

# JOINT PUBLIC NOTICE

September 14, 2015

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

(504) 862-1217  
Project Manager  
Kenny Blanke  
[Kenneth.G.Blanke@usace.army.mil](mailto:Kenneth.G.Blanke@usace.army.mil)  
MVN 1997-1621-CQ

(225) 219-3225  
Project Manager  
Ms. Elizabeth Johnson  
WQC Application Number  
WQC 150910-03

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 LRS30:2074 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

## **EXPAND EXISTING BORROW PIT OPERATIONS AND DREDGING IN MISSISSIPPI RIVER AT EXISTING BARGE MOORING FACILITY IN SAINT JAMES PARISH**

**NAME OF APPLICANT:** Mr. Randy Anny, Post Office Box 367, Sorrento, Louisiana 70778.

**LOCATION OF WORK:** Located in Section 32, Township 11 South, Range 3 East, at 9336 LA Highway 44, within the Mississippi River Basin, in the Lower Mississippi River- Baton Rouge hydrologic unit (HUC 08070100), on the Mississippi River bature, left descending bank, located near Mississippi River mile 164.6, near Convent, Louisiana, in SAINT JAMES Parish, as shown on the enclosed drawings (Latitude 30.06722 N Longitude -90.88837 W).

**CHARACTER OF WORK:** Extension of time for the previously authorized use of an existing borrow pit, sand dredging, barge fleeting, aggregate and grain loading/off loading, stockpiling, hauling operation, and ship mooring facility. Sand will continue to be dredged from the Mississippi River and temporarily stockpiled in the bature borrow pit. The excavation will be approximately 200 feet from the levee toe and 50 feet from the Mississippi River mean low water line. There are no additional permanent pilings, structures, or work needed for the existing barge fleeting and offloading. Existing bature-side deadmen anchors will be utilized to moor barges (9 tiers of 10 barges each) and will continue existing loading/offloading activities using existing facilities for aggregate barges and grain barges. Expansion of borrow pit consists of the excavation of previously mitigated (but never completely constructed) borrow pit area. The pit area will be filled with dredged pump sand. This approximate 360' x 800' area will also function as a multi-purpose sand pit and serve as a new stockpiling area for aggregates, grains, sand, and fertilizers. The previously utilized pit measured 200' x 800'. The applicant is proposing maintenance dredging within the Mississippi River along the water's edge so that barges and ship mooring can be moved closer to the bature. The applicant is proposing this

dredging activity to remove silt material that has accumulated over time and has pushed the barge fleet further channelward. The proposed maintenance area dredging totals approximately 500' x 1800' in size. Approximately 813,333 cubic yards of material is proposed to be excavated and approximately 600,000 cubic yards of material would be placed as fill. Approximately 6.5 acres of batture wetlands would be directly impacted as a result of project implementation. The batture wetlands associated with the existing borrow pit and expansion have been previously mitigated under SE(Mississippi River 1548), which was originally authorized September 28, 1993. The project has been subsequently modified and extended additional time for completion under MVN-1997-1621. The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable.

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

JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosure



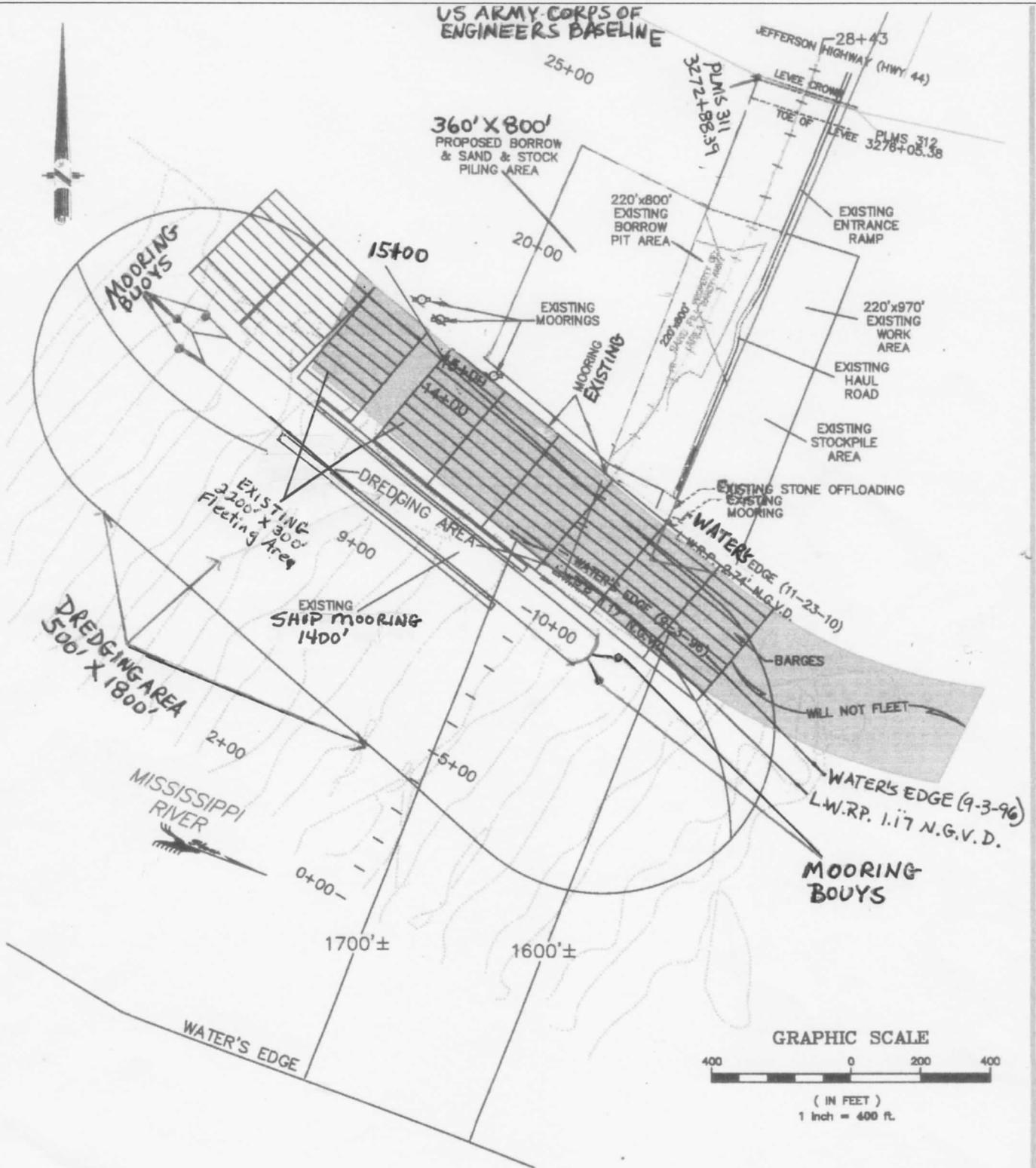
AREA MAP

PARISH: ST. JAMES

VICINITY MAP

FOR  
 RANDY ANNY  
 CONVENT, LA

US ARMY CORPS OF ENGINEERS BASELINE

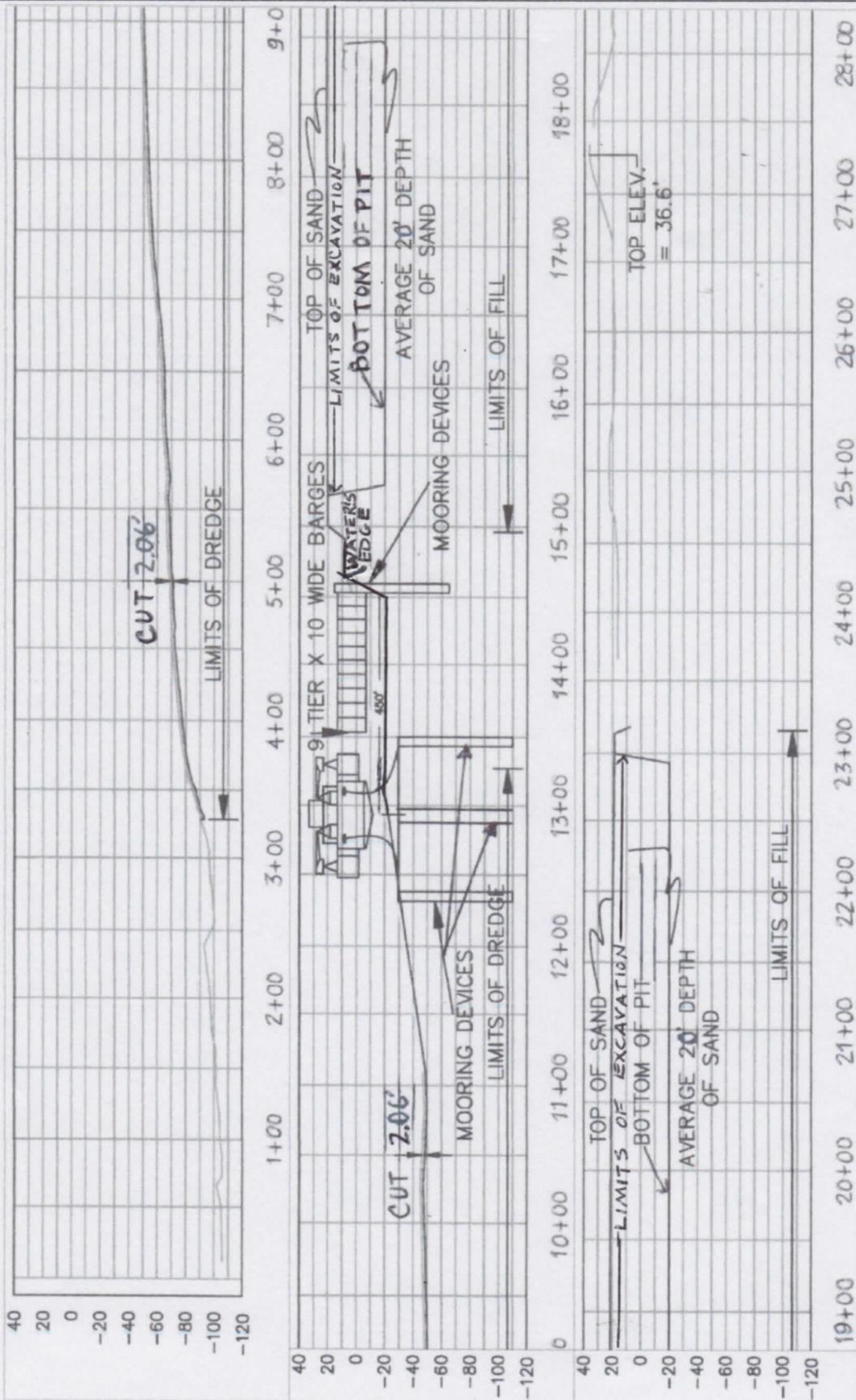


CONVENT, LA

FOR: RANDY ANNY

DATE: 04/29/2015

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SCALE:  
 VERTICAL: 1" = 20'  
 HORIZONTAL: 1" = 100'

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As-built drawings and/or plats shall be 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.

All structures, facilities, well and pipelines/flowlines occurring in open water areas or oilfield canals or ships 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.

Structures must also be marked / lighted in accordance with U.S. Coast Guard regulations.

In order to ensure the safety of all parties, the permitted shall contact the Louisiana One Call System (1-800-272-3020) a minimum of 48 hours to the commencement of any excavation (digging, dredging, jetting, etc.) or demolition activity.

The pallid sturgeon is listed as endangered under the Endangered Species Act (16U. S.C. 1531-1544 and is confined to the Miss. & Atchafalaya Rivers in southern La. The pallid sturgeon may occur in water bodies near this proposed project. This species requires large, turbid, free-flowing riverine habitat and is adapted to living close to the bottom of large shallow rivers with sand and gravel bars. Pallid sturgeon typically spawns from July – August but successful reproduction has been severely reduced due to habitat modification. This includes the loss of habitat through the construction of dams that have modified flows, reduced turbidity and lowered water temperatures. The permittee will take necessary measures to avoid the breeding season and any degradation of water quality in the Miss. River.

The long-tailed weasel is considered rare in La. The species is found in habitats usually near water. Habitats include brush land, open woodlands, field edges, riparian grassland, swamps & marshes. Dens are in abandoned burrows of other mammals, rock crevices, brush piles, stump hollows or spaces among tree roots. Research indicates that the weasel may be sensitive to agriculturally induced fragmentation of habitat showing the importance of maintaining landscape connectivity for the conservation of this species.

The area where the project is located is part of the aboriginal; homeland of the Chitimacha Tribe of La. As such, villages, burial sites & sacred sites were in place in that entire area. If During the course of the work any cultural properties are discovered, Permittee shall immediately contact Kimberly Walderi or Melanie Aymond at 337-923-9923 or 337-923-4395.

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CONVENT, LA

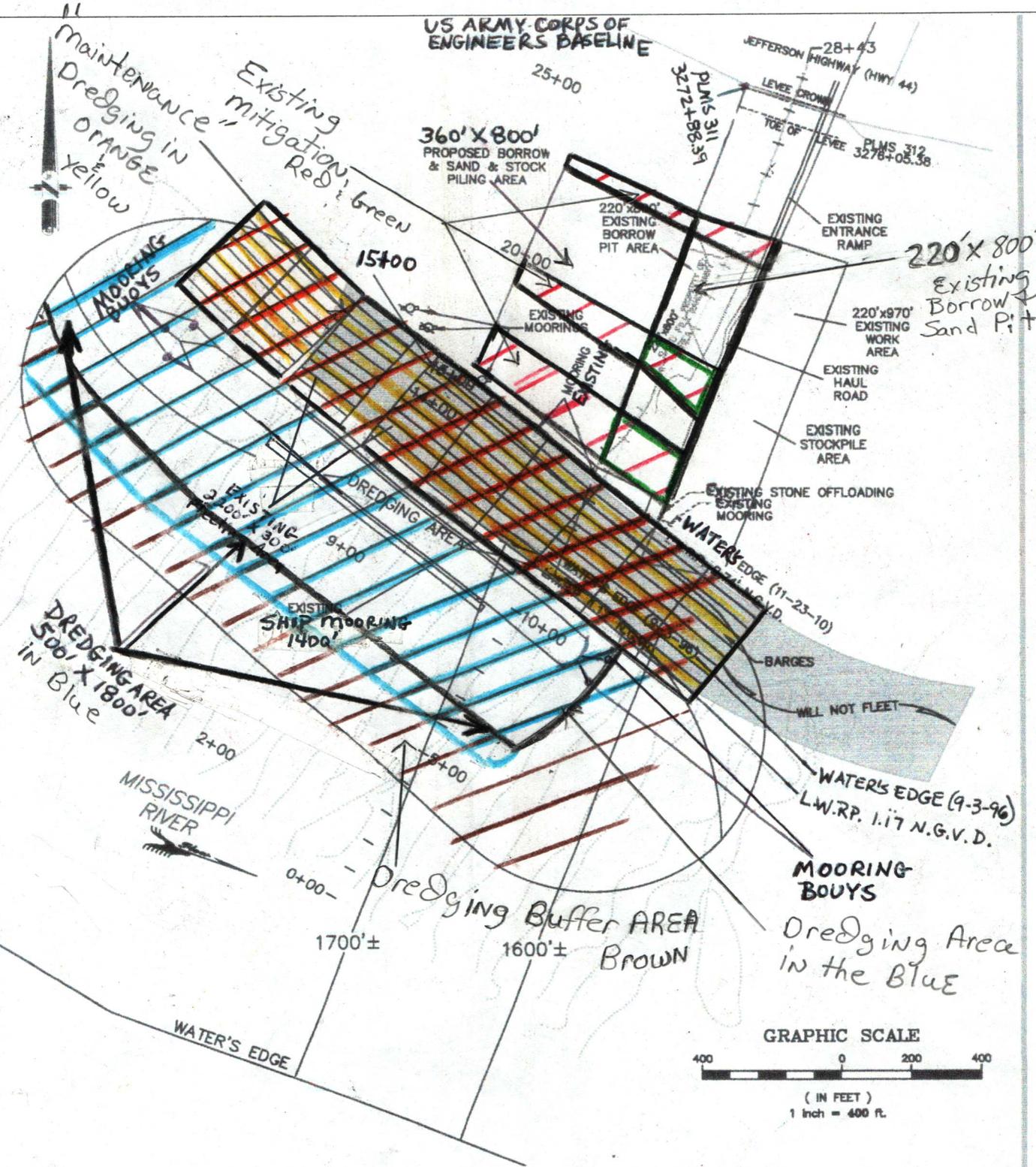
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US ARMY CORPS OF ENGINEERS BASELINE



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