

# PUBLIC NOTICE

September 20, 2021

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

(504) 862-2675  
Project Manager  
Jamie Crowe  
Jamie.M.Crowe@usace.army.mil  
Permit Application Number  
MVN 1998-03422 CO

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 [ ] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

## **BARGE FLEET EXPANSION IN THE MISSISSIPPI RIVER IN ST. JAMES PARISH**

**NAME OF APPLICANT:** ACBL Transportation Services, c/o Gulf South Engineering and Testing, 15 Veterans Memorial Boulevard, Kenner, Louisiana, 70062.

**LOCATION OF WORK:** Within the Mississippi River Basin, in the Lower Mississippi River – Baton Rouge hydrologic unit (HUC 08070100), in the Mississippi River, left descending bank, mile 155.5, near Convent, Louisiana, in St. James Parish.

**CHARACTER OF WORK:** The applicant is currently authorized to moor 47 tiers of barges, 11 barges wide between Mile 153 and 155. The applicant is proposing to install 25 mooring dolphins to secure 12 additional tiers of barges, each 11 barges wide. The mooring arrangement will add an additional 20.3 acres of mooring area. The mooring dolphins will be installed from the River. Piling installation will impact 0.003 acre of non-vegetated water bottoms. As proposed, the applicant will avoid all wetland impacts, thus, no compensatory mitigation will be required.

The comment period for the Department of the Army Permit 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 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: Central Evaluation Branch.**

### **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 notice are being sent to the State Archeologist and State Historic Preservation Officer.

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 New Orleans District has determined that the proposed project is not likely to adversely affect the west Indian manatee (*Trichechus manatus*) or pallid sturgeon (*Scaphirhynchus albus*), provided the Standard Manatee Conditions for In-Water Activities are included in the authorization. No other known endangered/threatened species will be impacted by the proposed activity. These determinations are based on Information & Planning Consultation for Endangered Species in Louisiana (IPaC)

agreement dated January 27, 2020 between the US Army Corps of Engineers, New Orleans District and US Fish and Wildlife Service, Ecological Services Office.

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 **20.3 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.

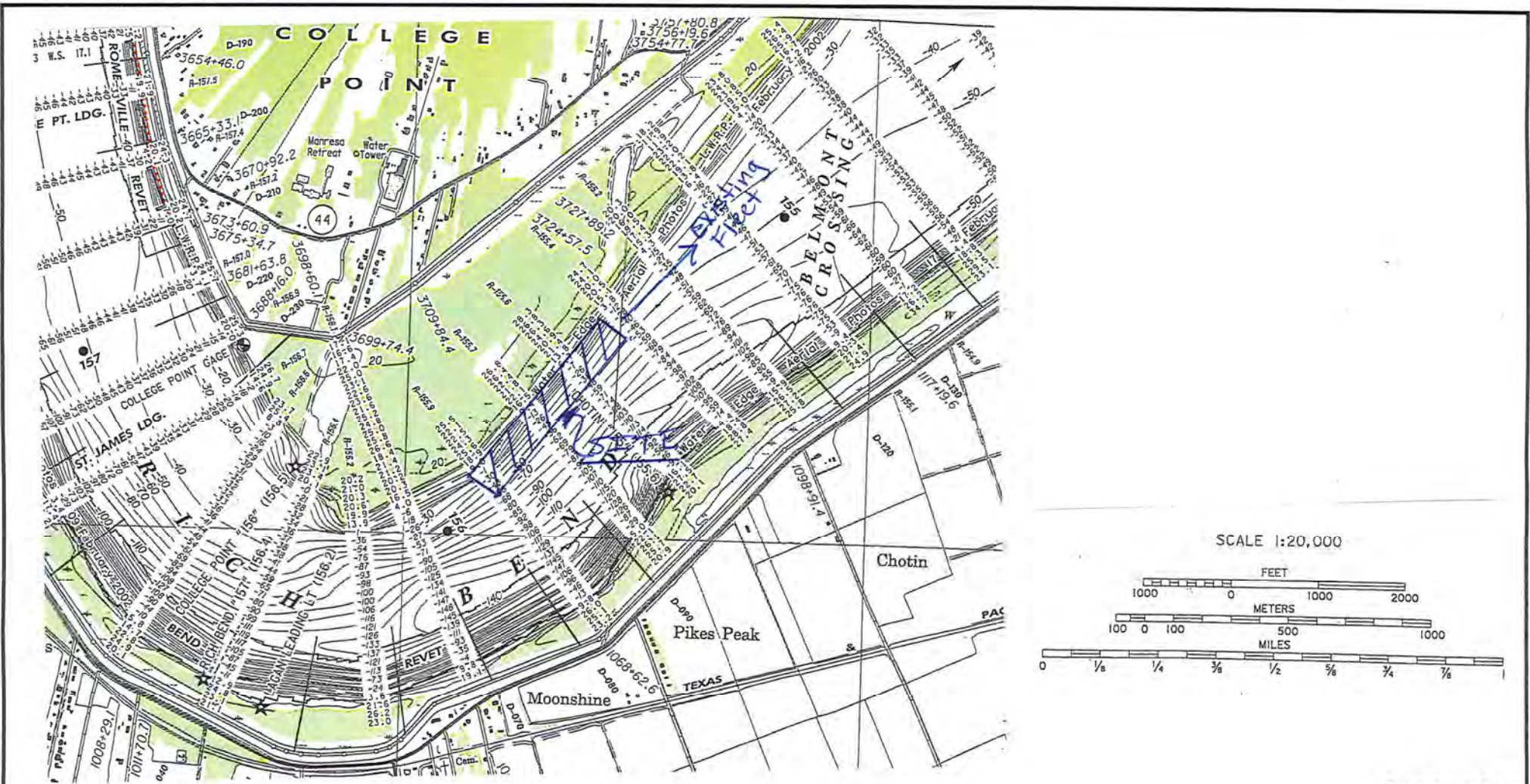
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

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.

John M. Herman  
Chief, Central Evaluation Branch  
Regulatory Division

Enclosure



5/10/2019

**Gulf South File  
19-902**



**ACBL Transportation Services  
Fleet Expansion  
MP 155.5, MR, LDB  
Convent, LA**

**For  
ACBL Transportation  
Services  
New Orleans, LA**

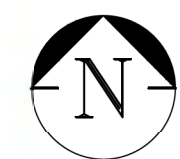
**Vicinity Map**

**Figure 1**

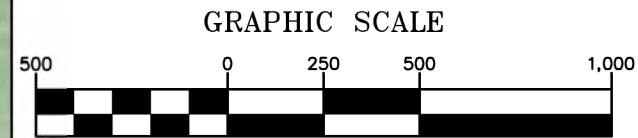




VICINITY MAP  
NOT TO SCALE



GRID NORTH  
NORTH REFERENCED TO  
LOUISIANA STATE PLANE  
COORDINATE SYSTEM  
SOUTH ZONE, NAD 83



1 INCH = 500 US SURVEY FEET

PROPERTY LINES SHOWN HEREON ARE FOR GRAPHICAL PURPOSES, AND DOES NOT REPRESENT A BOUNDARY SURVEY BY THIS OFFICE.

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SCALE: 1" = 500'	
DATE: 05/14/2019	
DRAWN: GJL	CHECKED: GJL
FILE No. 19-902	
FIGURE 2	

N.A.V.D. 88  
MAY 15, 2019

**ACBL FLEET EXPANSION  
MP 155.5, LDB  
CONVENT, PARISH OF ST. JAMES  
LOUISIANA**

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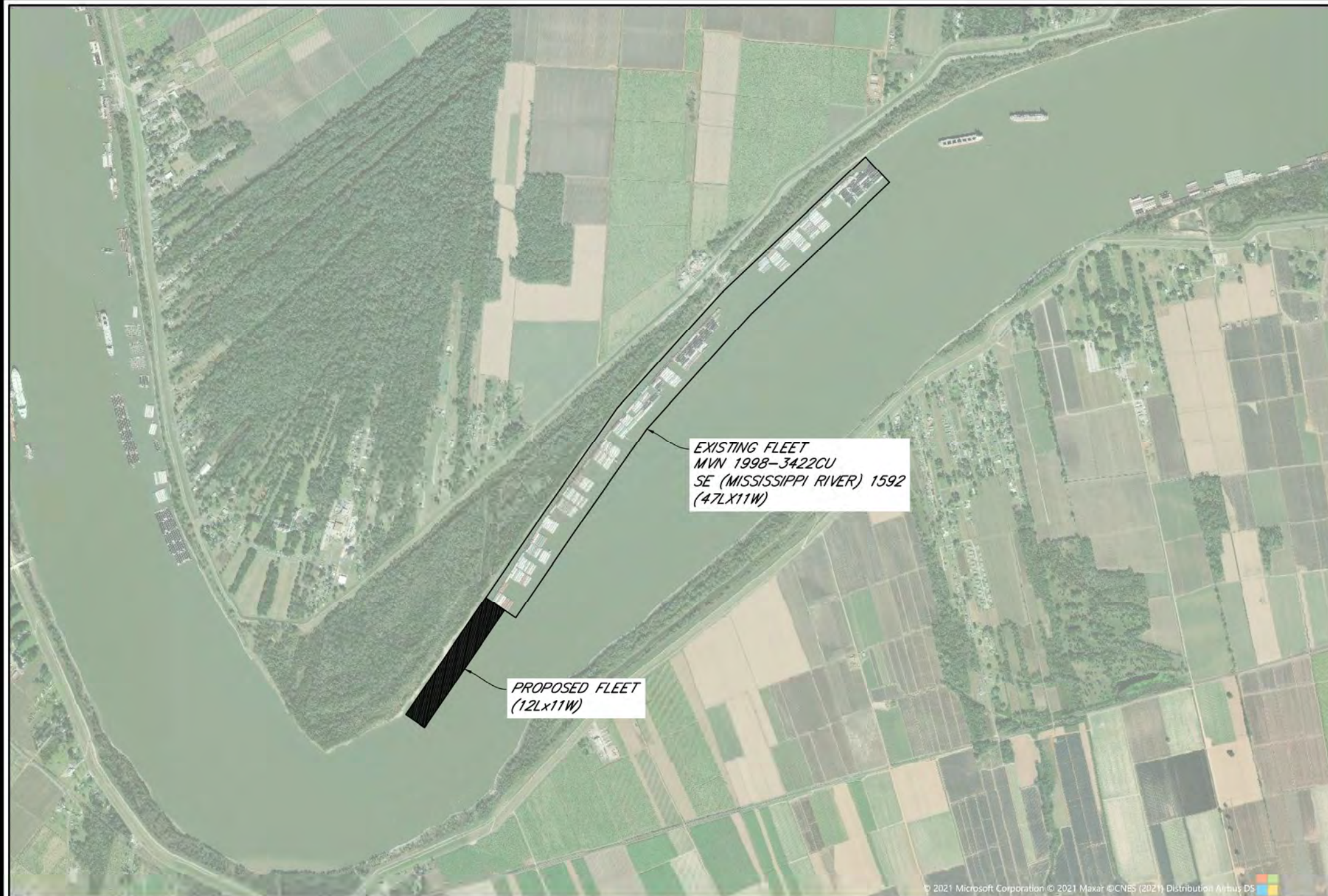
ACBL TRANSPORTATION

15 Veterans Memorial Boulevard  
Kenner, Louisiana 70062  
(504) 468-8800 Fax (504) 467-0065

PRELIMINARY WORK  
NOT TO BE USED FOR CONSTRUCTION,  
BIDDING, RECORDATION, CONVEYANCE,  
SALES, OR AS THE BASIS  
FOR THE ISSUANCE OF A PERMIT

**AERIAL VIEW**

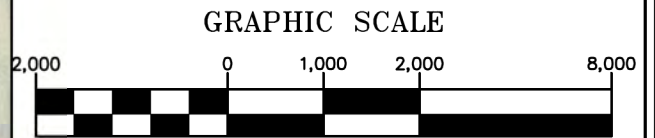




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FIGURE <b>2A</b>	

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MP 155.5, LDB  
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**GULF SOUTH**  
ENGINEERING AND TESTING, INC.  
Geotechnical & Materials Consultants

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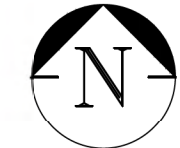
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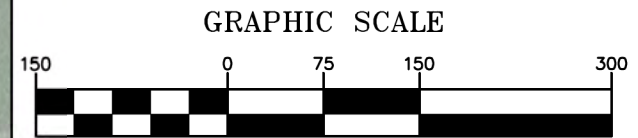




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FILE No. <b>19-902</b>	
FIGURE <b>2B</b>	

N.A.V.D. 88  
MAY 15, 2019

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MP 155.5, LDB  
CONVENT, PARISH OF ST. JAMES  
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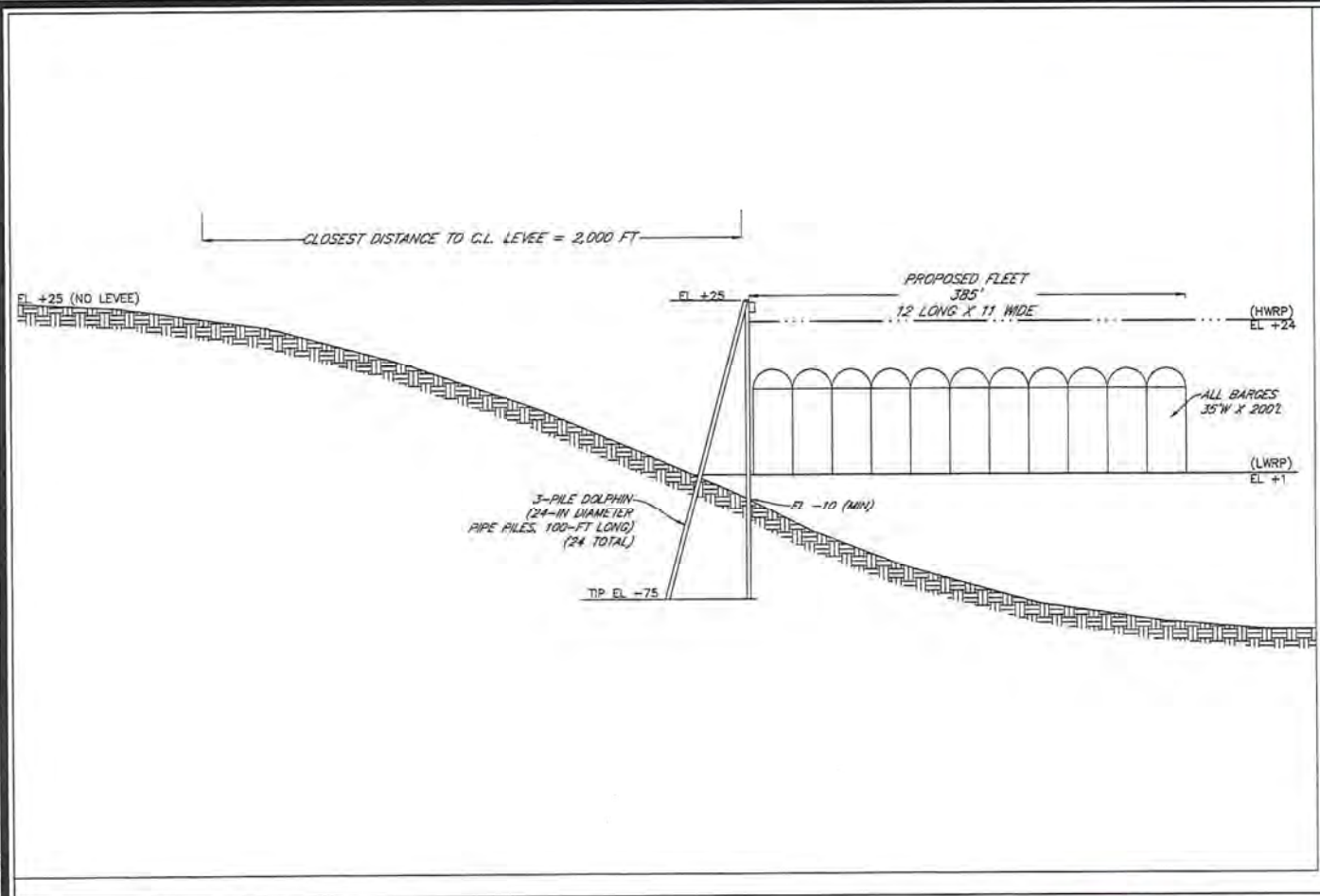
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**AERIAL VIEW**






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FIGURE	3	

**ACBL FLEET EXPANSION**  
**MP 155.5, LDB**  
**CONVENT, PARISH OF ST. JAMES**  
**LOUISIANA**

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ACBL TRANSPORTATION



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SECTION AA'



## Notes

1. The pallid sturgeon (*Scaphirhynchus albus*) may occur in water bodies near this proposed project. The pallid sturgeon is listed as endangered under the Endangered Species Act (16 U.S.C. 1531-1544) and is confined to the Mississippi and Atchafalaya Rivers in southern Louisiana. This species requires large, turbid, free flowing riverine habitat and is adapted to living close to the bottom of large rivers with sand and gravel bars. Pallid sturgeon typically spawn from May-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. We will take the necessary measures to avoid the breeding season and any degradation of water quality in the Mississippi and Atchafalaya Rivers. If you have any questions, please contact Beau Gregory at 337-491-2576.

2. No impacts to rare, threatened or endangered species or critical habitats are anticipated from the proposed project. No state or federal parks, wildlife refuges, wildlife management areas or scenic rivers are known at the specified site or within ¼ mile of the proposed project.

3. The Louisiana Natural Heritage Program (LNHP) reports summarize the existing information known at the time of the request regarding the location in question. LNHP reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. If at any time LNHP tracked species are encountered within the project area, please contact our biologist at 225-

Date: 5/10/2019

**Gulf South File  
19-902**



**ACBL Transportation  
Services  
Fleet Expansion  
MP 155.5, MR, LDB  
Convent, LA**

**For  
ACBL Transportation  
Services  
New Orleans, LA**

**Permit Notes**

**Figure 4**



## **Notes**

1. The area where the project is located may be part of the aboriginal homelands of the Chitimacha Tribe of Louisiana. As such, large villages, burial sites, and sacred sites were in place in that entire area. If at any time during the course of the work, any traditional cultural properties are discovered, Permittee shall immediately contact Kimberly S. Walden (Cultural Director) or Melanie Aymond (Research Coordinator) at (337) 923-9923 or (337) 923-4395. Office hours are Monday through Thursday from 7:30 A.M. - 5:00 P.M. and on Friday between 7:30 A.M. - 11:30 A.M. If traditional cultural properties are discovered on the weekend or after business hours, the notification shall be made the next business morning.
2. 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.
3. 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.
4. Structures must also be marked/lighted in accordance with U. S. Coast Guard regulations.
5. 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.
6. All work will be within the limits of the permittee's workspace and no equipment will go beyond those limits.

Date: 5/10/2019

<b>Gulf South File 19-902</b>	 <b>GULF SOUTH</b> ENGINEERING AND TESTING, INC. Geotechnical & Materials Consultants	
<b>ACBL Transportation Services Fleet Expansion MP 155.5, MR, LDB Convent, LA</b>	<b>For ACBL Transportation Services New Orleans, LA</b>	<b>Permit Notes  Figure 5</b>