JOINT PUBLIC NOTICE

24 September 2018

United States Army Corps of Engineers New Orleans District Regulatory Branch 7400 Leake Avenue New Orleans, Louisiana 70118

(504) 862-2279 kara.vick@usace.army.mil Project Manager Kara Vick Permit Application Number MVN 1997-03386-EV 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 Hill WQC Application Number WQC 180917-01

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).

DOCK at EXISTING REFINERY in the MISSISSIPPI RIVER in St. CHARLES PARISH

<u>NAME OF APPLICANT</u>: Valero Refining – New Orleans, LLC, ATTN: Stantec Consulting, LLC, ATTN: Ms. Lindsay Grisson, at 1615 Poydras, Suite 850, New Orleans, Louisiana 70112.

LOCATION OF WORK: Located at 14902 River Road, on the left descending bank of the Mississippi River, approximately 125 miles above the Head of Passes, in Goodhope, Louisiana, in St. Charles Parish, as shown on the attached drawings.

HUC: 08090100; Lower Mississippi River – New Orleans, 08090203; Eastern Coastal Louisiana

<u>CHARACTER OF WORK:</u> To install a new dock and expand an existing dock at an existing St. Charles Refinery in Goodhope, Louisiana. The work will include a piperack along the batture, modifications to an existing upstream dock and associated infrastructure. No dredging will occur. Temporary impacts to wetlands via equipment access and matting will occur to approximately 12.4 acres and a permanent conversion of forested wetland to herbaceous wetland will occur to 1.2 acres due to the elevated piperack and access road maintenance. The riprap, pilings and associated walkways and moorings, and the maintained ROW for the new road and piperack will result in a permanent impact to 0.5 acres of wetlands and 0.2 acres of other waters. The applicant proposes to purchase 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.

Our initial finding is that the proposed work would neither affect any species listed as endangered, nor habitat designated as critical to the survival and recovery of species listed as endangered by the U.S. Department of Commerce.

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 would have no effect on any listed species nor affect any habitat designated as critical to the survival and recovery of any endangered species of concern to the USFW.

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 N/A 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.

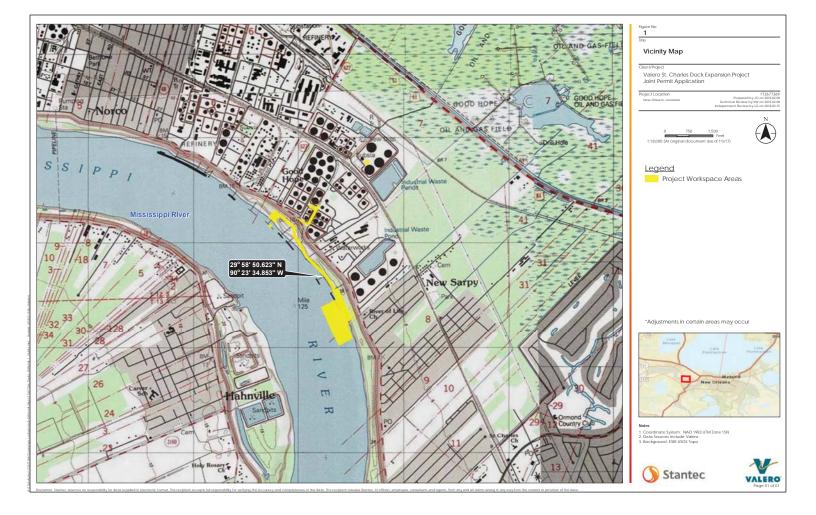
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

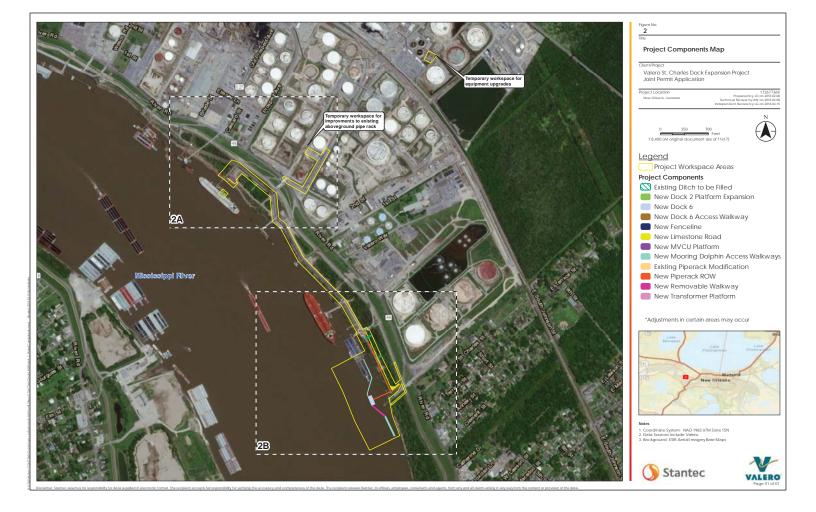
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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

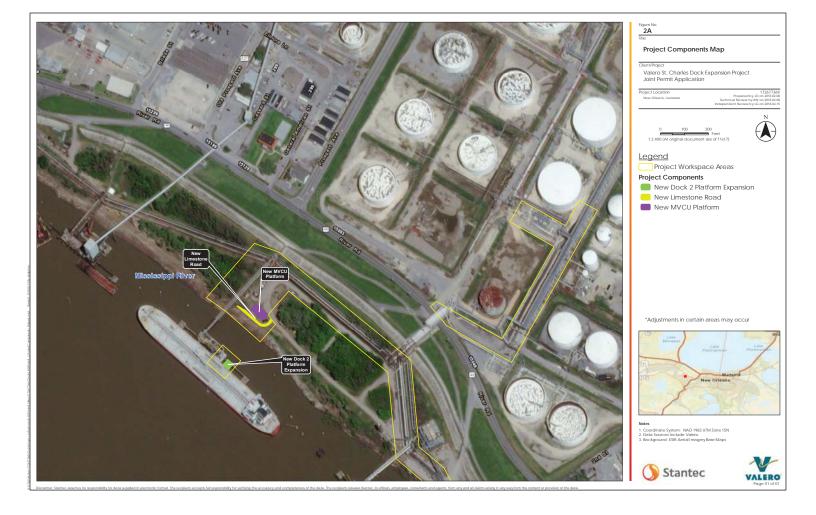
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

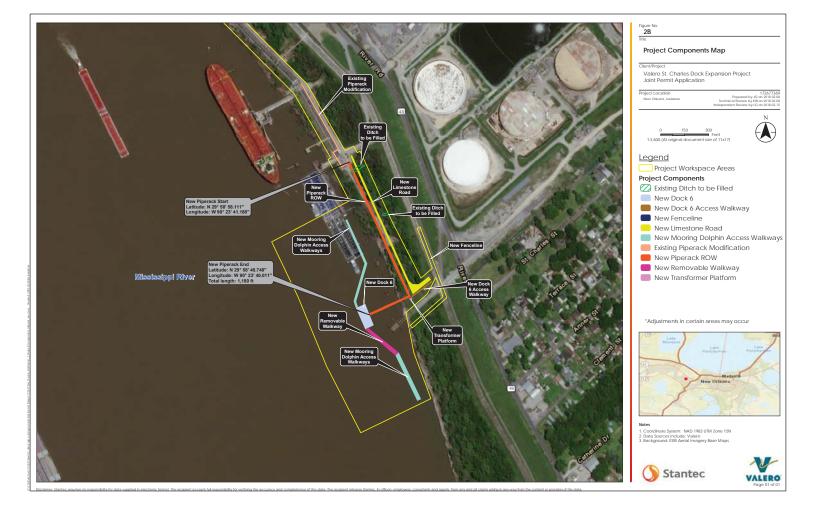
Michael V. Farabee Chief, Eastern Evaluation Section

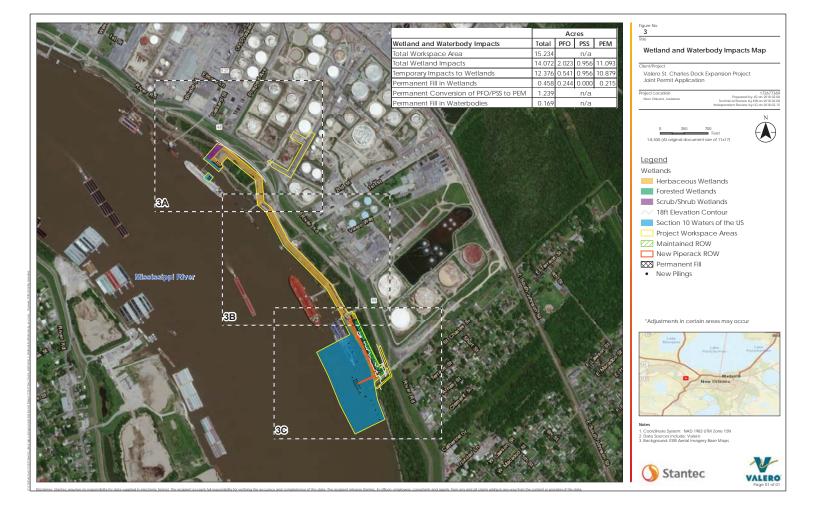
Enclosure

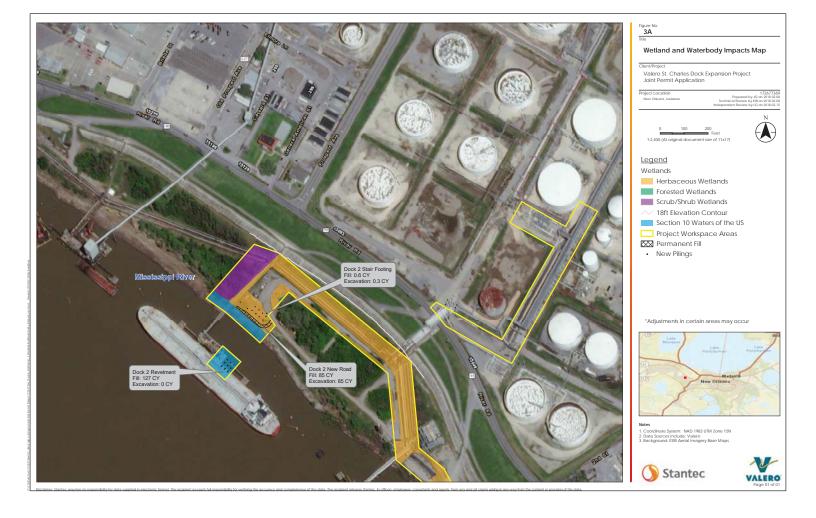


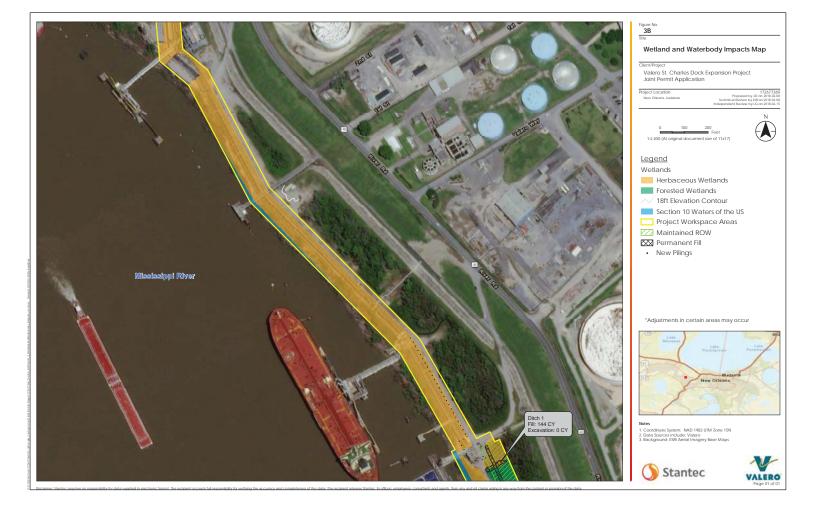


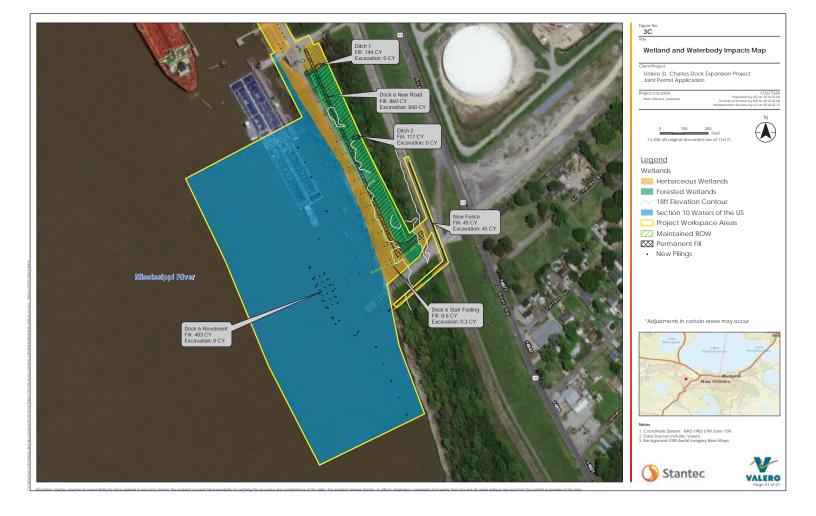


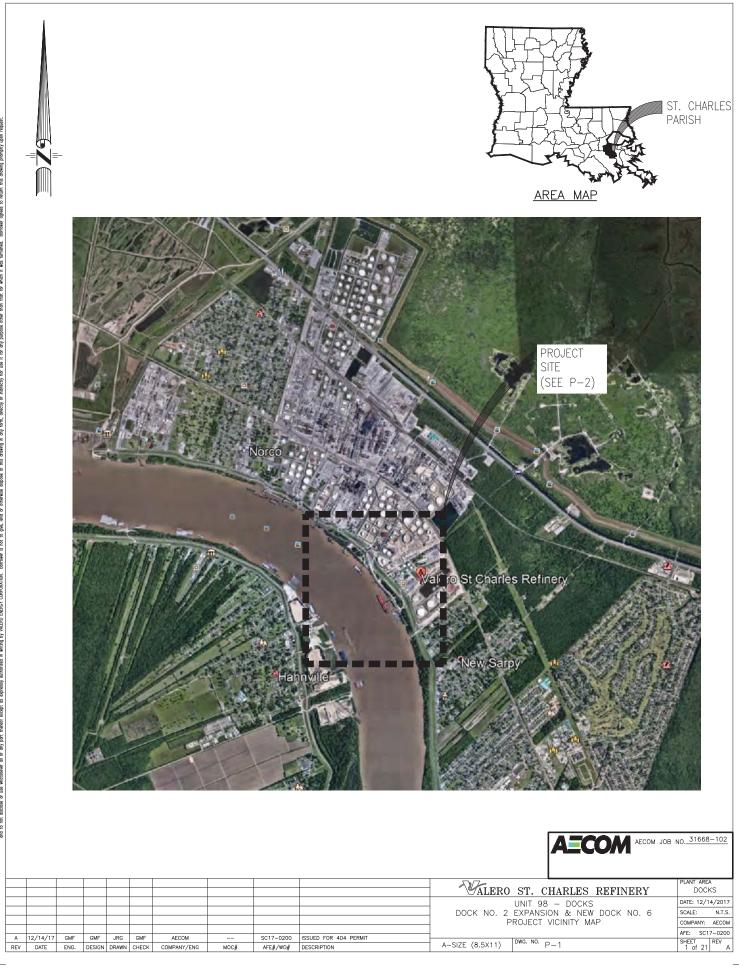




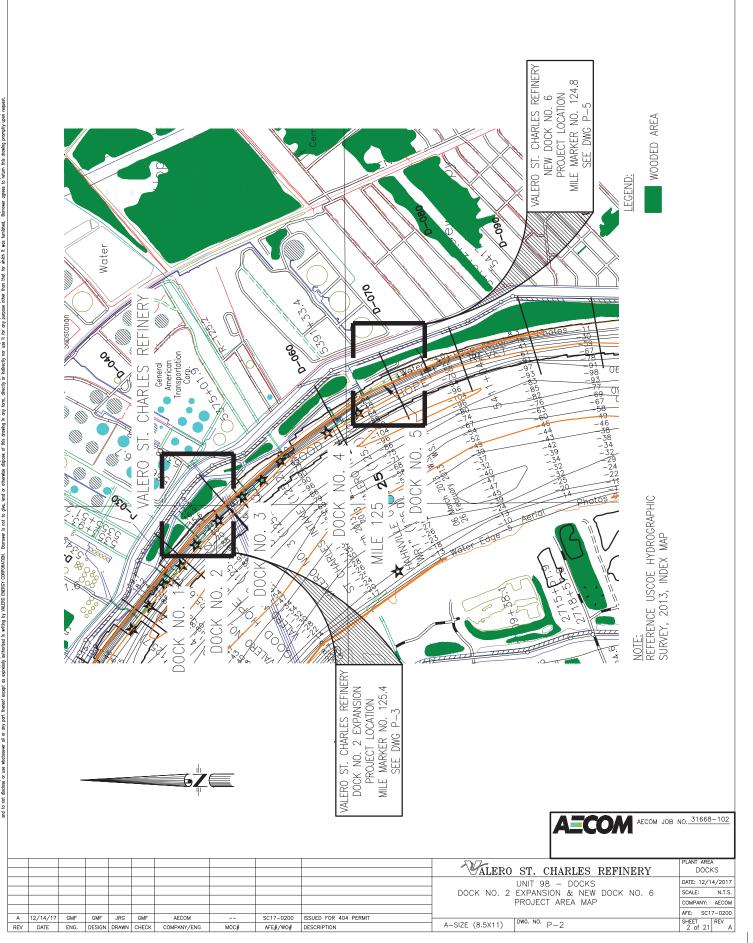


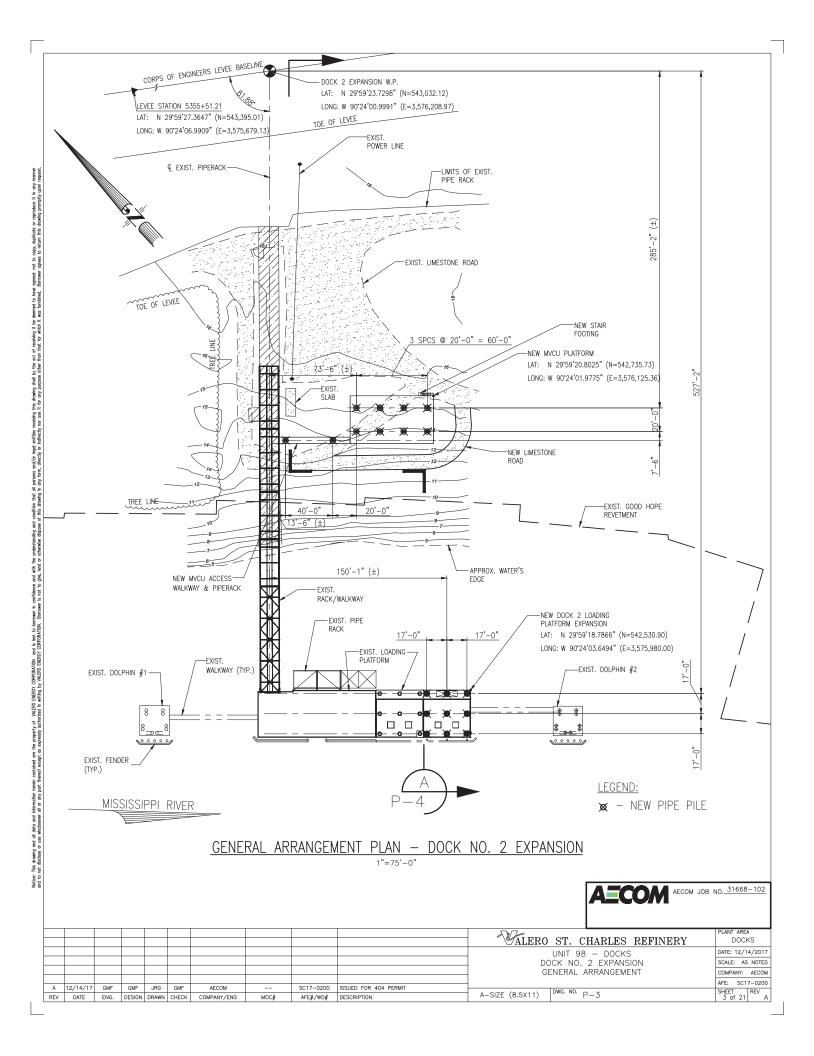


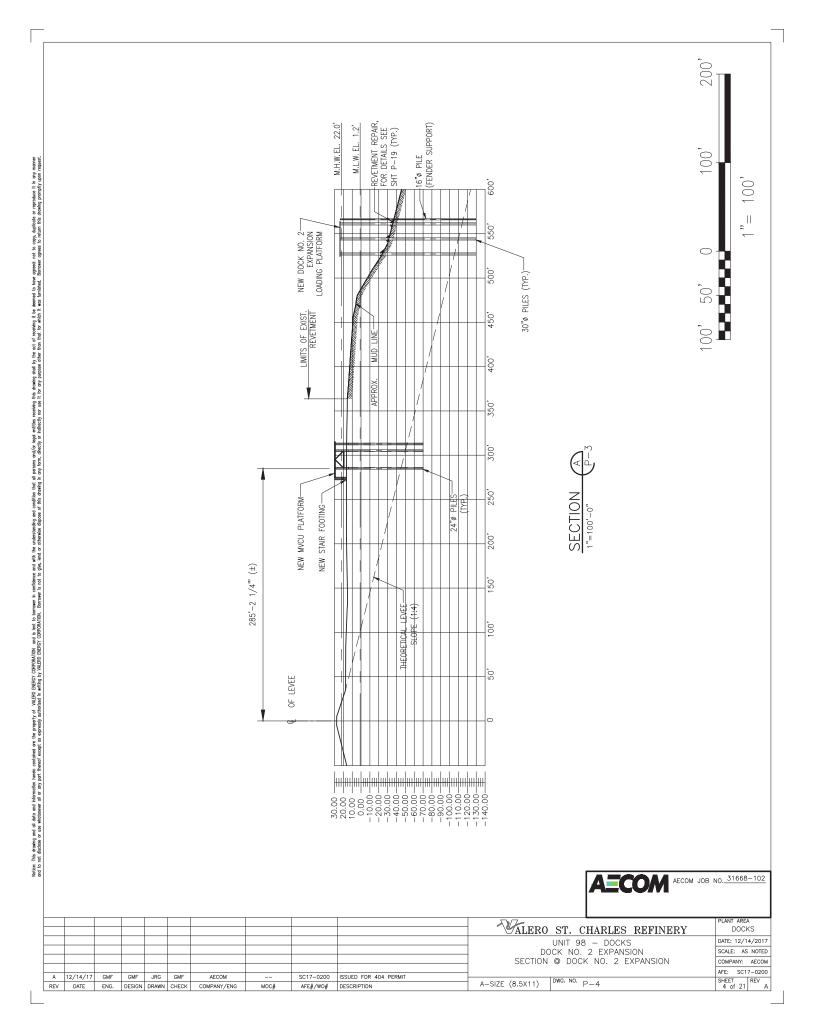


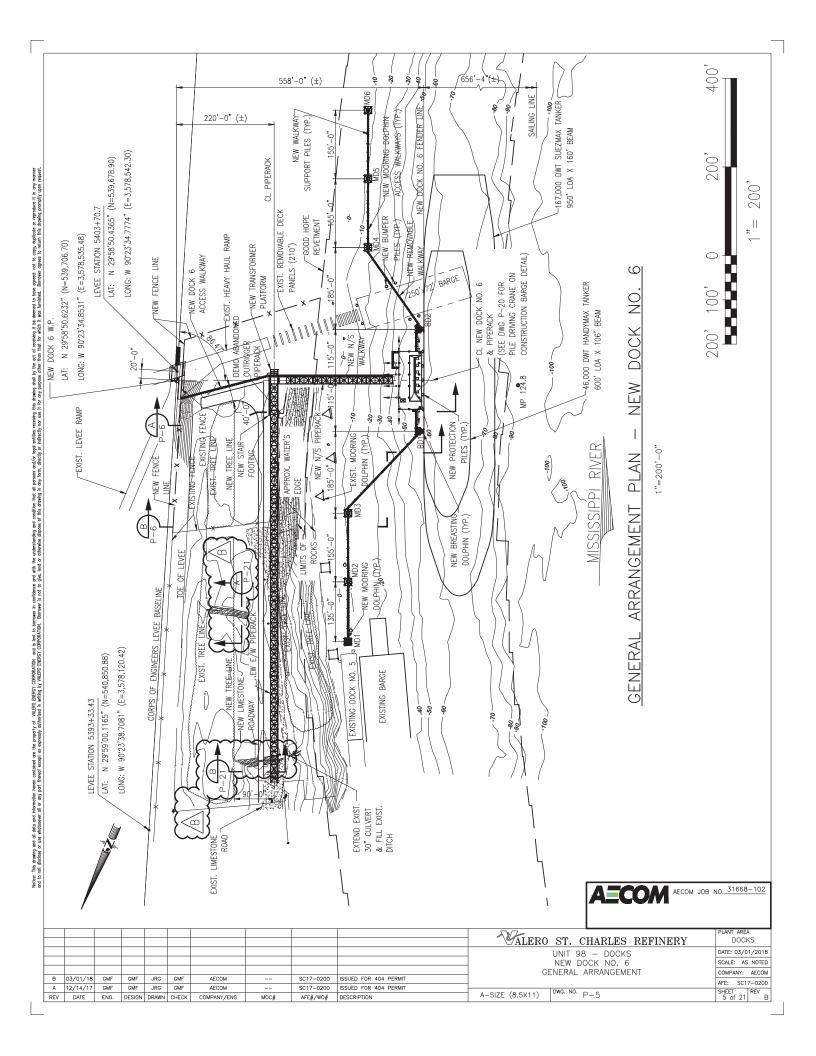


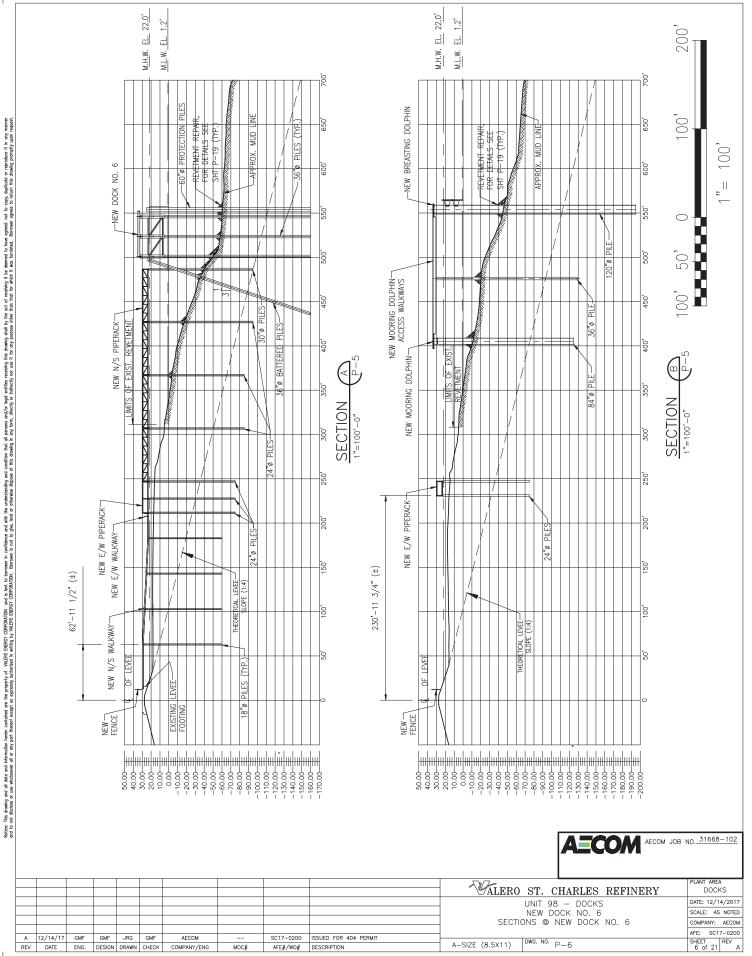
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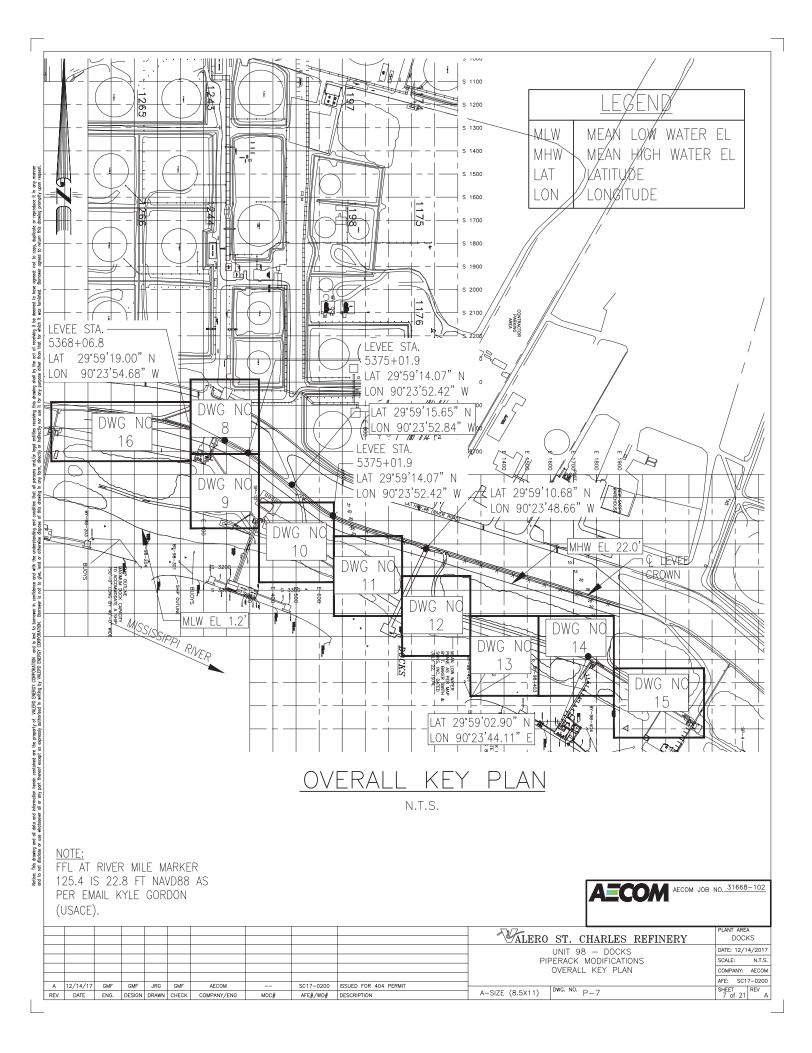


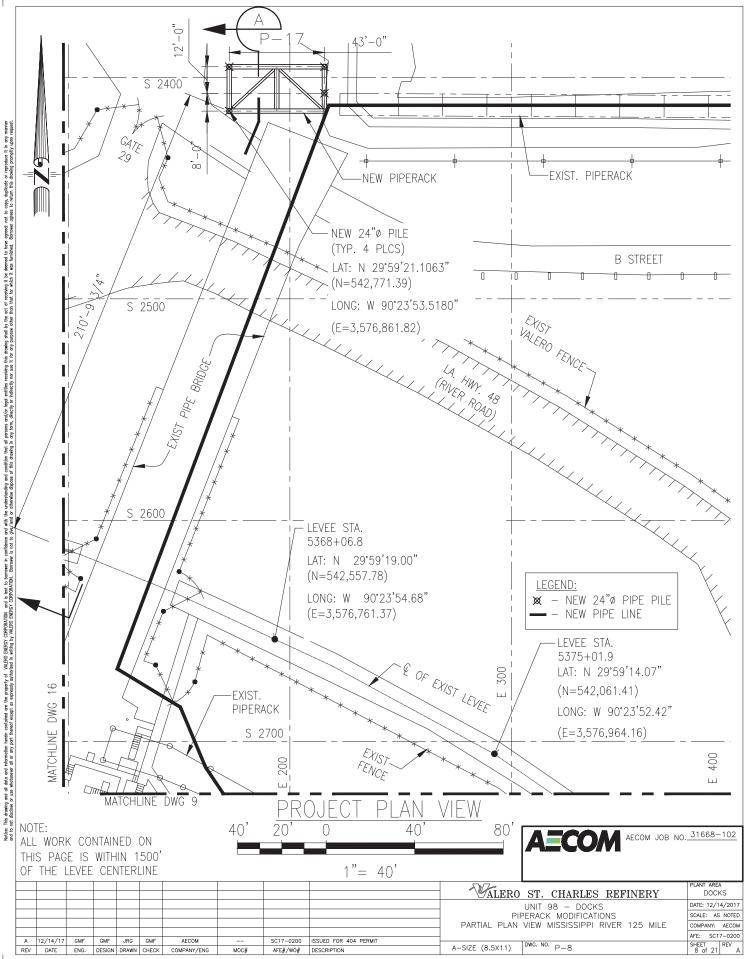


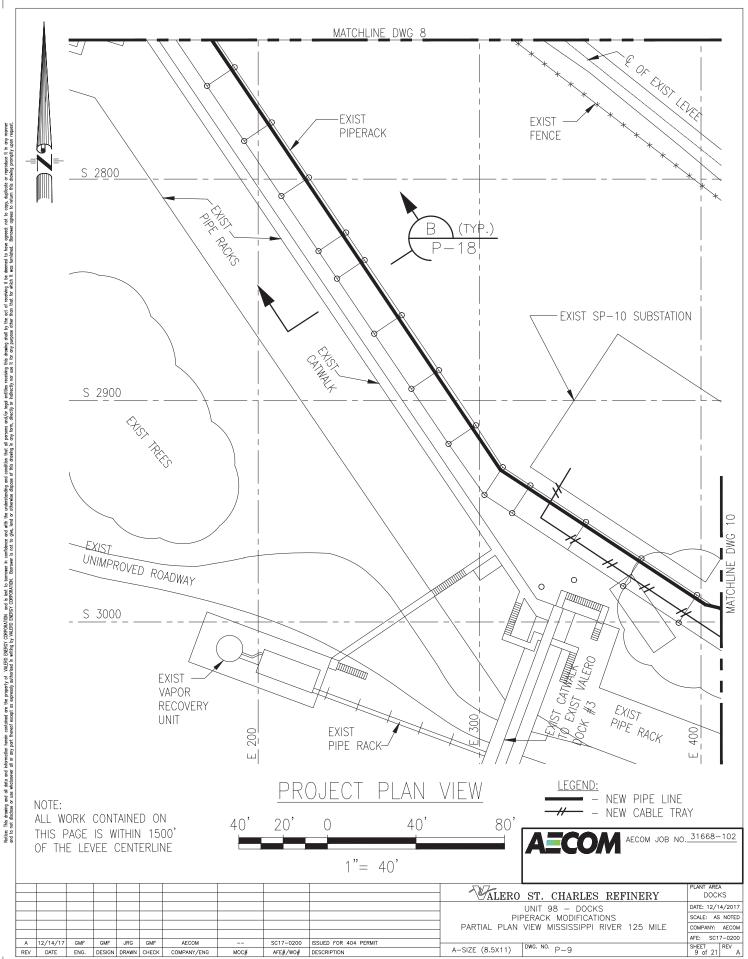


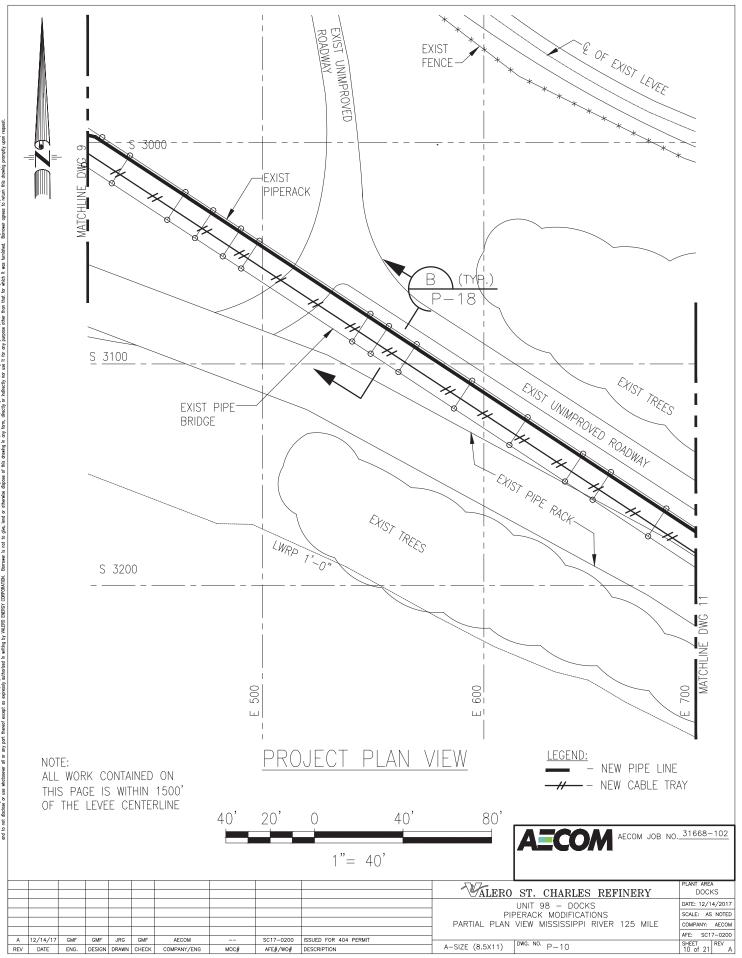


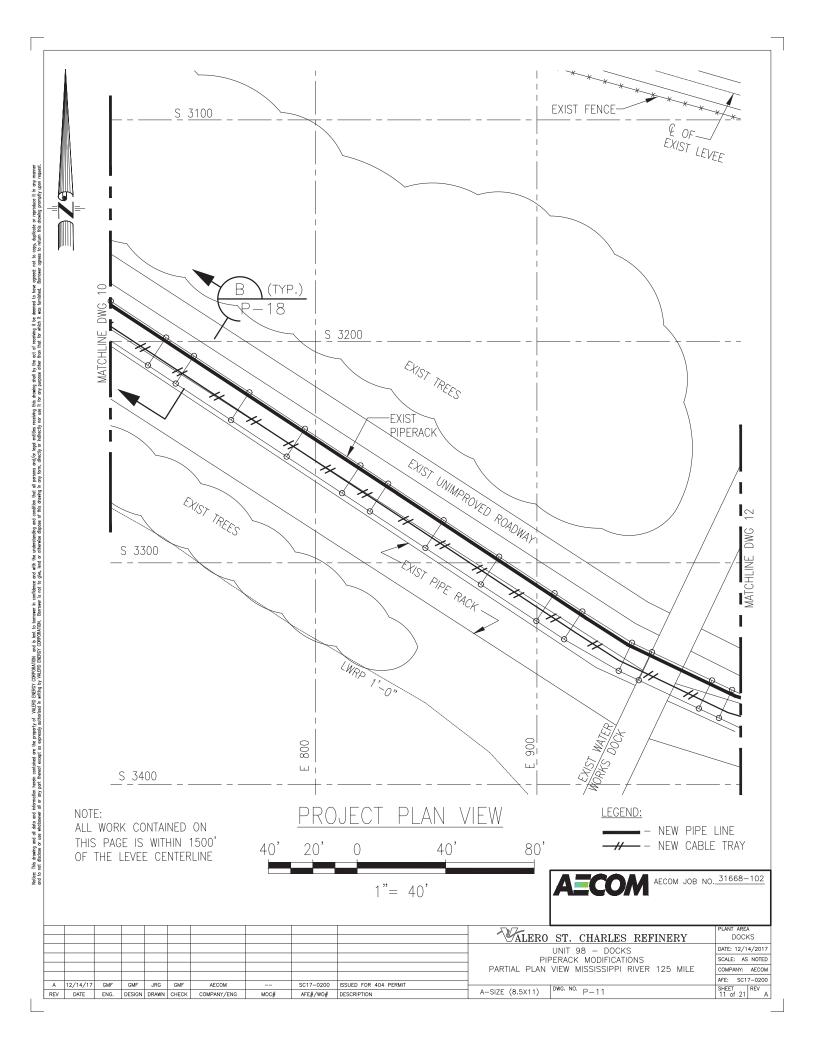


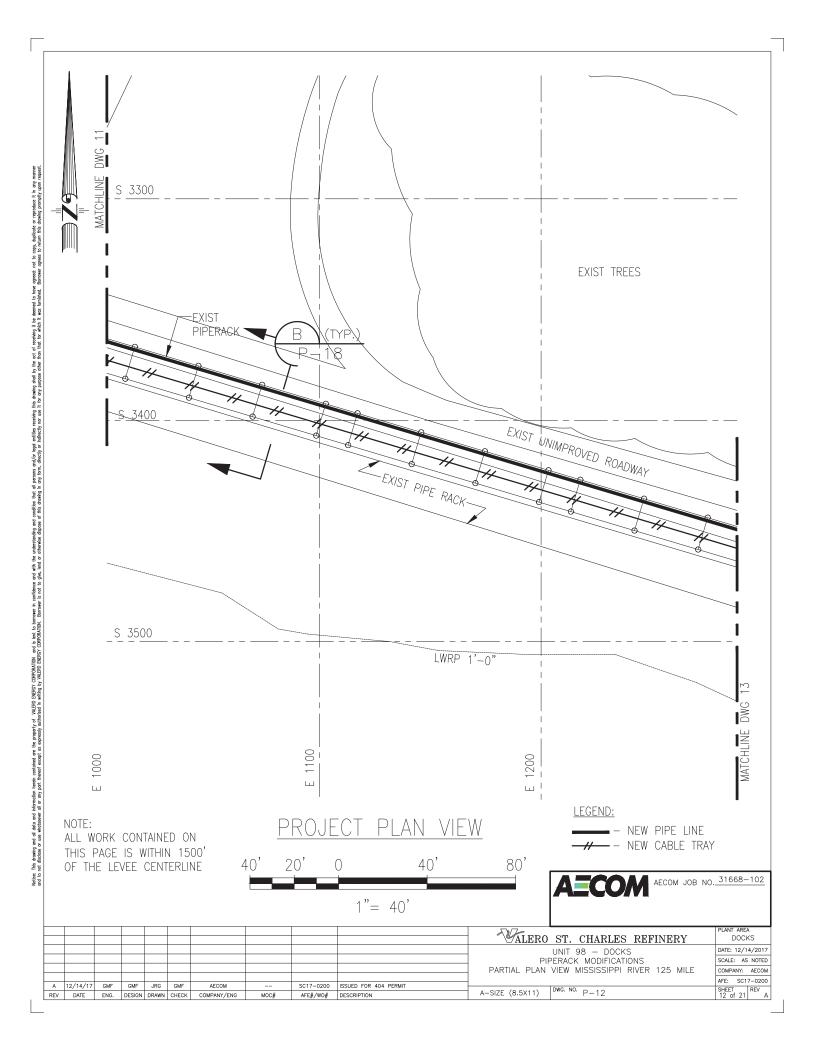


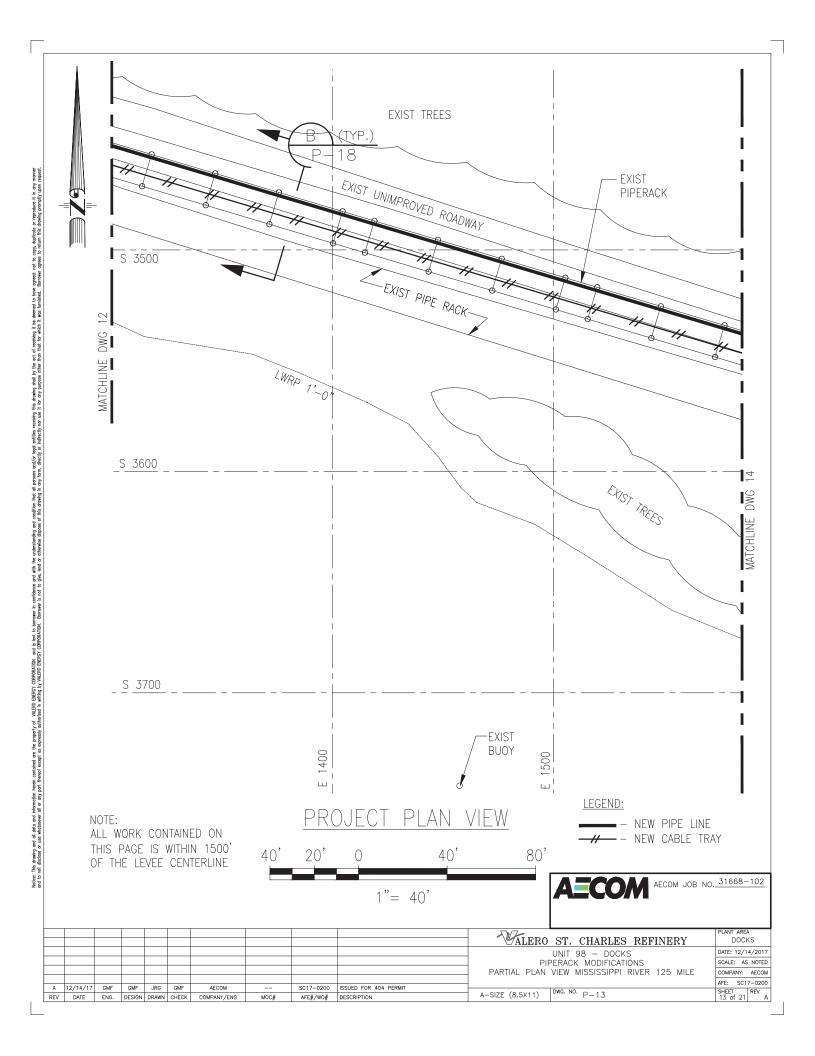


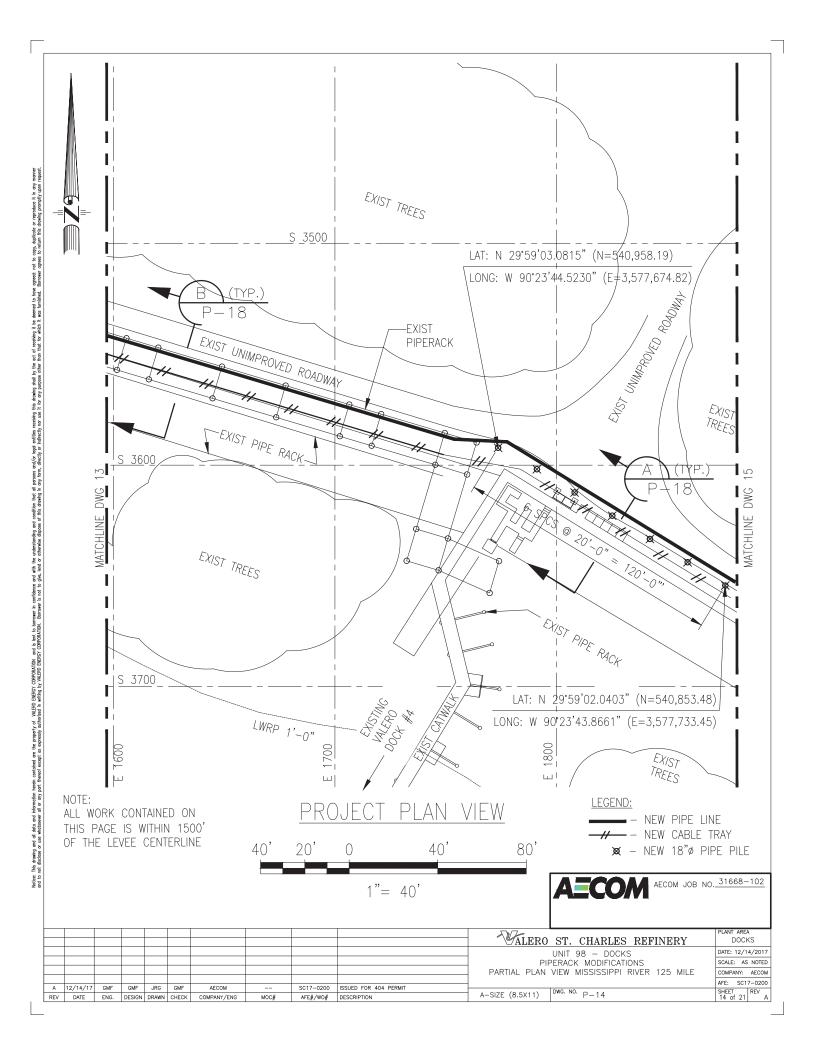


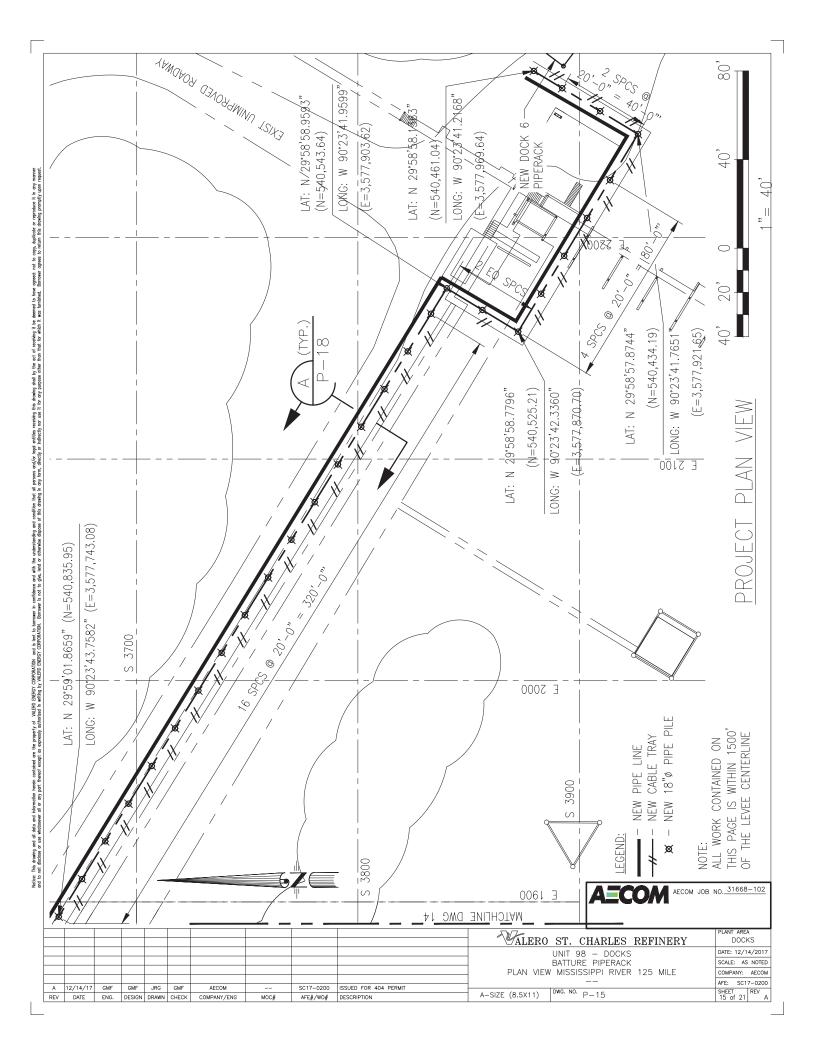


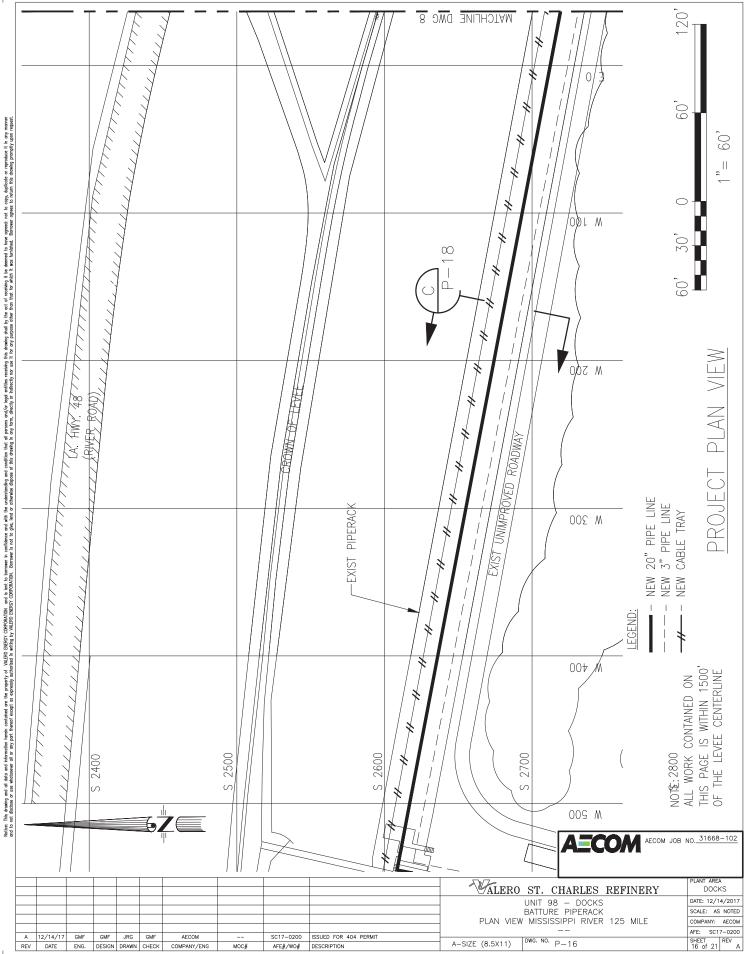


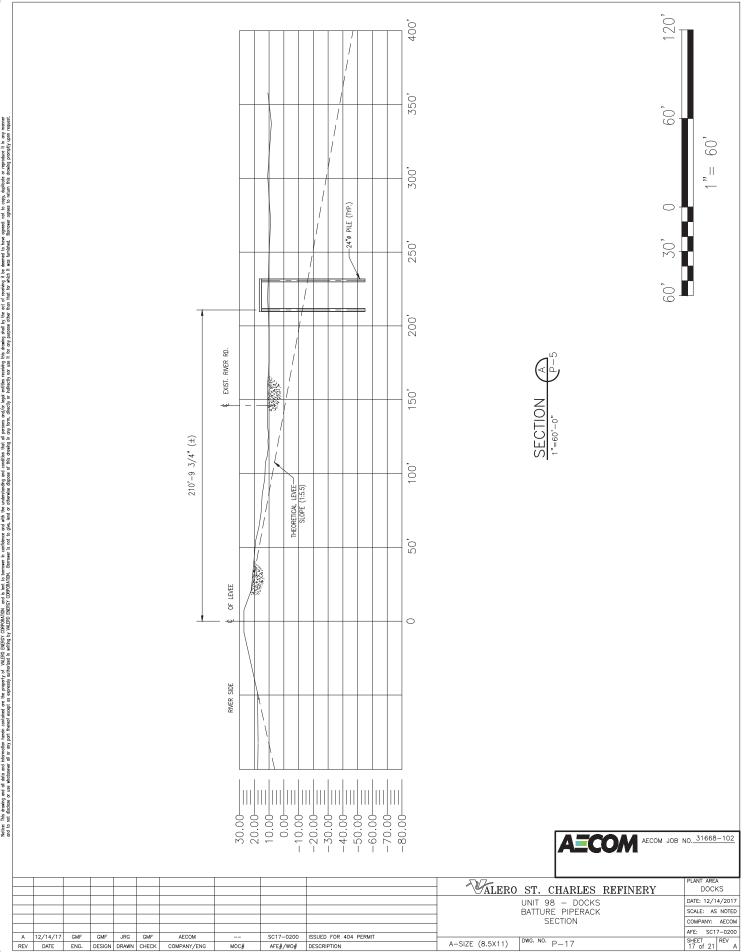


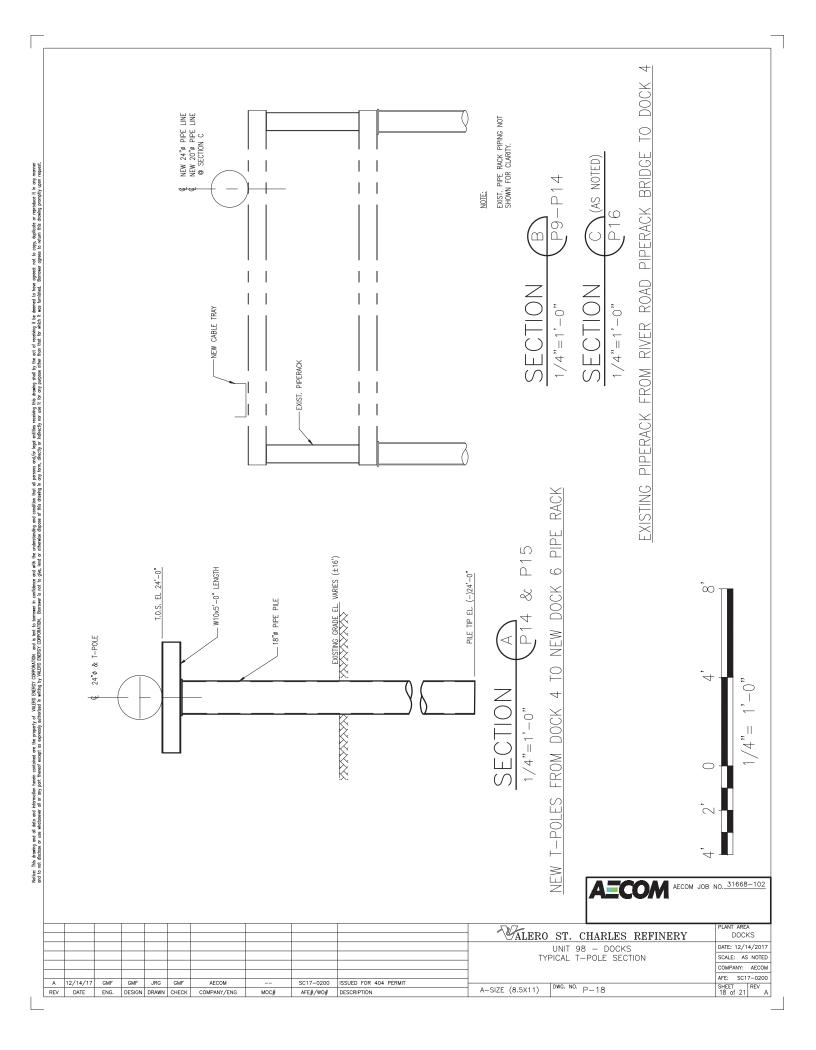


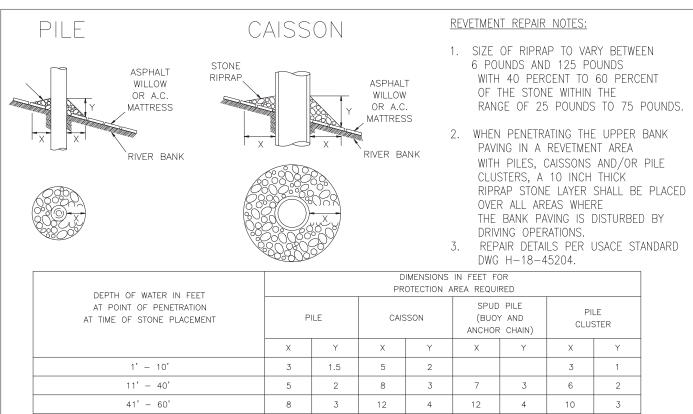












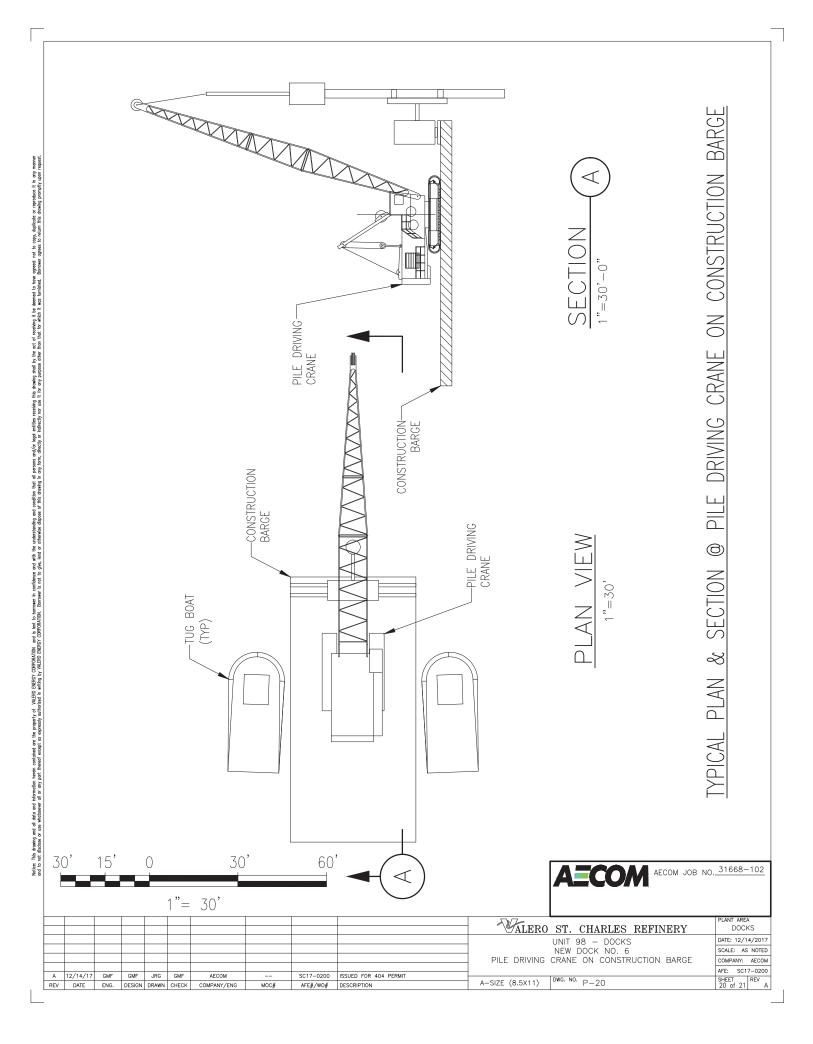
GENERAL NOTES:

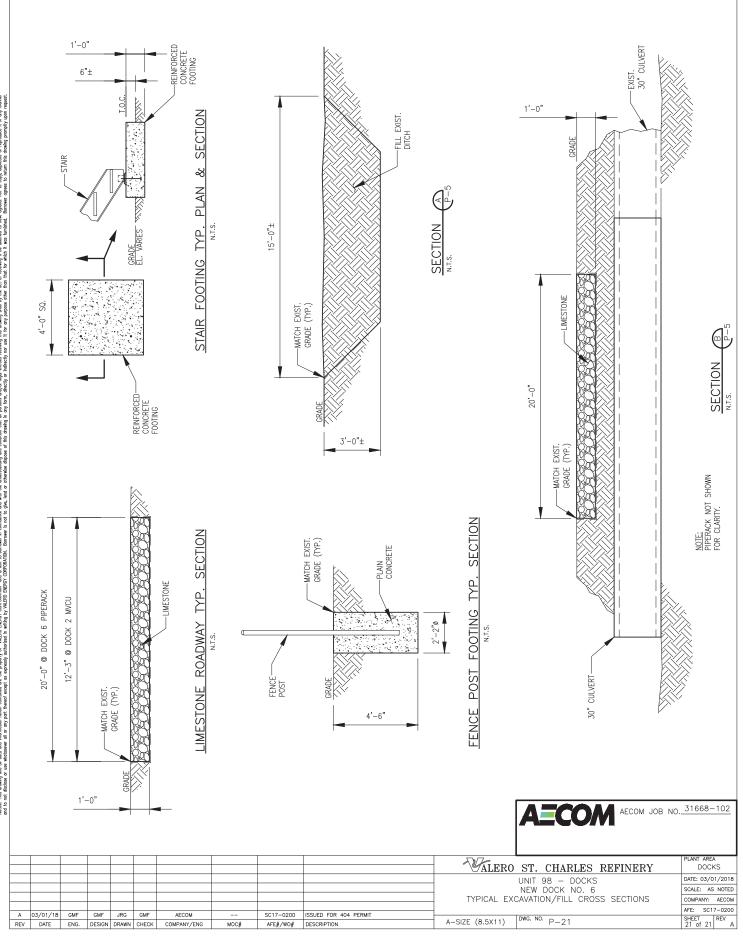
- AS-BUILT DRAWINGS WILL BE SUBMITTED WITHIN 30 DAYS OD COMPLETION OF THIS PROJECT TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF CONSERVATION, PIPELINE DIVISION, P.O. BOX 94275 BATON ROUGE, LA 70804, AND TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, COASTAL MANAGEMENT DIVISION, P.O. BOX 44487, BATON ROUGE, LA 70804-4487.
- 2. 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.
- 3. STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U.S. COAST GUARD REGULATIONS.
- 4. 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.

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										UNIT 98 - DOCKS	
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