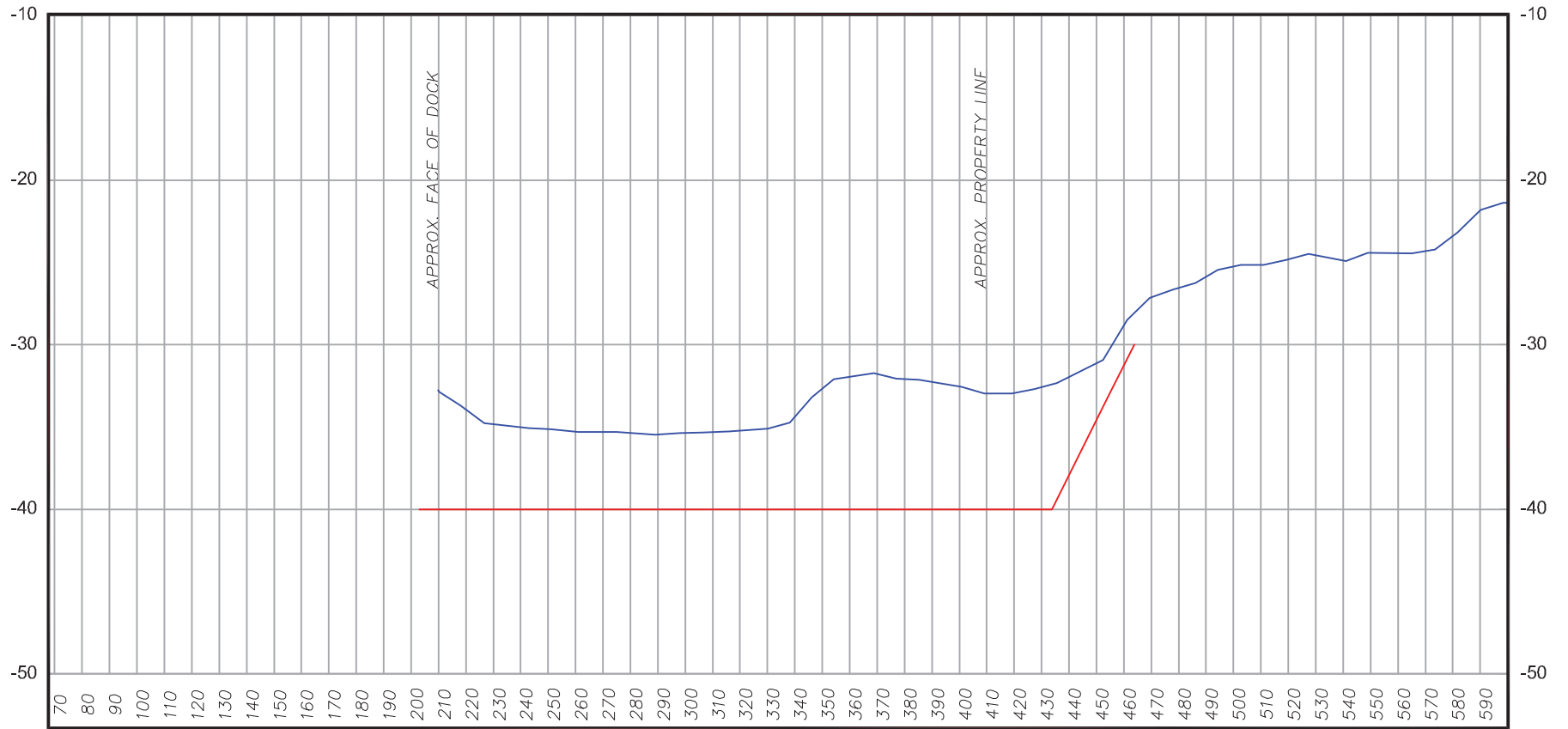


Drawn By	LMM	09/13/18
Checked By	TS	09/13/18
Approved By	TS	09/13/18

Project Number  
151-051

Drawing Number  
151-051-A006

**4b**  
Figure



Scale: As Shown

### Legend

- Design
- September 4, 2018

### Reference

Base map comprised of client provided drawing titled: "Hydrographic Survey of Rain CII, Lake Charles Facility, Calcasieu River Ship Channel Mile 26.3", dated: 09/12/18, Project No: 180817, Sheet 1 of 4.

## Cross Section C-C'

Section 10 Permit Application  
Calcasieu Parish, Louisiana

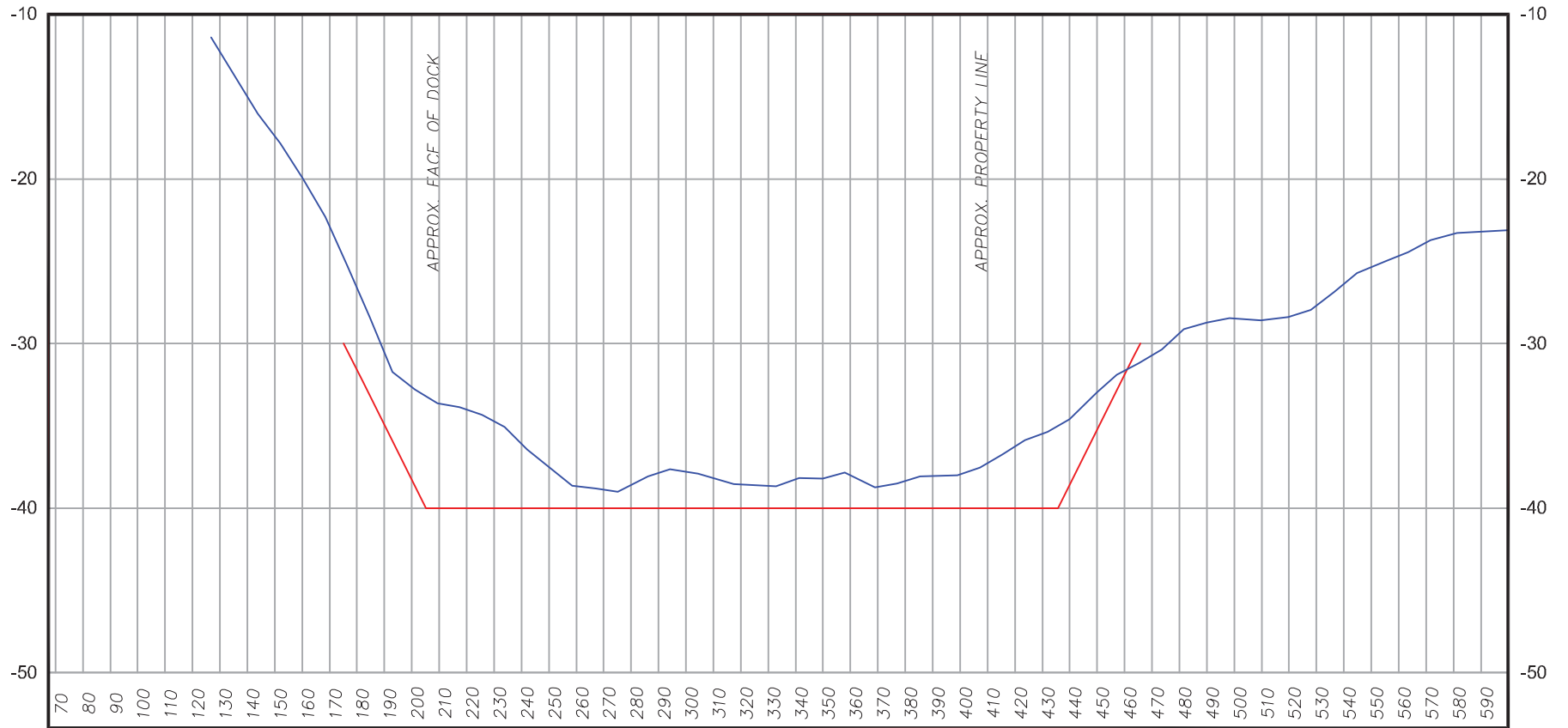
**Rain CII Carbon, LLC**  
Rain Carbon Slip Dredging



Drawn By	LMM	09/13/18
Checked By	TS	09/13/18
Approved By	TS	09/13/18

Project Number	151-051
Drawing Number	151-051-A007

**4c**  
Figure



Scale: As Shown

### Legend

- Design
- September 4, 2018

### Reference

Base map comprised of client provided drawing titled: "Hydrographic Survey of Rain CII, Lake Charles Facility, Calcasieu River Ship Channel Mile 26.3", dated: 09/12/18, Project No: 180817, Sheet 1 of 4.

## Cross Section D-D'

Section 10 Permit Application  
Calcasieu Parish, Louisiana

### Rain CII Carbon, LLC

Rain Carbon Slip Dredging

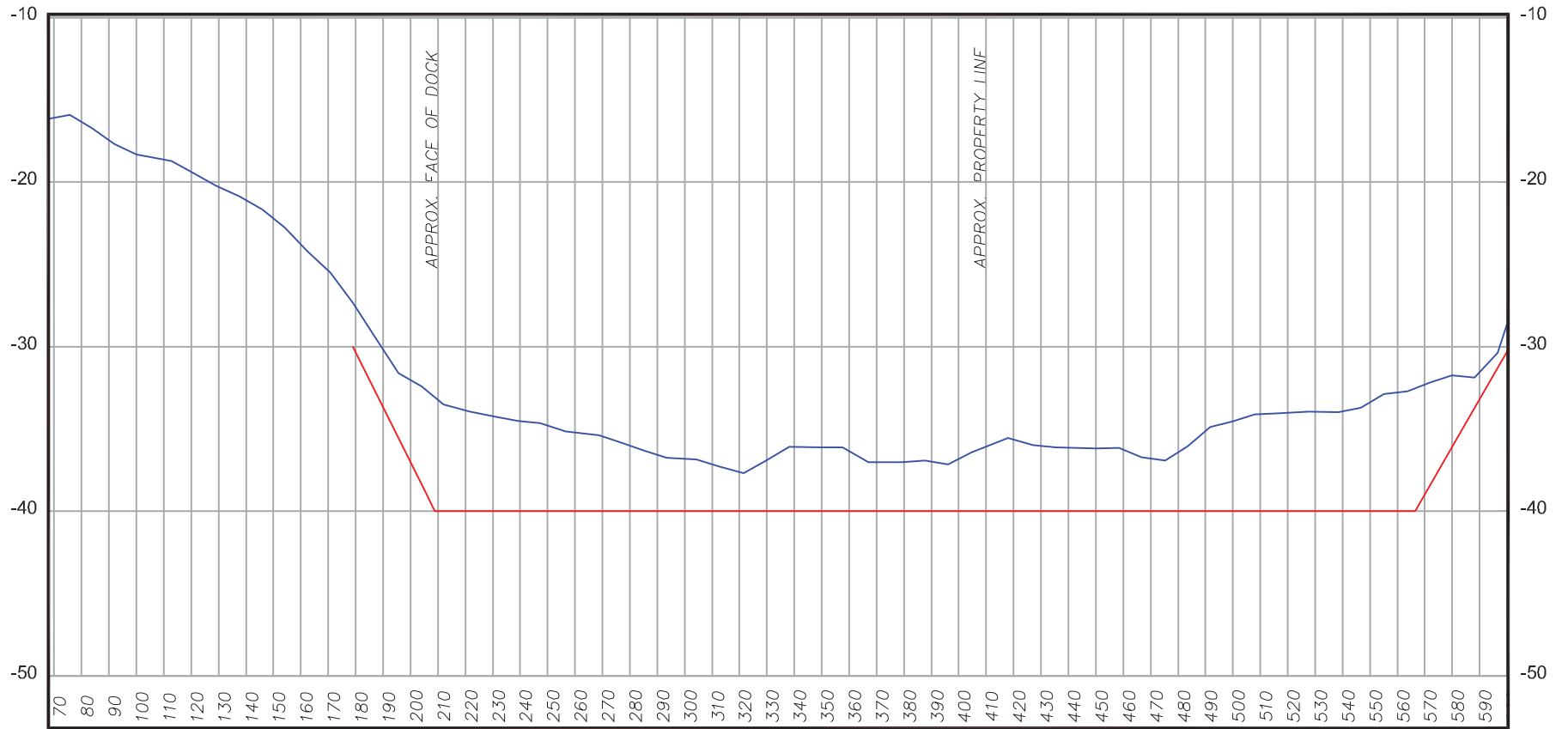


Drawn By	LMM	09/13/18
Checked By	TS	09/13/18
Approved By	TS	09/13/18

Project Number	151-051
Drawing Number	151-051-A008

**4d**  
Figure





Scale: As Shown

### Legend

- Design
- September 4, 2018

### Reference

Base map comprised of client provided drawing titled: "Hydrographic Survey of Rain CII, Lake Charles Facility, Calcasieu River Ship Channel Mile 26.3", dated: 09/12/18, Project No: 180817, Sheet 1 of 4.

## Cross Section E-E'

Section 10 Permit Application  
Calcasieu Parish, Louisiana

**Rain CII Carbon, LLC**

Rain Carbon Slip Dredging



Drawn By	LMM	09/13/18
Checked By	TS	09/13/18
Approved By	TS	09/13/18

Project Number  
151-051

Drawing Number  
151-051-A009

**4e**  
Figure