



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS, LA 70118-3651

August 28, 2023

Regulatory Division
Eastern Evaluation Branch

Project Manager:
Angelle Greer
(504) 862-2279
angelle.v.greer@usace.army.mil

Application #: MVN-2007-00574-EG

PUBLIC NOTICE

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

BARGE FLEET EXPANSION ON THE MISSISSIPPI RIVER IN ST. JOHN THE BAPTIST PARISH

NAME OF APPLICANT: Cooper Consolidated, c/o Gulf South Engineering & Testing, Attention: Chad Poche, 15 Veterans Memorial Blvd., Kenner, Louisiana 70062, or cpoche@gulfsoutheng.com.

LOCATION OF WORK: At approximately Latitude: 30.046667, Longitude: -90.474722, on the Mississippi River, mile 133, left-descending bank, at 665 Hwy. 628, in LaPlace, Louisiana, in St. John the Baptist Parish, as shown on the enclosed drawings.
Hydrologic Unit Code: 08070100 (Lower Mississippi- Baton Rouge)

CHARACTER OF WORK: Expand an existing barge fleet to add one (1) additional tier, by six (6) barges wide, on the downriver side of the existing 3-by-6 barge fleet. No wetland impacts are anticipated as a result of the project, therefore compensatory mitigation is not proposed.

The comment period on the requested Department of the Army Permit will close **30 days** from the date of this 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 request, and must be submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject permit application must reference the

Applicant's Name and the Permit Application Number and can be preferably emailed to angelle.v.greer@usace.army.mil or forwarded to the Corps of Engineers at the address above, ATTENTION: REGULATORY DIVISION (RGE, Angelle Greer). This public notice is also available for review online at <https://go.usa.gov/xennJ>.

Corps of Engineers Permit Criteria

The decision whether to issue a Section 10/404 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 any 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. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer and federally listed tribes regarding potential impacts to cultural resources.

Based on the Information & Planning Consultation for Endangered Species in Louisiana (IPaC), dated January 27, 2020 between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office, it has been determined that the activity is not likely to adversely affect the West Indian Manatee or the Pallid Sturgeon. 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.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal is not expected to result in the destruction or alteration of 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, Water Quality Certifications, before a permit is issued.

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 (Louisiana Coastal Zone Application P20230609). 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.

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.

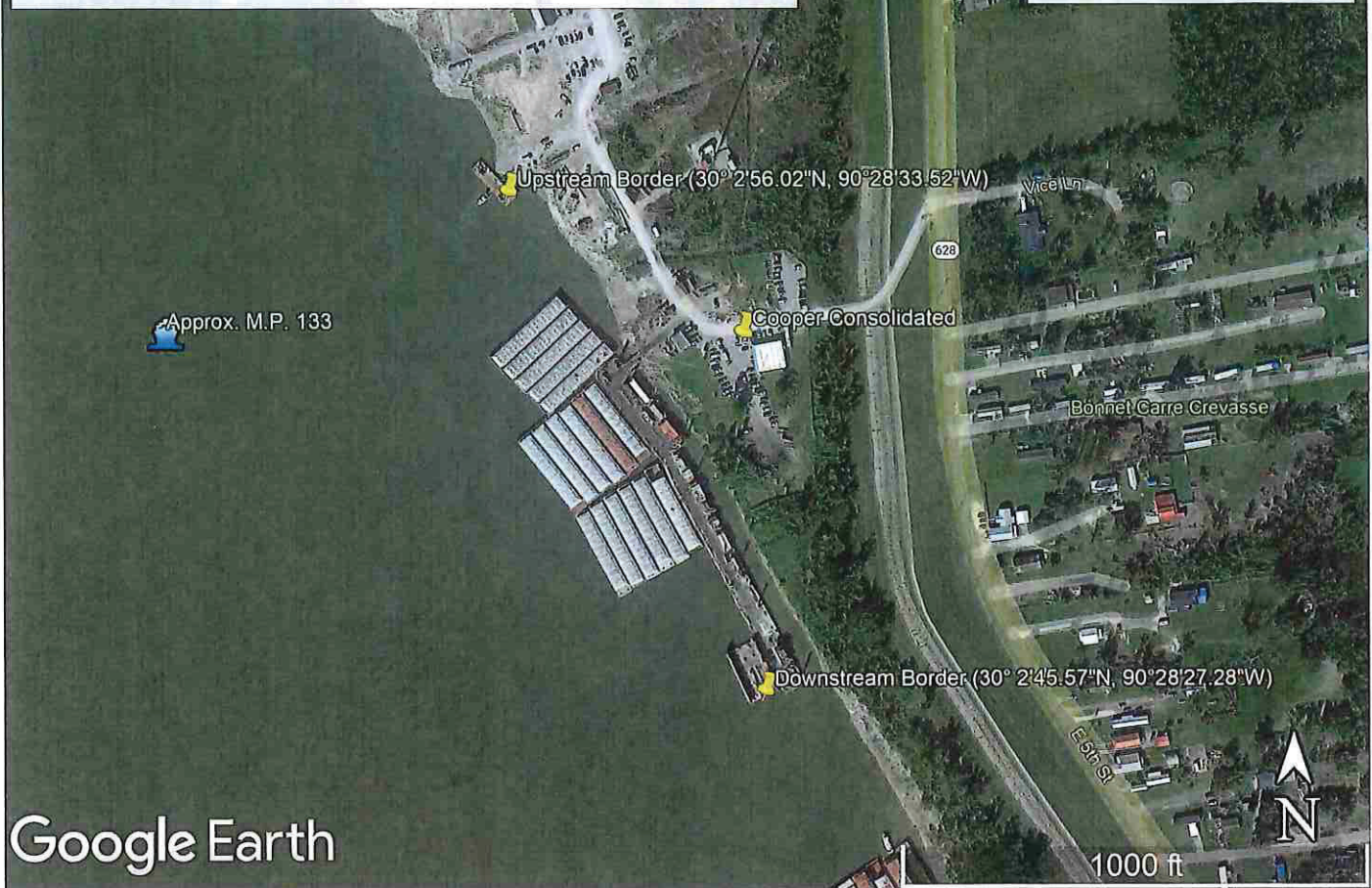
Brad P. LaBorde
Chief, Eastern Evaluation Branch
Regulatory Division

GSET File 23-902

Cooper Consolidated, Barge Fleet Expansion, LaPlace, LA

Legend

 Approx. M.P. 133



Date: 07/24/2023

Gulf South File
23-902

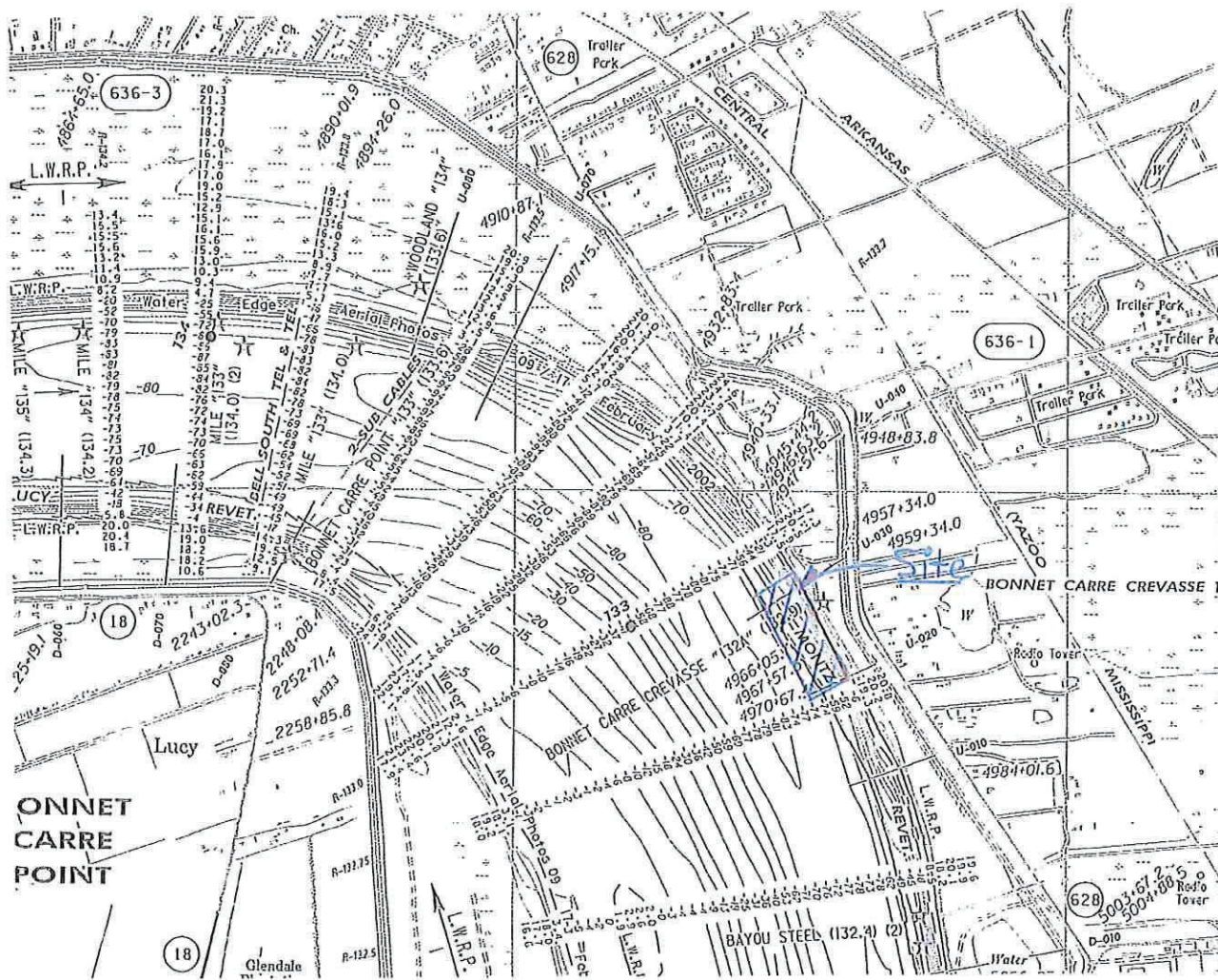


Cooper Consolidated
Fleet Modification
Miss. River, LDB,
Approx. M.P. 132.9
LaPlace, LA

For
Cooper Consolidated
LaPlace, LA

Vicinity Map

Figure 1



Date: 07/24/2023

Gulf South File
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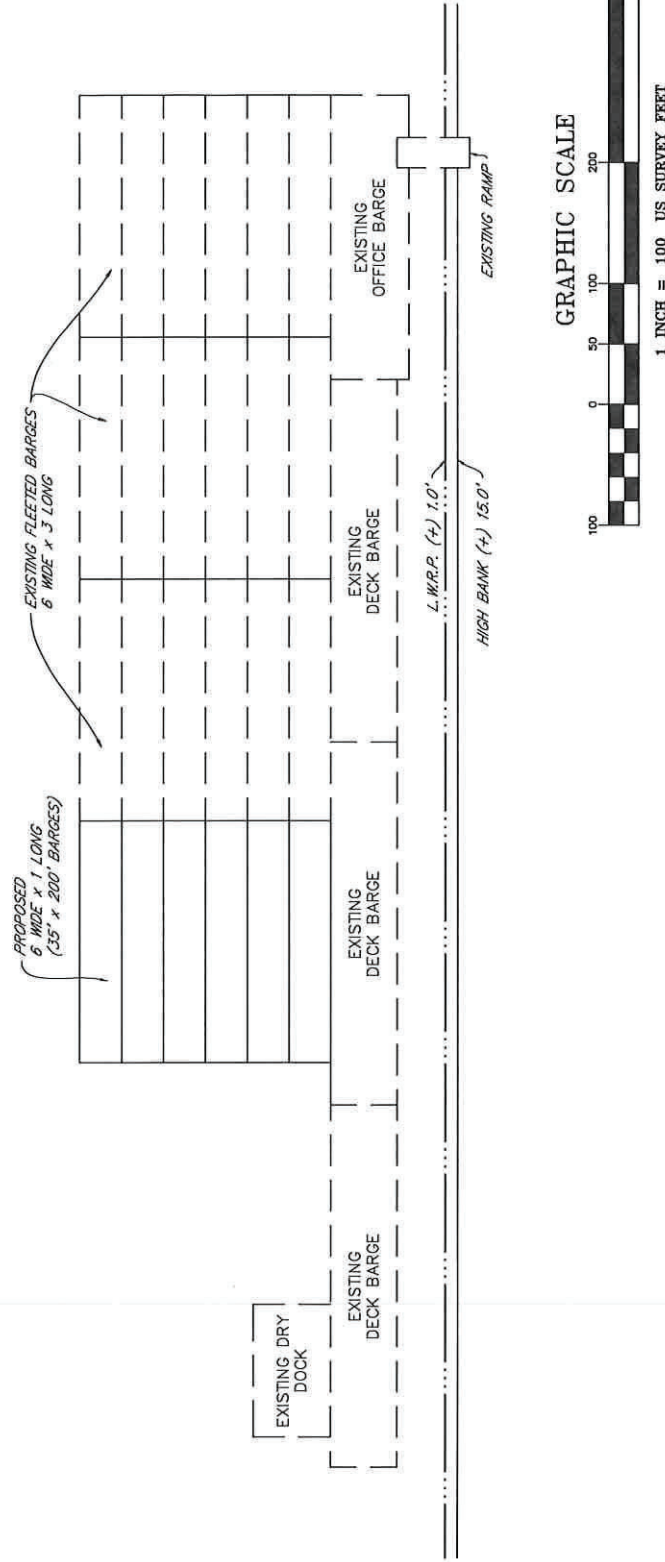
For
Cooper Consolidated
LaPlace, LA

Hydrographic Map

Figure 2

M.P. 132.9

MISSISSIPPI RIVER



**COOPER CONSOLIDATED
FLEET MODIFICATION
MS RIVER LDB, MP 132.9
LAPLACE, LA**

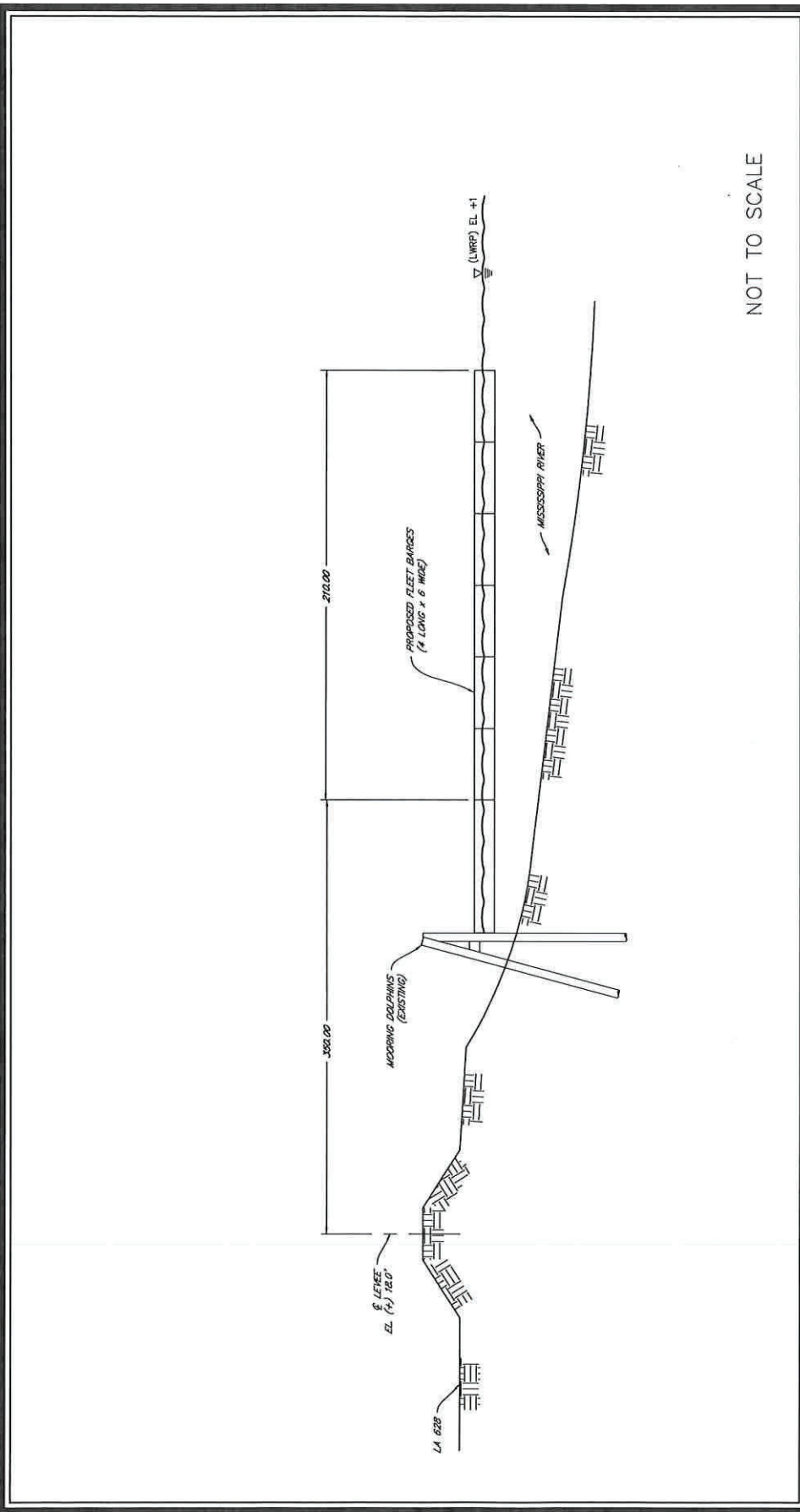
For:
Cooper Consolidated
Laplace, LA

Drawing Name:
Proposed Fleet Modification

Date:
7/24/23

File Number:
23-902

Drawing Number:
Figure 3



NOT TO SCALE



**COOPER CONSOLIDATED
FLEET MODIFICATION
MS RIVER LDB, MP 132.9
LAPLACE, LA**

For: Cooper Consolidated Laplace, LA	
Date: 7/24/23	File Number: 23-902

Drawing Name: Typical Cross Section	Drawing Number: Figure 4
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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-

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LaPlace, LA**

Permit Notes

Pallid Sturgeon

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.

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Permit Notes

Notes