



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

Regional Planning and
Environment Division South
Environmental Compliance Branch

January 30, 2017

PUBLIC NOTICE
REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS
PROJECT PURSUANT TO 33 U.S.C. SECTION 408

PUBLIC NOTICE/FILE NUMBER: 16-734, Cargill Inc. proposes to install a new turn sheave platform and remove a walkway and support bent on an existing barge slip along the left descending (east) bank of the Mississippi River between the communities of Reserve and Garyville, Louisiana in St. John the Baptist Parish.

Interested parties are hereby notified that a request for permission to alter a U.S. Army Corps of Engineers (USACE) project pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408) has been received and will be evaluated by the New Orleans District. Written comments, including any objections to the proposed alteration, stating reasons therefor, are being solicited from anyone having an interest in the requested alteration. Comments must be mailed or emailed by or before the last day of the comment period and must reference the file number of this public notice. Comments will become part of the record and will be considered in the decision on the request. See below for contact information and address. The proposed action could alter the following federal projects: Mississippi River Levees, Mississippi Channel Improvement (Revetments), and Mississippi River Deep Draft Navigation Channel.

COMMENT PERIOD EXPIRES: February 13, 2017

REQUESTED ALTERATION: Cargill Inc. proposes to install a new 25-foot by 20-foot turn sheave platform in an existing barge slip on the Mississippi River. The platform would be constructed with a steel multi-pile jacket structure and have a concrete cap. An unused walkway and support bent structure would be removed with associated piles cut off at or below the existing mudline. Approximately 25 cubic yards of rock would be placed around piles for scour protection as shown in the attached drawings.

The attached figures provide the location and details of the proposed project.

REQUESTER: Cargill, Inc., 2154 Highway 44, Reserve, Louisiana 70084

PERMISSION AUTHORITY: The authority to grant permission for temporary or permanent use, occupation or alteration of any USACE civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 USC 408 ("Section 408"). Section 408 authorizes the Secretary of the Army to grant permission for the alteration or occupation or use of a USACE project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project.

ADDITIONAL INFORMATION: Cargill, Inc. has submitted an application for a Rivers and Harbors Act Section 10 and Clean Water Act Section 404 permit to the USACE Regulatory Branch for the proposed action. That evaluation (MVN-2001-1053-EPP) will be a separate process from the evaluation of the request for permission to alter a USACE project. This Public Notice solicits comments only on the proposed alteration of the USACE projects. The new platform and turn sheave equipment are needed to allow for longer travel of the grain barges connected to the barge haul system.

LOCATION OF PROPOSED ACTION: Along the left descending bank of the Mississippi River in the vicinity of Reserve, Louisiana in St. John the Baptist Parish near Latitude: 30°03'13.4"N, Longitude: 90°35'1.5" as shown on the attached drawings.

WRITTEN COMMENTS MAY BE MAILED TO:

Department of the Army
Corps of Engineers, New Orleans District
ATTN: Michael Brown (CEMVN-PDC)
7400 Leake Ave.
New Orleans, Louisiana 70118

WRITTEN COMMENTS MAY BE EMAILED TO: Michael.t.brown@usace.army.mil

ALL comments must contain the full name and address of the individual commenting and must be received by the USACE by the expiration of the public notice period.

EVALUATION: This request will be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-216, which provides policy and procedural guidance for processing requests to alter USACE civil works projects.

The decision whether to grant permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

- 1) Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs. If USACE determines that

the usefulness of the authorized project would be impaired, the request will be denied.

- 2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.
- 3) Environmental Compliance. A decision on a Section 408 request is a Federal action and is subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. USACE is preparing an Environmental Assessment to evaluate the potential impacts of the proposed alteration on important resources. Comments received on this public notice will be used in the evaluation. The EA will not be published for public comment as this notice fulfills NEPA requirements for public participation. Any comments regarding the proposed alteration should be submitted during the current public comment period.

While ensuring environmental compliance is the responsibility of USACE, the requester is responsible for providing all information that USACE identifies as necessary. Environmental compliance factors that will be considered in this evaluation include but are not limited to the following:

- a. Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) directs all Federal agencies to insure that any action they authorize, fund, or carry-out does not jeopardize the continued existence of an endangered or threatened species including adverse modification of their critical habitat. To facilitate efficient Section 7 ESA consultation for actions authorized under the Clean Water Act, Section 404(b)(1) guidelines, as well as Section 10 of the Rivers and Harbors Act of 1899, the USACE and the U.S. Fish and Wildlife Service, Louisiana Ecological Field Services Office (USFWS) developed Standard Local Operating Procedures for Endangered Species in Louisiana (SLOPES) which became effective on October 22, 2014. This process (SLOPES) was expanded, with minor modifications, to include USACE review of Section 408 permission requests on June 13, 2016. Under the provisions of the SLOPES agreement, a determination of “not likely to adversely affect” listed species (pallid sturgeon) or critical habitat is appropriate for the proposed Section 408 action. The appropriate conditions shall be included as special conditions. No further coordination under

- Section 7 of the ESA act is necessary.
- b. The requester will be required to provide proof of compliance with Section 401 of the Clean Water Act from the Department of Environmental Quality
 - c. Compliance with Clean Water Act, Section 404(b)(1) guidelines, as well as Section 10 of the Rivers and Harbors Act will be evaluated through a separate USACE permit review process. EC 1165-2-216 specifies that the Section 408 request must be evaluated independent of the above referenced USACE permit evaluations.
 - d. In accordance with Section 106 of the National Historic Preservation Act (NHPA), the USACE is required to take into account the effects of any permitted action to historic properties, which includes both archaeological resources on the surface or below ground, as well as historic buildings and structures that are listed in or are eligible for listing in the National Register of Historic Places. If determined necessary, the USACE will also consult with Indian Tribes in accordance with Section 101(d)(6)(B) of the NHPA, the USACE Tribal Consultation Policy, and Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments."

All factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project. The review will consider the potential impact to the usefulness of the Federal project and whether the proposed alteration would be injurious to the public interest. Policy and legal compliance will also be considered.

USACE is soliciting comments from interested parties to evaluate the potential impacts of the proposed alteration. Comments will be considered to assess impacts on the public interest factors listed above, as well as endangered species, historic properties, water quality, and general environmental effects. Comments will be used for environmental compliance coordination as required by NEPA.

COORDINATION: This public notice will be coordinated with the relevant State, Federal and Tribal entities as appropriate.

Issuance of this notice does not imply USACE endorsement of the project as described.

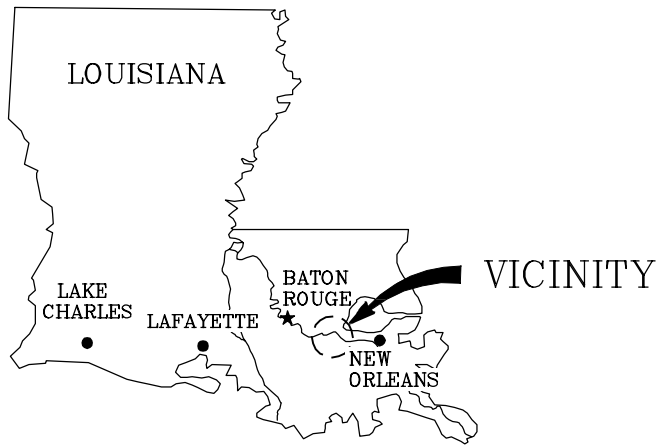
If you have any questions, please contact Michael Brown, by telephone at (504) 862-1570 or via email at Michael.t.brown@usace.army.mil.

FOR THE DISTRICT COMMANDER:

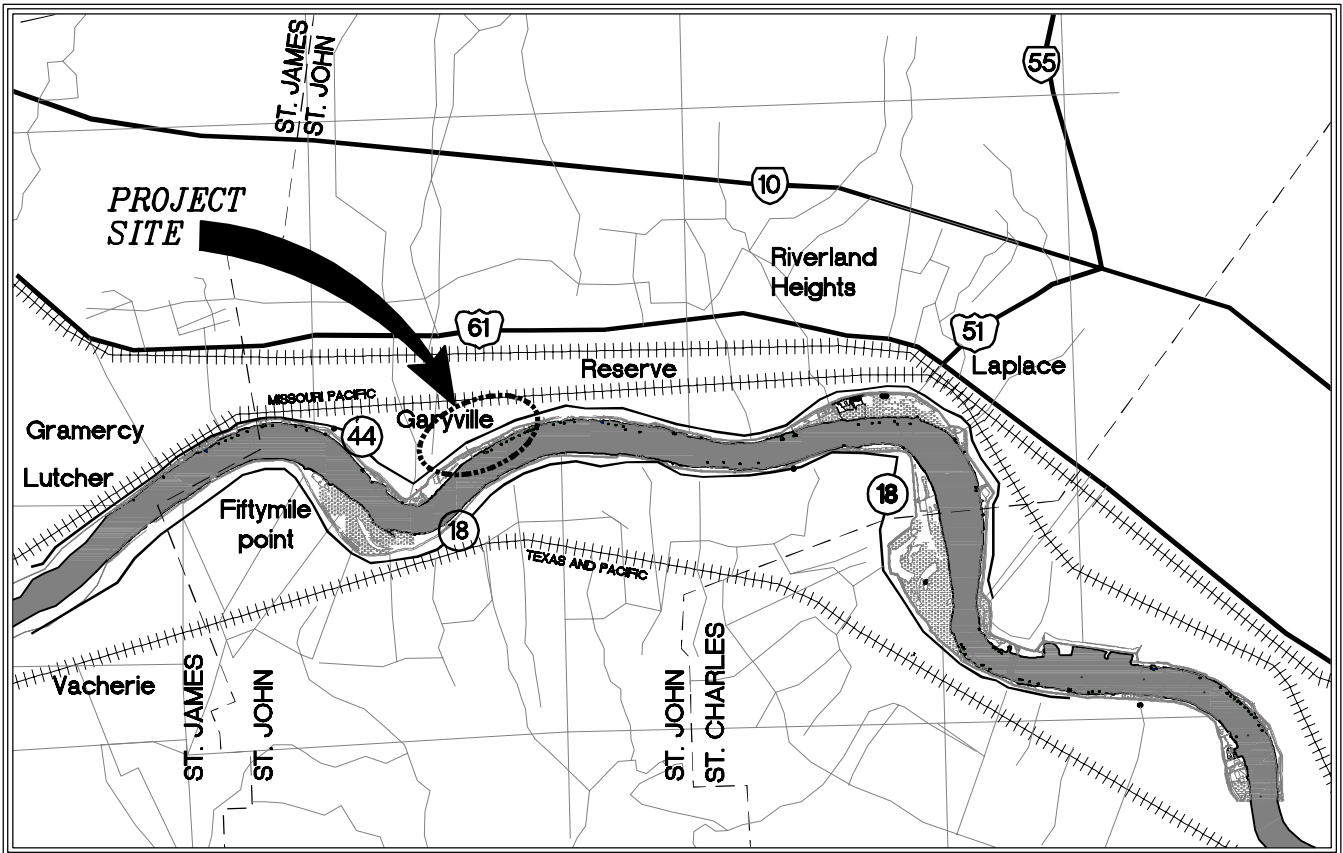


Edward P. Lambert
Chief, Environmental Compliance Branch

Enclosures



AREA MAP

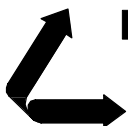


VICINITY MAP

N.T.S.

LAT. 30° 03' 15.42"
LONG. 90° 34' 56.82"

10112-P1



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RESERVE

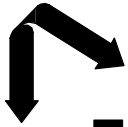
CARGILL

LOUISIANA

**TURN SHEAVE PLATFORM REPLACEMENT
VICINITY MAP & AREA MAP**

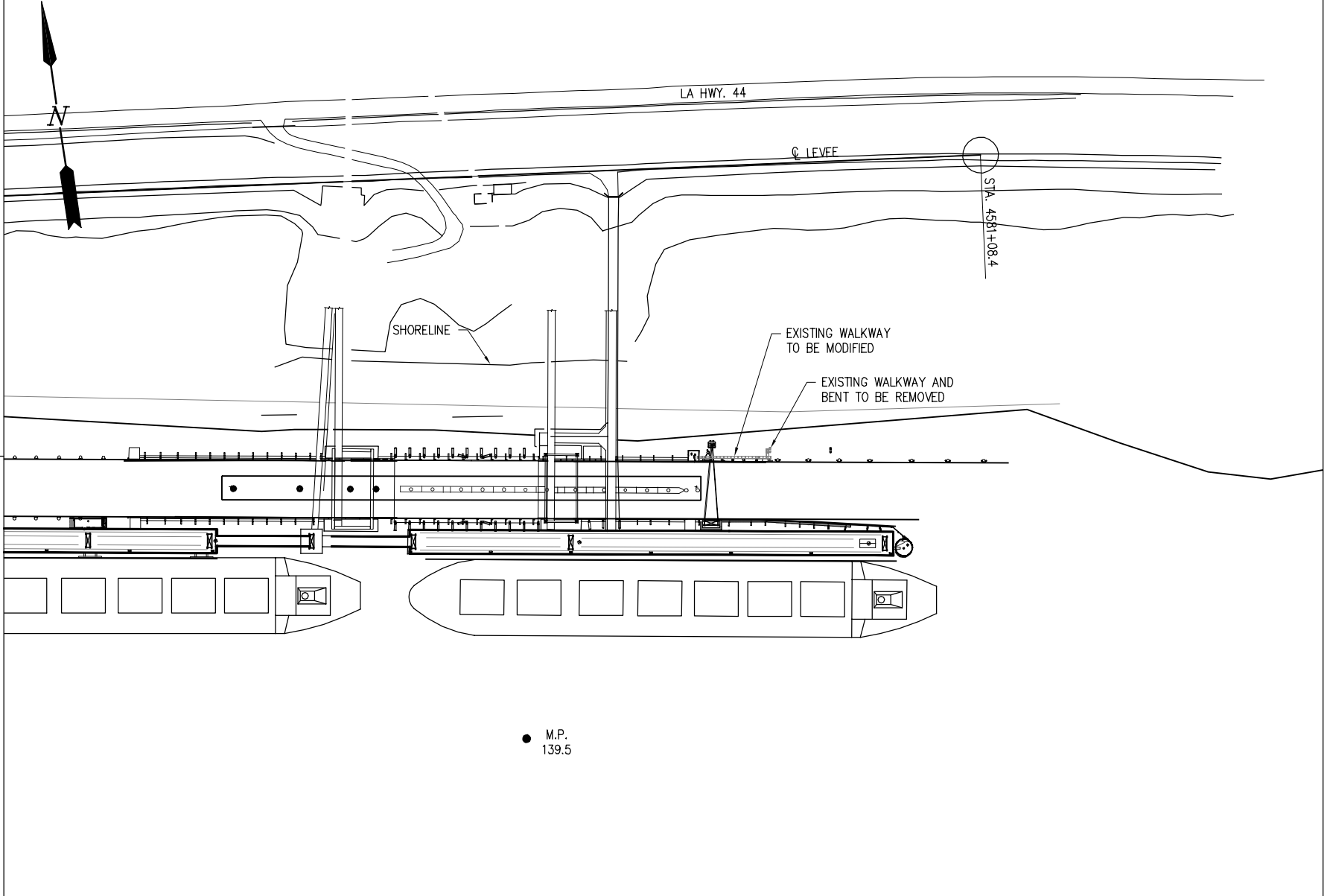
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CONTRACT 10112
SHEET No.

1 OF 7



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**TURNSHAVE PLATFORM REPLACEMENT
EXISTING SITE AND DEMOLITION PLAN**

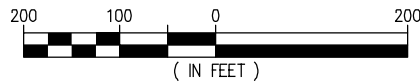
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EXISTING SITE AND DEMOLITION PLAN

SCALE: 1"=200'

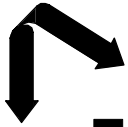


MISSISSIPPI RIVER



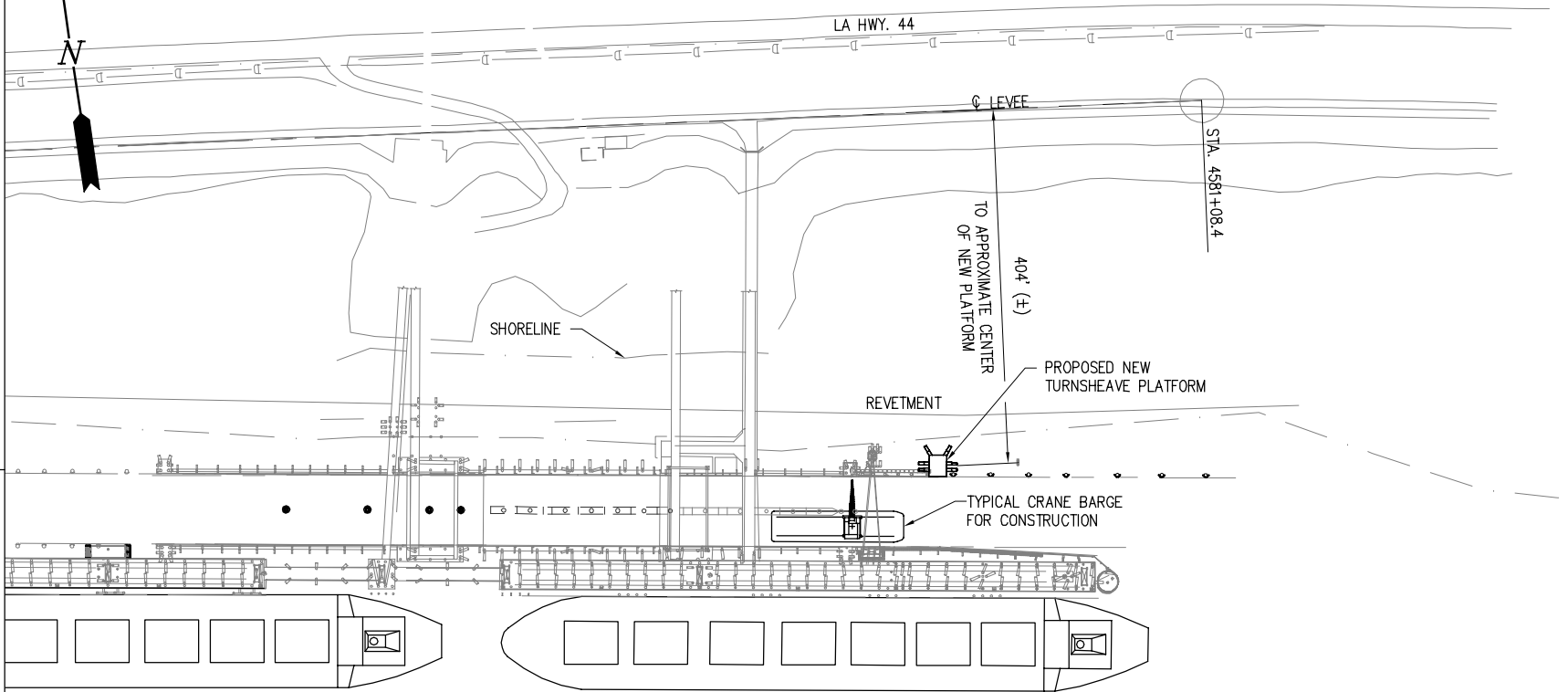
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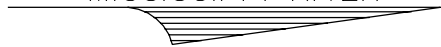
PROPOSED NEW SITE PLAN

SCALE: 1"=200'



(IN FEET)

MISSISSIPPI RIVER



RESERVE

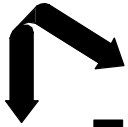
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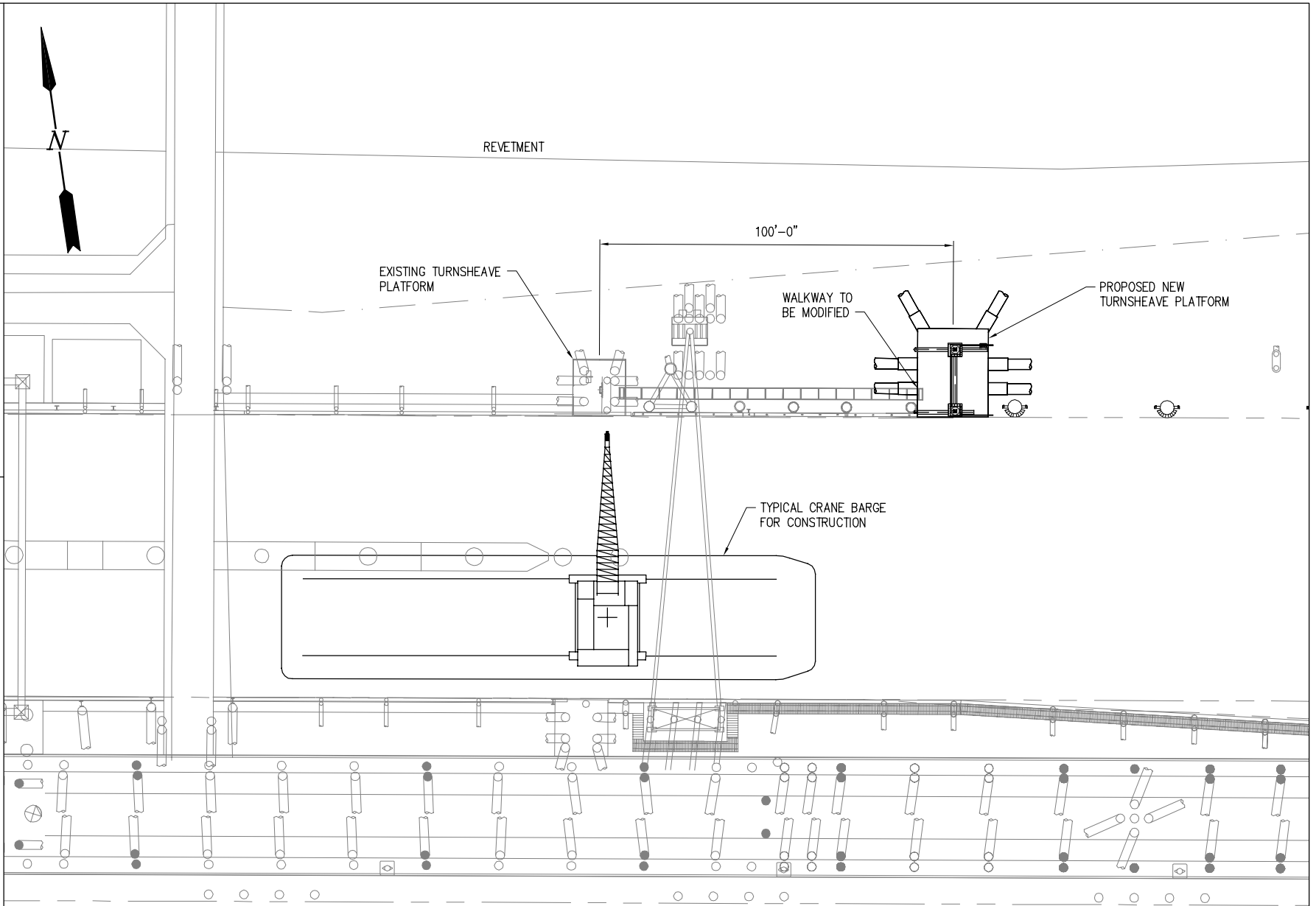
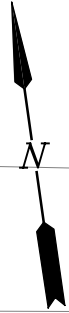
**TURNSSHAVE PLATFORM REPLACEMENT
PROPOSED NEW SITE PLAN**

10112-P3

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ENLARGED SITE PLAN

SCALE: 1"=100'



(IN FEET)

MISSISSIPPI RIVER



RESERVE

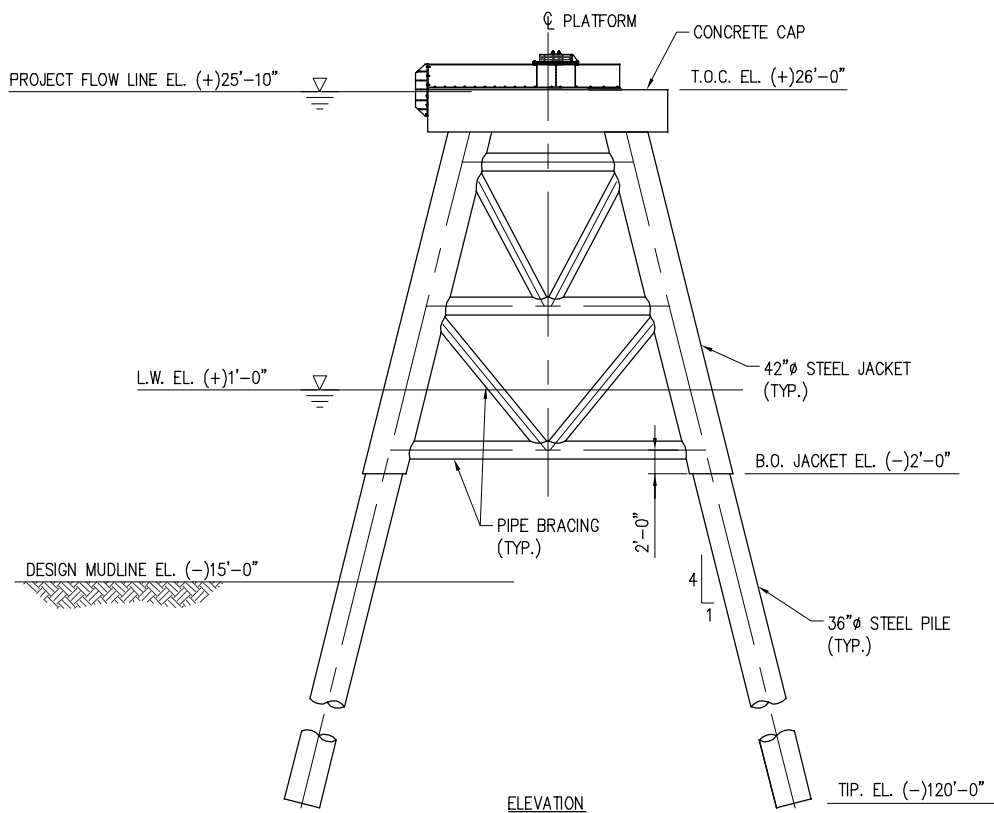
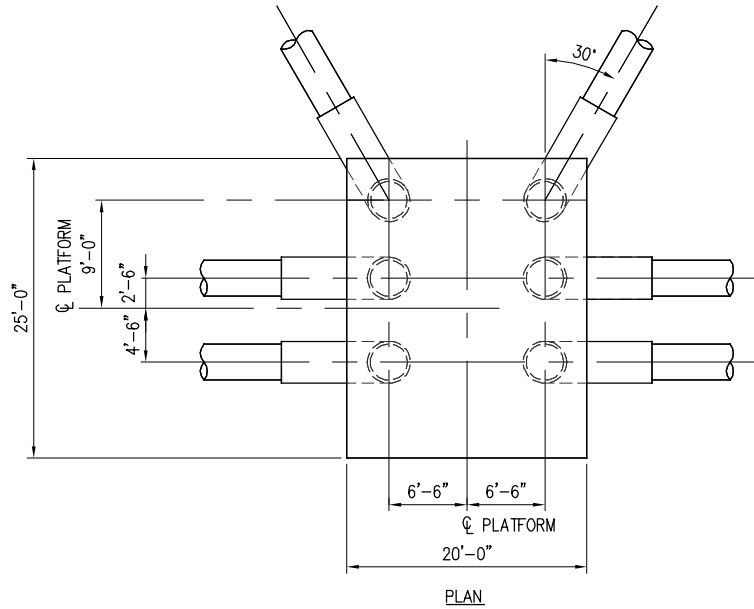
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**URNSHEAVE PLATFORM REPLACEMENT
 ENLARGED SITE PLAN**

10112-P4

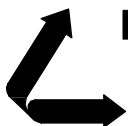
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PROPOSED NEW TURNSHEAVE PLATFORM

SCALE: 1/16" = 1'-0"

10112-P5



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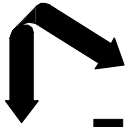
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**URNSHEAVE PLATFORM REPLACEMENT
PROPOSED NEW TURNSHEAVE PLATFORM**

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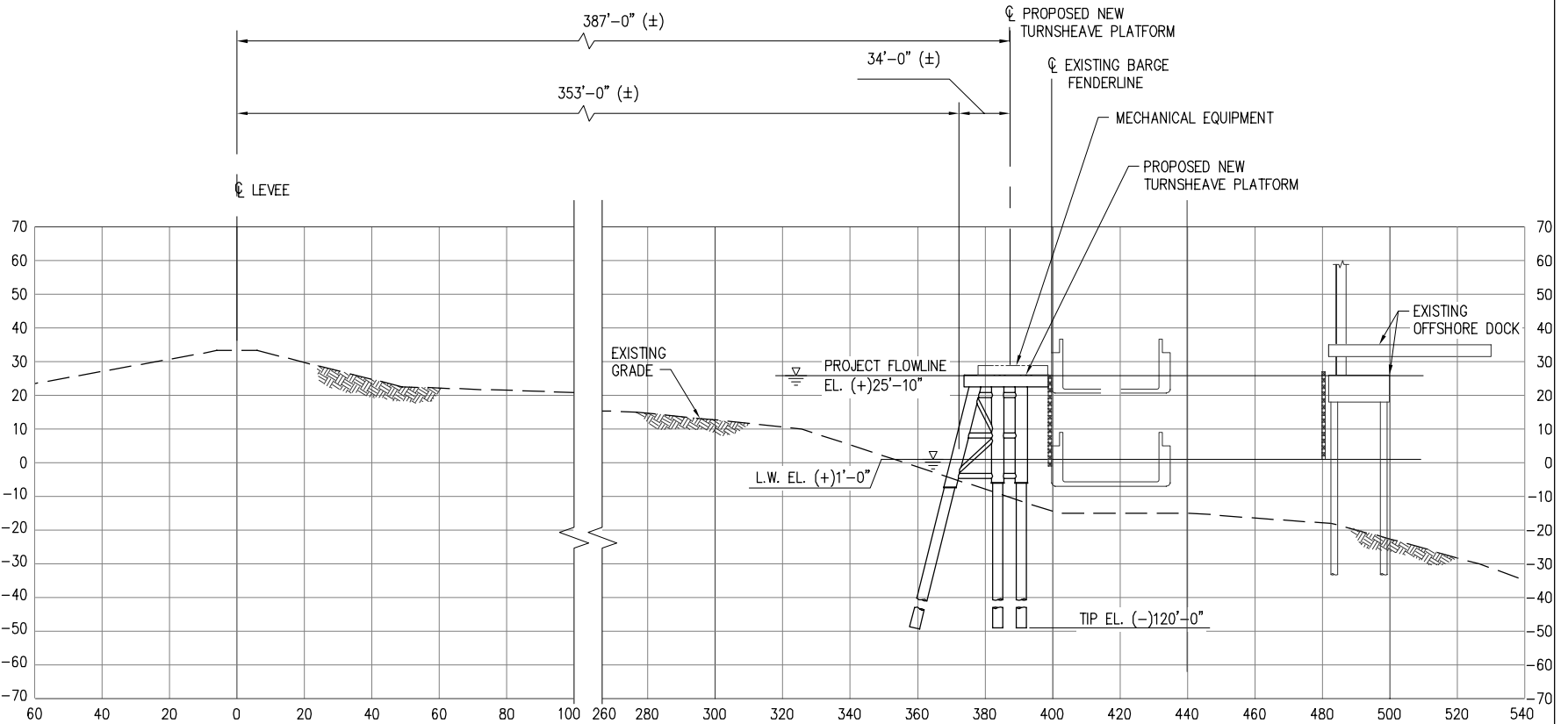
TURN SHEAVE PLATFORM REPLACEMENT
TYPICAL CROSS SECTION

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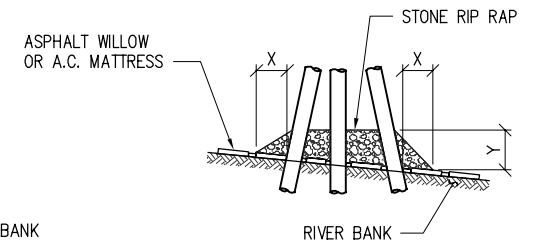
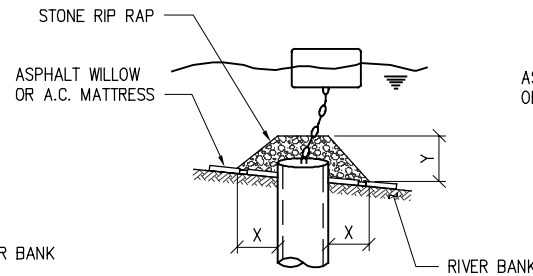
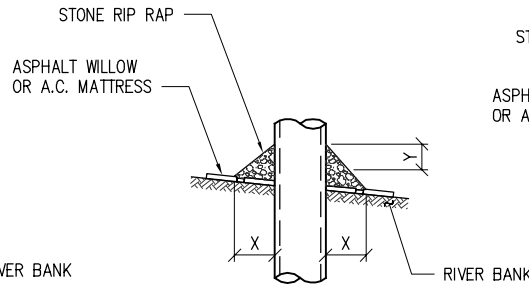
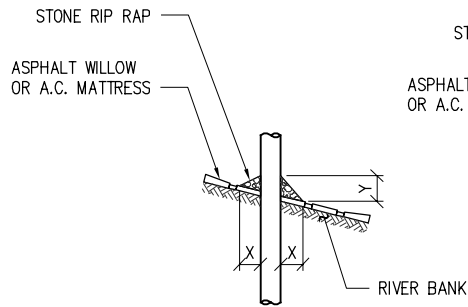
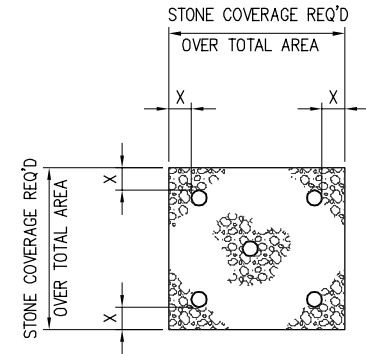
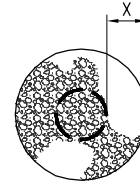
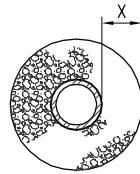
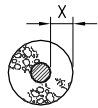
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6 OF **7**

10112-P6



TYPICAL CROSS SECTION

SCALE: 1"=50'



PILE

CAISSON

SPUD PILE WITH
BUOY & ANCHOR CHAIN

PILE CLUSTER

NOTES:

1. SIZE OF RIP RAP TO VARY BETWEEN 6 POUNDS AND 125 POUNDS WITH 40% TO 60% OF THE STONE WITHIN RANGE OF 25 POUNDS TO 75 POUNDS.
2. WHEN PENETRATING UPPER BANK PAVING IN A REVETMENT AREA WITH PILES, CAISSONS AND/OR PILE CLUSTERS, A 10 INCH THICKNESS OF RIP RAP STONE SHALL BE PLACED OVER ALL AREAS WHERE BANK PAVING IS DISTURBED BY DRIVING OPERATIONS.
3. WHEN USING ANCHOR CHAIN AND BUOY SYSTEM ANCHOR CHAIN MUST BE ATTACHED AT TOP OF PILE TO MINIMIZE REVETMENT DAMAGE.

DEPTH OF WATER IN FEET AT POINT OF PENETRATION AT TIME OF STONE PLACEMENT	DIMENSIONS IN FEET FOR PROTECTION AREA REQUIRED							
	PILE		CAISSON		SPUD PILE W/ BUOY & ANCHOR CHAIN		PILE CLUSTER	
	X	Y	X	Y	X	Y	X	Y
1' - 10'	3	1 1/2	5	2			3	1
11' - 40'	5	2	8	3	7	3	6	2
41' - 60'	8	3	12	4	12	4	10	3

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REVETMENT
REPAIR

JOB No. 10112-P6 SHT. 7 OF 7

REPAIR PROCEDURES REQUIRED
WHEN PENETRATING REVETMENTS
WITH PILES, CAISSONS, AND/OR
PILE CLUSTERS

U.S. ARMY ENGINEERS DISTRICT, NEW ORLEANS
CORPS OF ENGINEERS

DEC. 1987 FILE NO. H-18-28350