

# JOINT PUBLIC NOTICE

January 13, 2020

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

State of Louisiana  
Department of Environmental Quality  
Water Permits Division  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-1545  
Project Manager  
S. Gail Gainey  
[Sandra.G.Gainey@usace.army.mil](mailto:Sandra.G.Gainey@usace.army.mil)  
MVN 2012-00052-CG

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC # 180824-03

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US 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 LRS 30:2074 A(3) and provisions of Section 401 of the Clean Water Act.

## **EXPANSION OF AN EXISTING DOCK FACILITY ON THE MISSISSIPPI RIVER IN ST. JAMES PARISH**

**NAME OF APPLICANT:** Raven Energy, LLC, c/o Stan Gottlieb of Aptim Environmental & Infrastructure, Inc., 3600 Springhill Business Park, Suite 200, Mobile, Alabama 36608.

**LOCATION OF WORK:** In the Mississippi River, LDB at RM 160.9, located at 7790 Louisiana Highway 44 in Convent, Louisiana, in St. James Parish, within the Mississippi River Basin in hydrologic unit (HUC 08070100), as shown on the attached drawings (Latitude 30.044755 N, Longitude -90.836047 W).

The work described below was partially completed prior to obtaining a Department of the Army permit and was in violation of Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have since been deferred.

**CHARACTER OF WORK:** The applicant has requested Department of the Army authorization to clear, grade, deposit fill and/or aggregate material to construct and maintain an extension to the previously existing dock facility to include a temporary crane pad. Approximately 0.44 acre of river batture will be cleared and graded for the installation of timber matting to be installed as a temporary crane pad and approx. 0.15 acre of traditionally navigable waters would be directly impacted by the construction of the extension. All structure expansions will extend no further than 540 linear feet channelward

from the toe of the levee, as shown on the drawings. Additionally, a levee crossing, an access road and two (2) maintenance pads have been installed at the facility impacting a total of 0.95 acres of jurisdictional batture habitat.

The applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable by utilizing timber mats for temporary workspace within the batture and utilizing best management practices during and after the construction phase of the project. As compensation for unavoidable wetland impacts, the applicant proposes to mitigate in-kind wetland credits from a Corps approved mitigation bank located in the watershed.

The applicant may be required to fully or partially restore the site to pre-project conditions if issuance of a permit is determined to be contrary to the public interest.

The comment period for the Department of Army will close in **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 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 US 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 US 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. The application has been provided to the State Archeologist and the State Historic Preservation Officer.

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.

The New Orleans District has determined that the proposed project is located in waters known to be utilized by the West Indian Manatee (*Trichechus manatus*). 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 with the inclusion of the Standard Manatee Conditions for In-Water Activities, proposed work is not likely to adversely affect the West Indian Manatee. Additionally, the proposed work has been determined not likely to adversely affect Pallid Sturgeon (*Scaphirhynchus albus*) as there will be no dredging activities associated with this project.

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 up to 0.2 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.

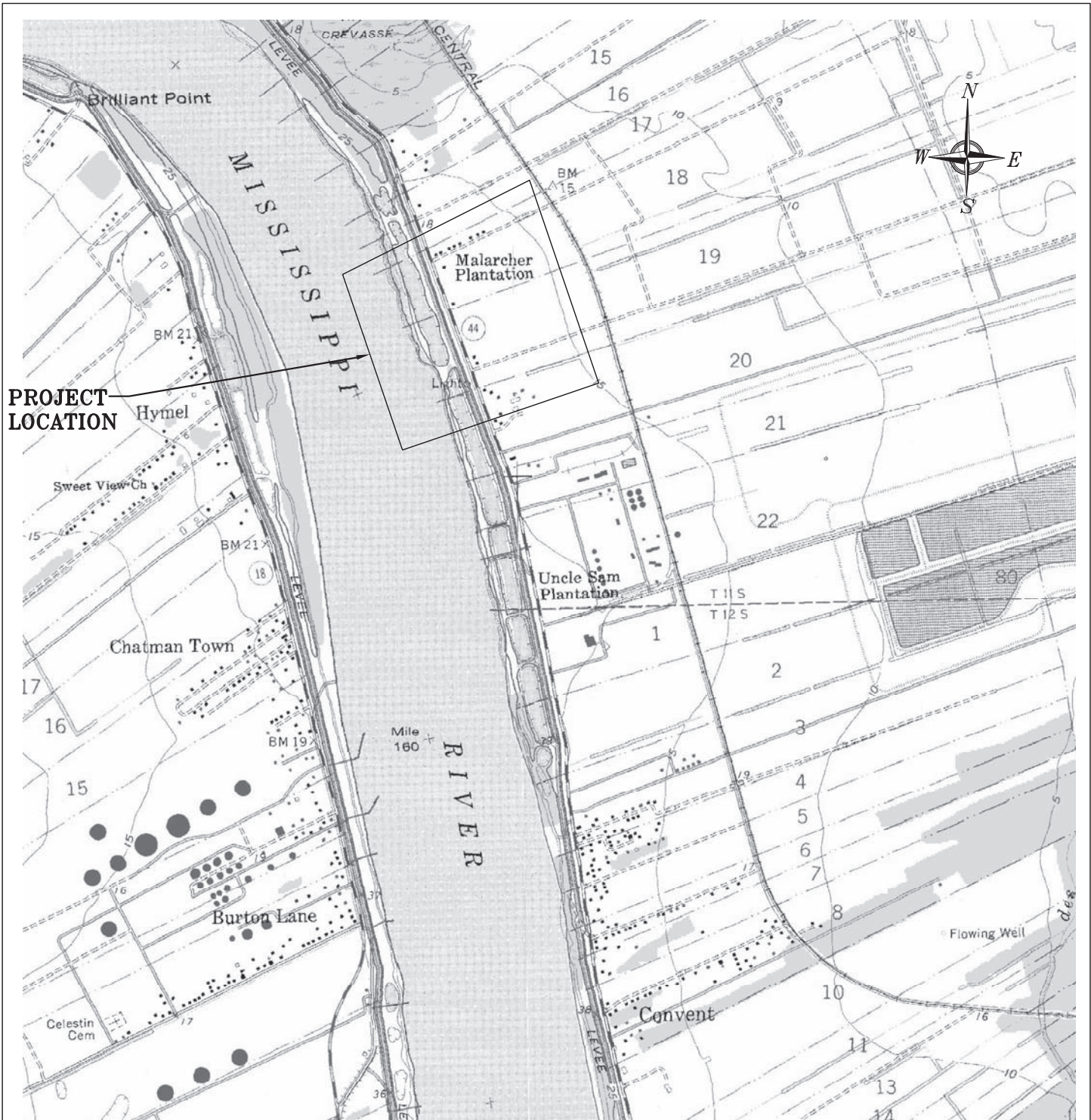
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate 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.

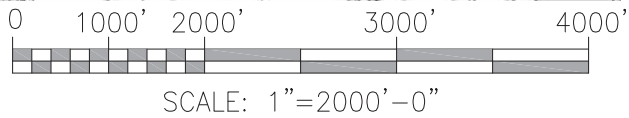
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program (Louisiana Coastal Zone Application P20180712). The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

JOHN M. HERMAN  
Chief, Central Evaluation Section  
Regulatory Branch

Enclosures



**VICINITY MAP**



JAMES JOHNSON, P.E. LA. LICENSE # 34424  
 PRELIMINARY – FOR PERMIT ONLY



ENVIRONMENTAL & INFRASTRUCTURE

**PROPOSED SOUTH DOCK EXTENSION**

IN: MISSISSIPPI RIVER  
 PARISH OF: ST. JAMES  
 STATE: LOUISIANA  
 APPLICATION BY:  
 CONVENT MARINE TERMINAL

**PURPOSE:**

CONSTRUCT A NEW SOUTH DOCK EXTENSION FOR THE OFFLOADING OF BULK MATERIAL PRODUCTS

**DATUM:**

NAVD 88

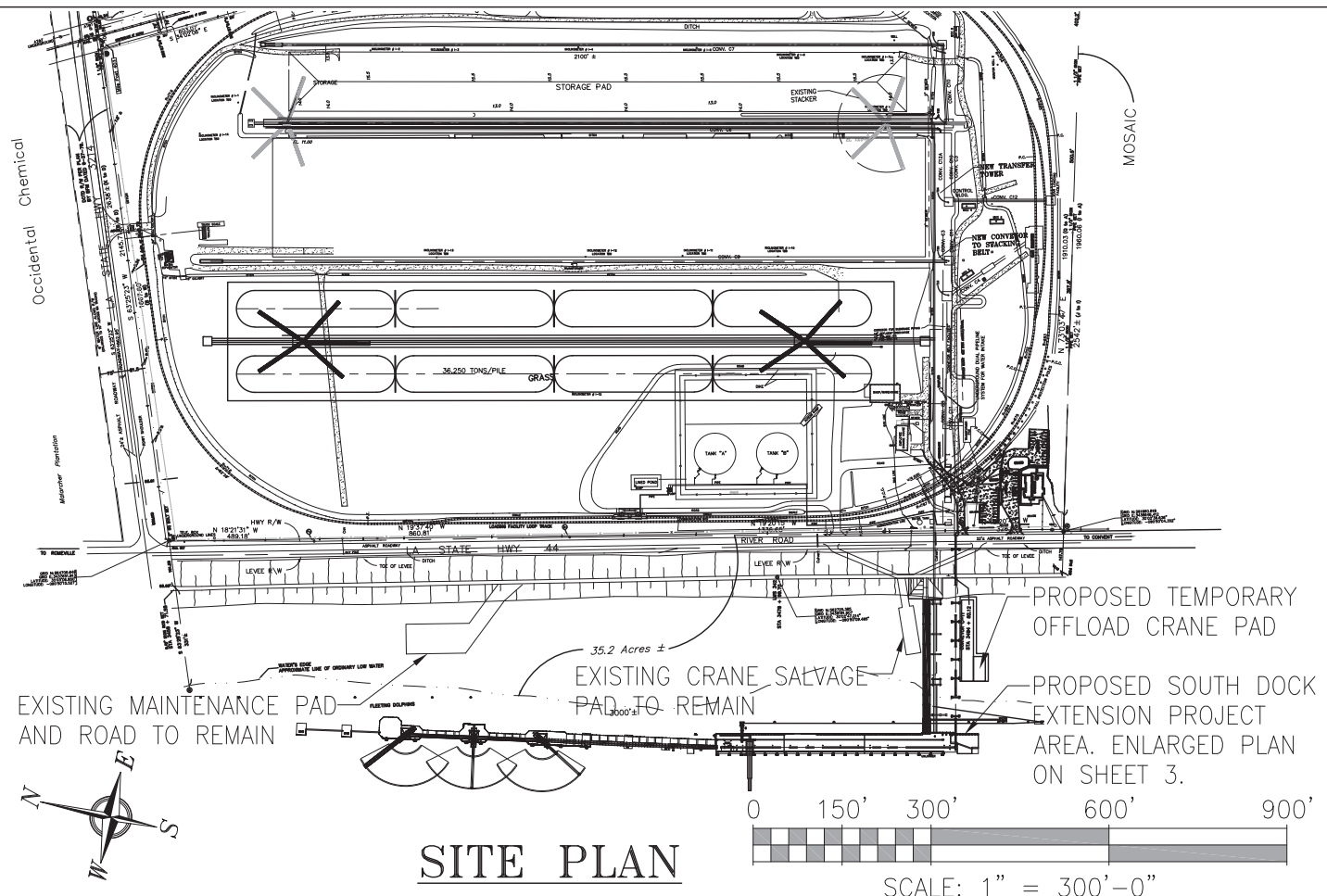
**ADJACENT PROPERTY OWNERS:**

OCCIDENTAL CHEMICAL CORP.

MOSAIC UNCLE SAM PLANT

**NOTES:**

1. ALL STRUCTURES BUILT UNDER THE AUTHORIZATION AND CONDITIONS OF THIS PERMIT SHALL BE REMOVED FROM THE SITE WITHIN 120 DAYS OF ABANDONMENT OF THE FACILITIES FOR THE HEREIN PERMITTED USE, OR WHEN THESE STRUCTURES FALL INTO A STATE OF DISREPAIR SUCH THAT THEY CAN NO LONGER FUNCTION AS INTENDED. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED, FOR SUCH REMOVAL ACTIVITIES.
2. STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U.S. COAST GUARD REGULATIONS.
3. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITEE 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.

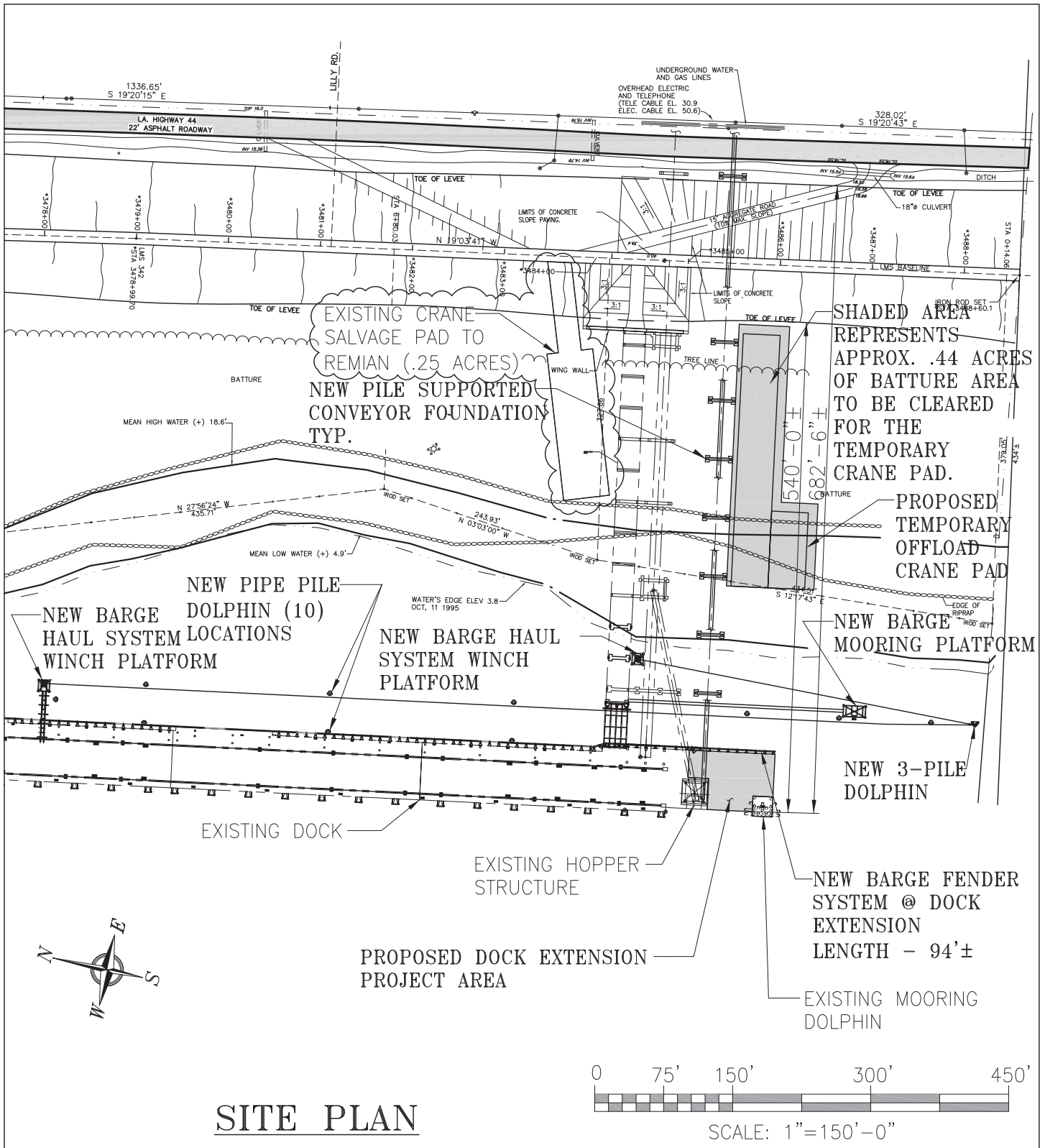


**SITE PLAN**

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**PROPOSED SOUTH DOCK EXTENSION**  
IN: MISSISSIPPI RIVER  
PARISH OF: ST. JAMES  
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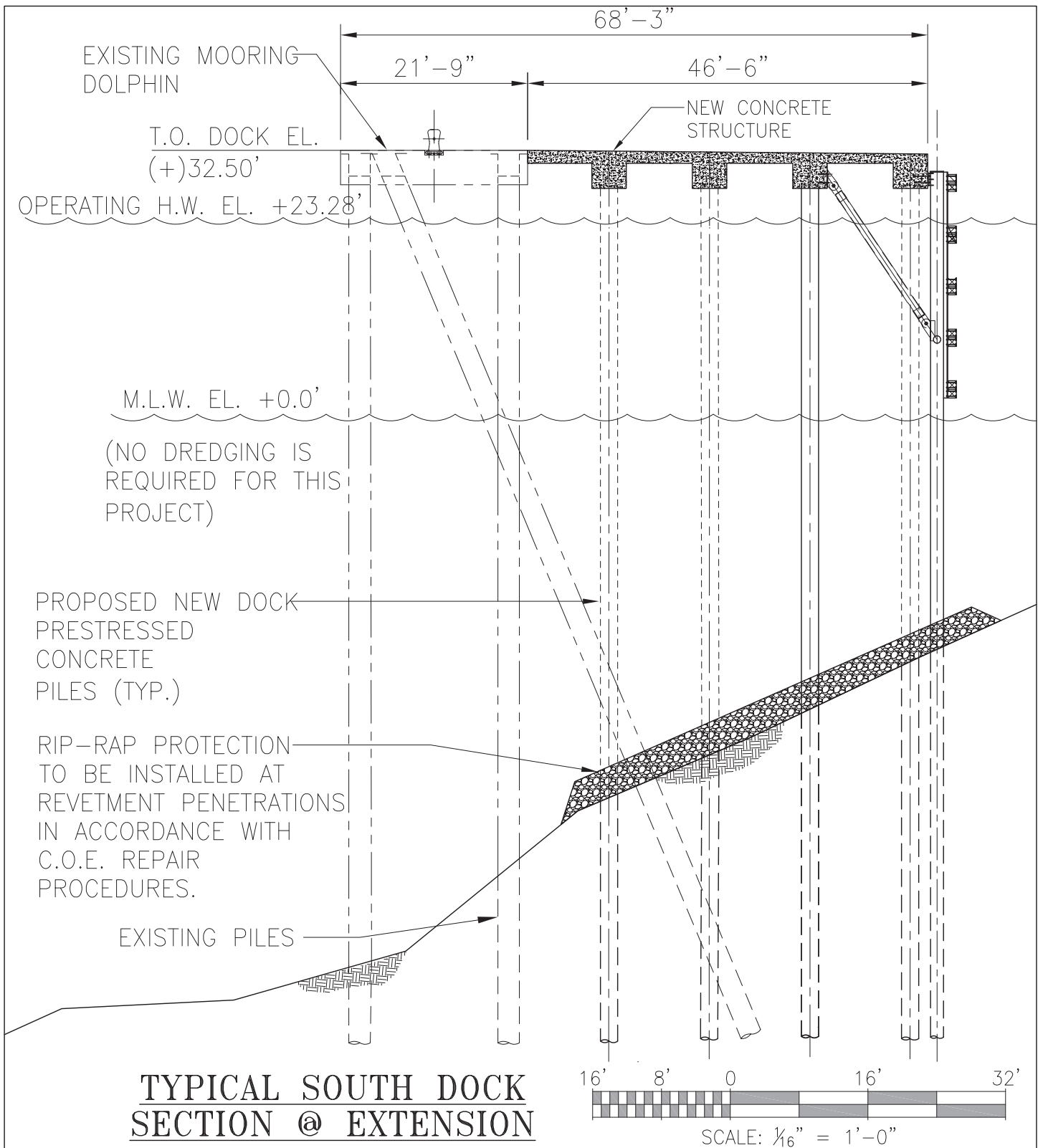
## SITE PLAN

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SHEET 3 OF 13 Rev 1 DATE: 09/2018



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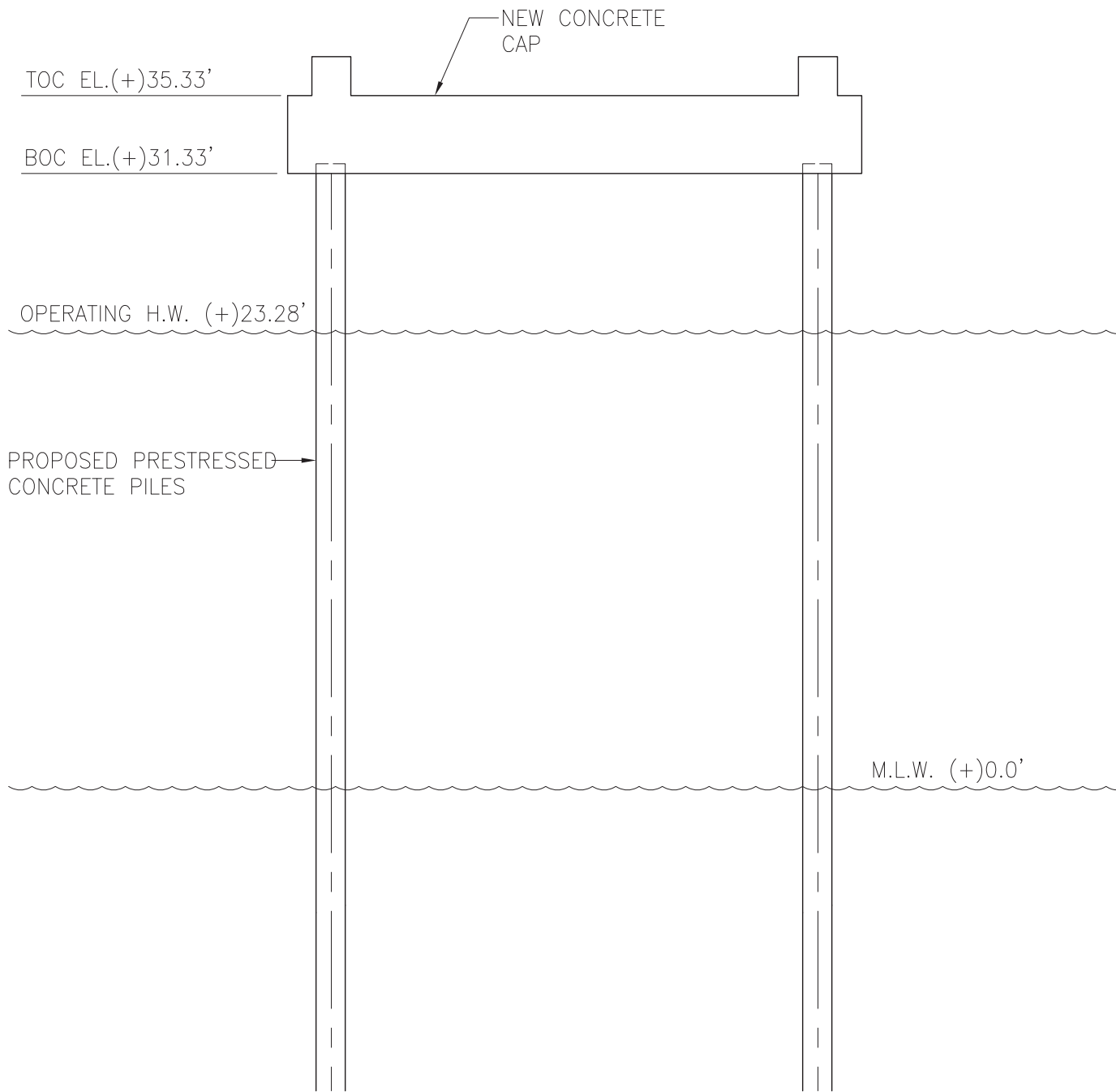


ENVIRONMENTAL & INFRASTRUCTURE

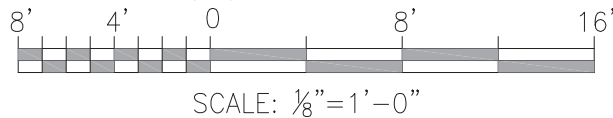
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**PROPOSED CONVEYOR SUPPORT  
CROSS SECTION**



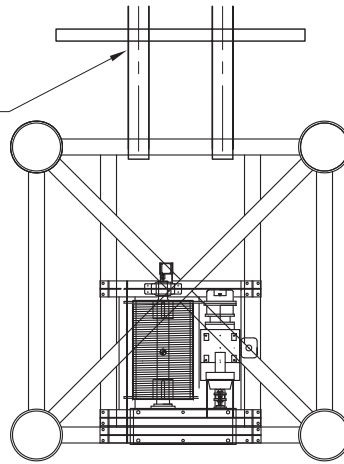
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ENVIRONMENTAL & INFRASTRUCTURE

**PROPOSED SOUTH DOCK EXTENSION**  
IN: MISSISSIPPI RIVER  
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RELOCATED  
WALKWAY



**PLAN**

TOS EL. (+) 33.0'

BOS EL. (+) 31.5'

NEW JACKET CAP  
PLATFORM

OPERATING H.W. (+)23.28'

PROPOSED PIPE PILES

MLW (+)0.0'

**PROPOSED BARGE HAUL  
WINCH PLATFORM**



SCALE: 1/8" = 1'-0"

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**PROPOSED SOUTH DOCK EXTENSION**

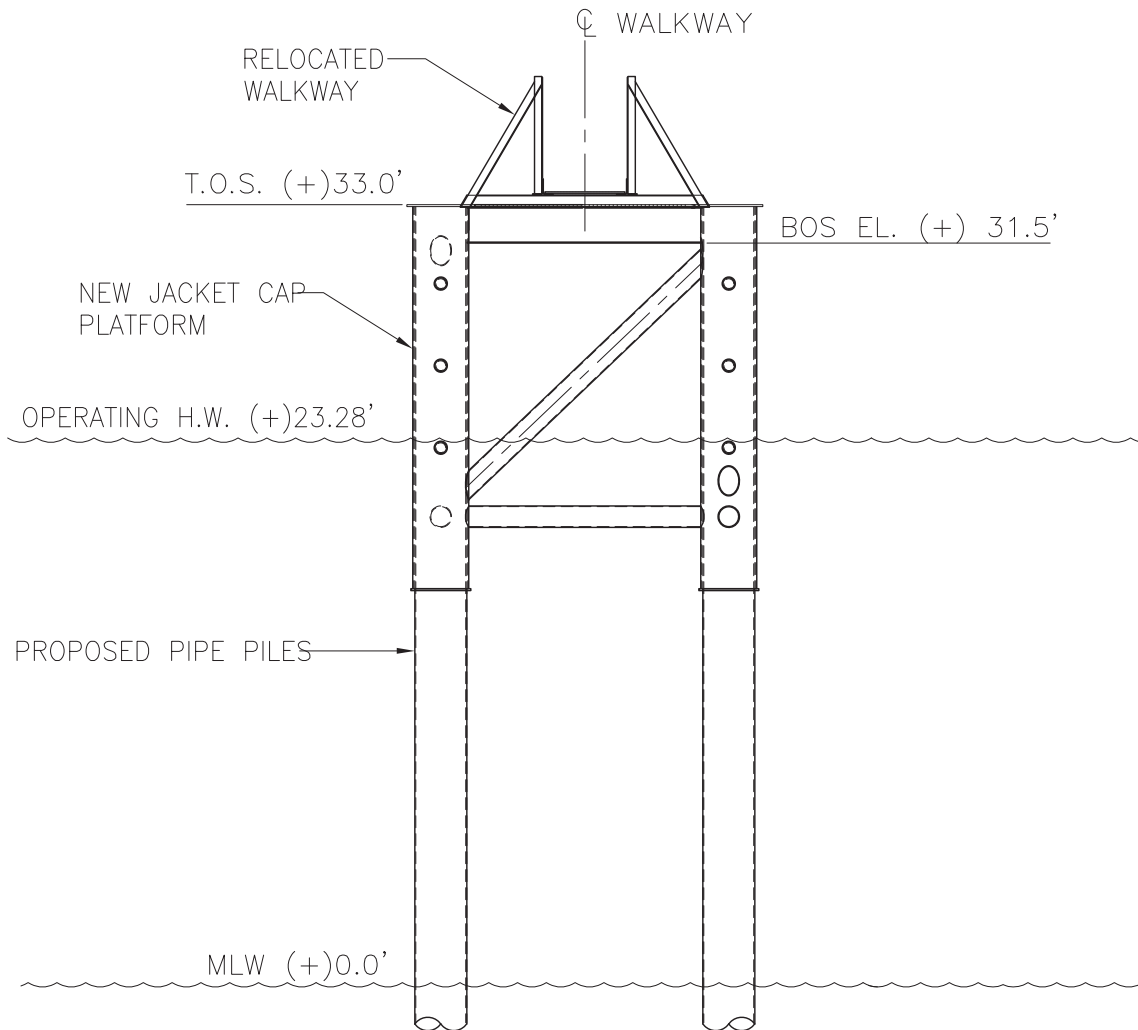
IN: MISSISSIPPI RIVER  
PARISH OF: ST. JAMES  
STATE: LOUISIANA  
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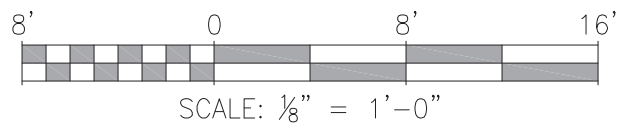
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**SECTION AT PROPOSED  
ACCESS WALKWAY TO  
BARGE HAUL PLATFORM**



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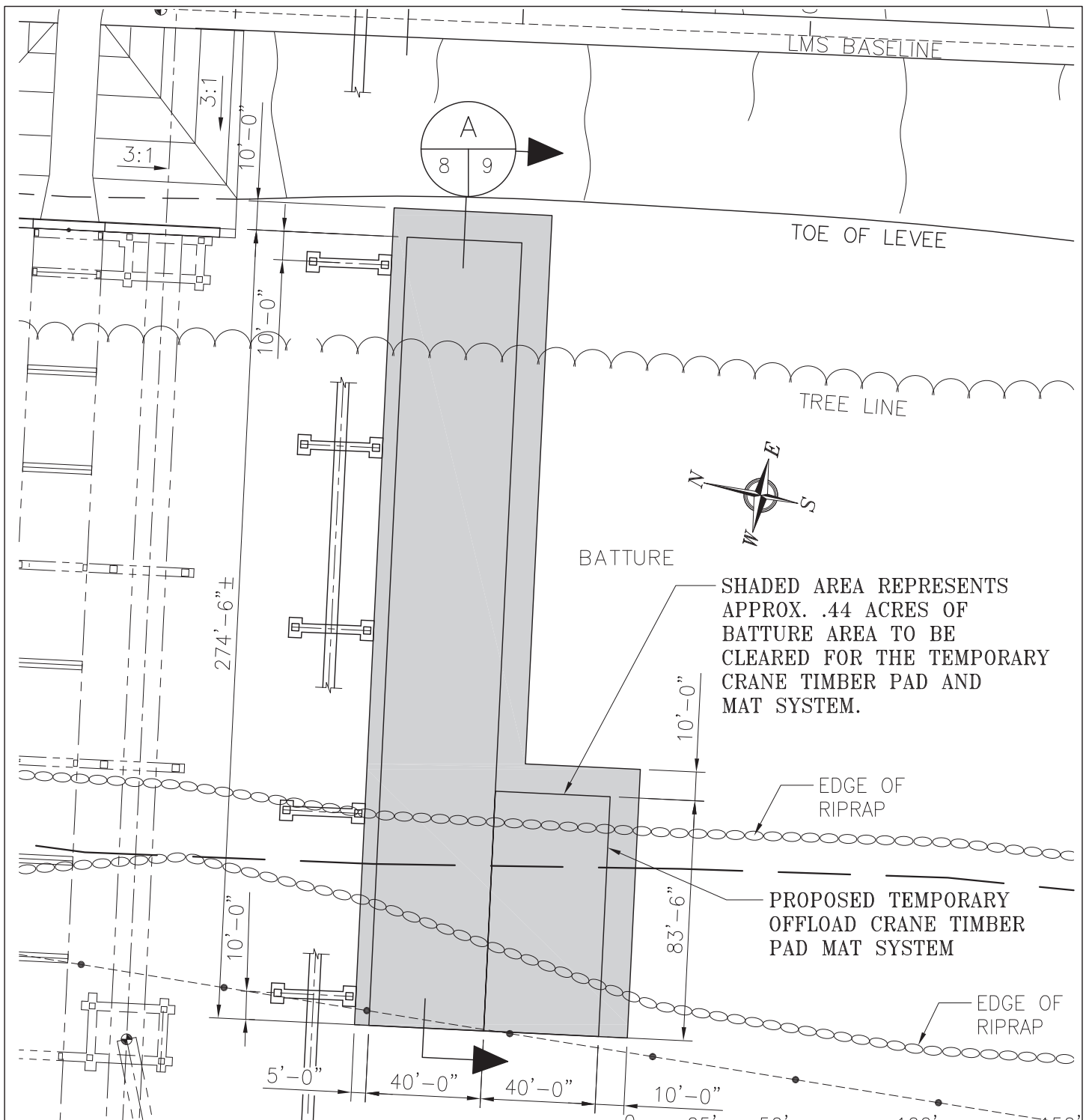
ENVIRONMENTAL & INFRASTRUCTURE

**PROPOSED SOUTH DOCK EXTENSION**

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CONVENT MARINE TERMINAL

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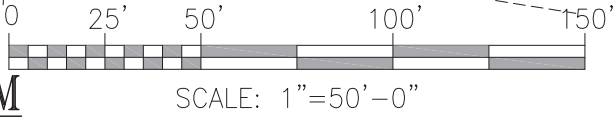
DATE: 09/2018



SHADED AREA REPRESENTS APPROX. .44 ACRES OF BATURE AREA TO BE CLEARED FOR THE TEMPORARY CRANE TIMBER PAD AND MAT SYSTEM.

EDGE OF RIPRAP  
 PROPOSED TEMPORARY OFFLOAD CRANE TIMBER PAD MAT SYSTEM  
 EDGE OF RIPRAP

**PROPOSED TEMPORARY CRANE OFFLOAD TIMBER PAD & MAT SYSTEM**

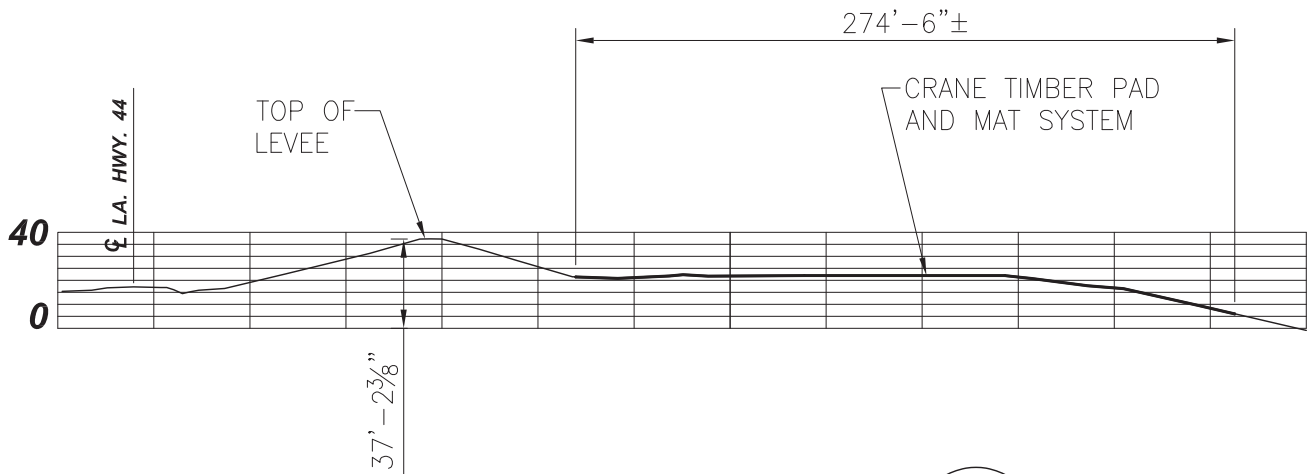


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**APTIM**  
 ENVIRONMENTAL & INFRASTRUCTURE

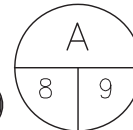
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**SECTION AT CRANE TIMBER PAD  
AND MAT SYSTEM**

1"=80'



**PROPOSED CROSS SECTIONS  
TEMPORARY CRANE TIMBER  
PAD AND MAT SYSTEM**



SCALE: 1"=80'-0"

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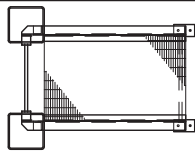
ENVIRONMENTAL & INFRASTRUCTURE

**PROPOSED SOUTH DOCK EXTENSION**

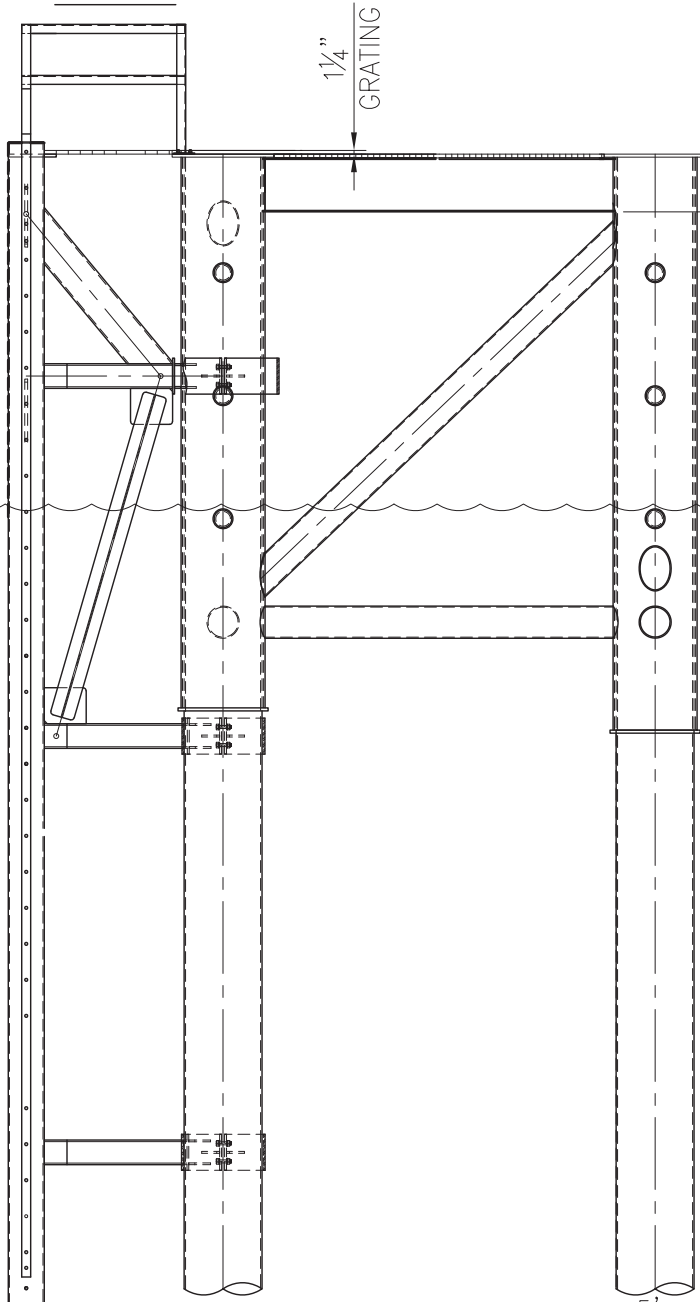
IN: MISSISSIPPI RIVER  
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STATE: LOUISIANA  
APPLICATION BY:  
CONVENT MARINE TERMINAL

SHEET 9 OF 13 Rev 1

DATE: 09/2018



PLAN



1/4"  
GRATING

T.O.S. (+)33.0'

B.O.S. (+)31.5'

OPERATING H.W. (+)23.28'

### PROPOSED BARGE MOORING PLATFORM LADDER PLAN & ELEVATION



SCALE: 3/16" = 1'-0"

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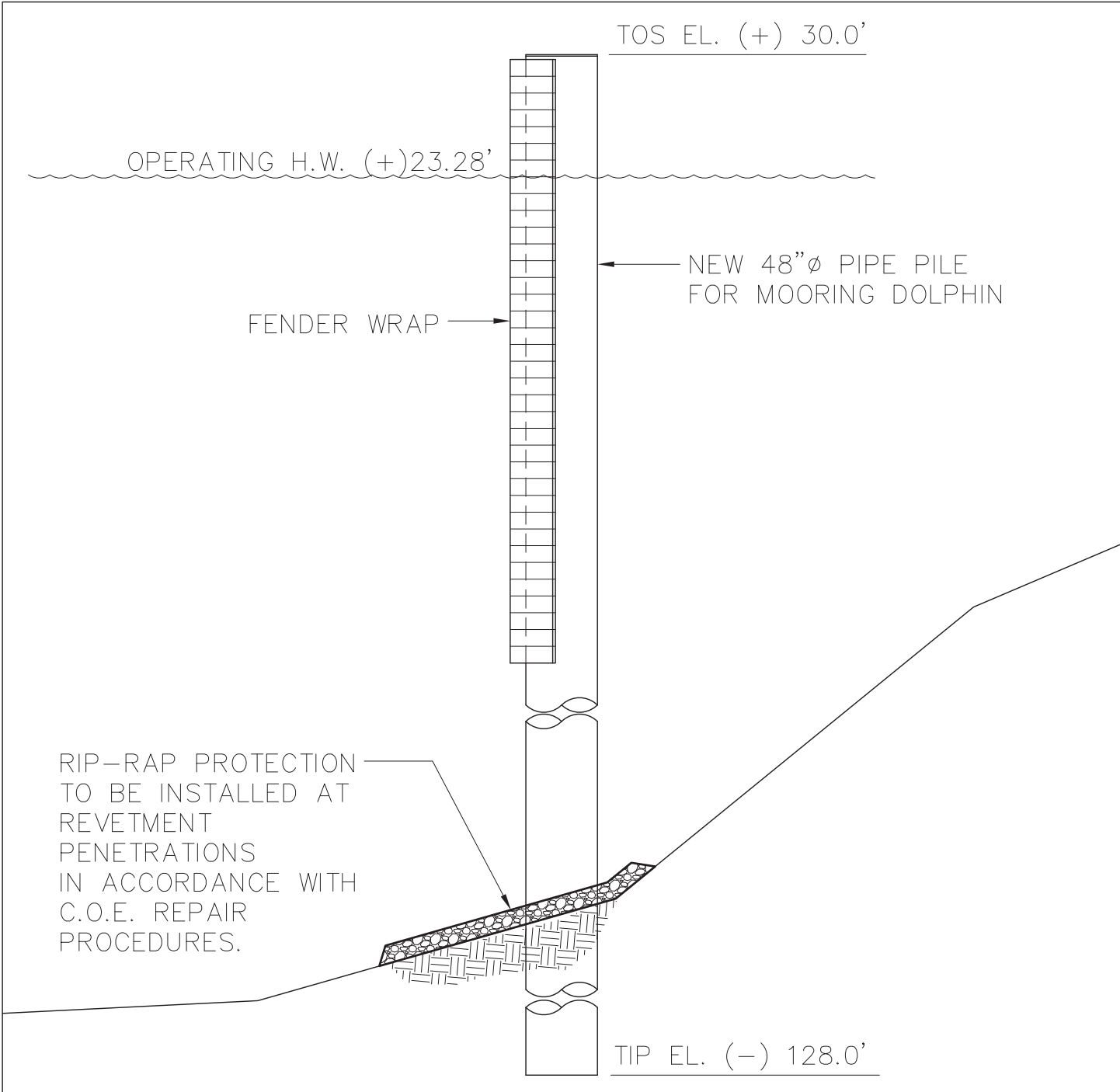
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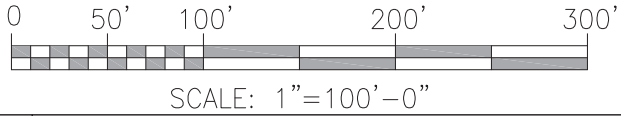
ENVIRONMENTAL & INFRASTRUCTURE

SHEET 10 OF 13 Rev 1 DATE: 09/2018



**SIDE ELEV.**

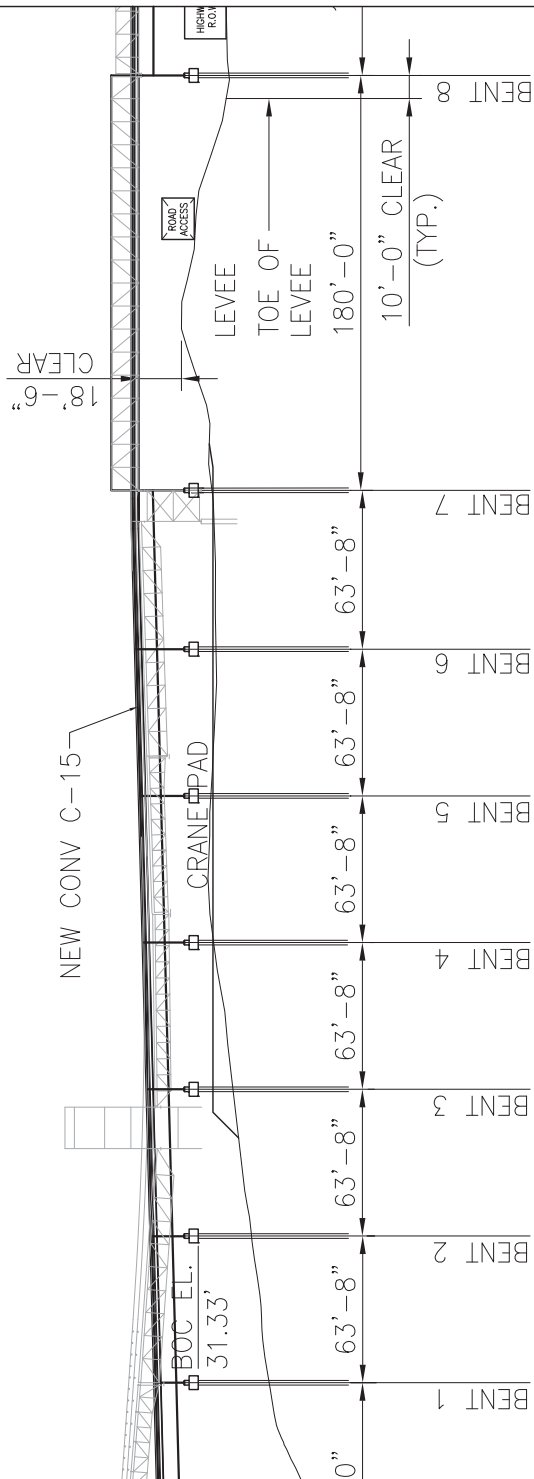
**PROPOSED NEW PIPE PILE  
FENDER DOLPHINS**



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**PROPOSED SOUTH DOCK EXTENSION**  
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**ELEVATION**  
1:1000

**PROPOSED NEW CONVEYOR  
CROSS SECTION**

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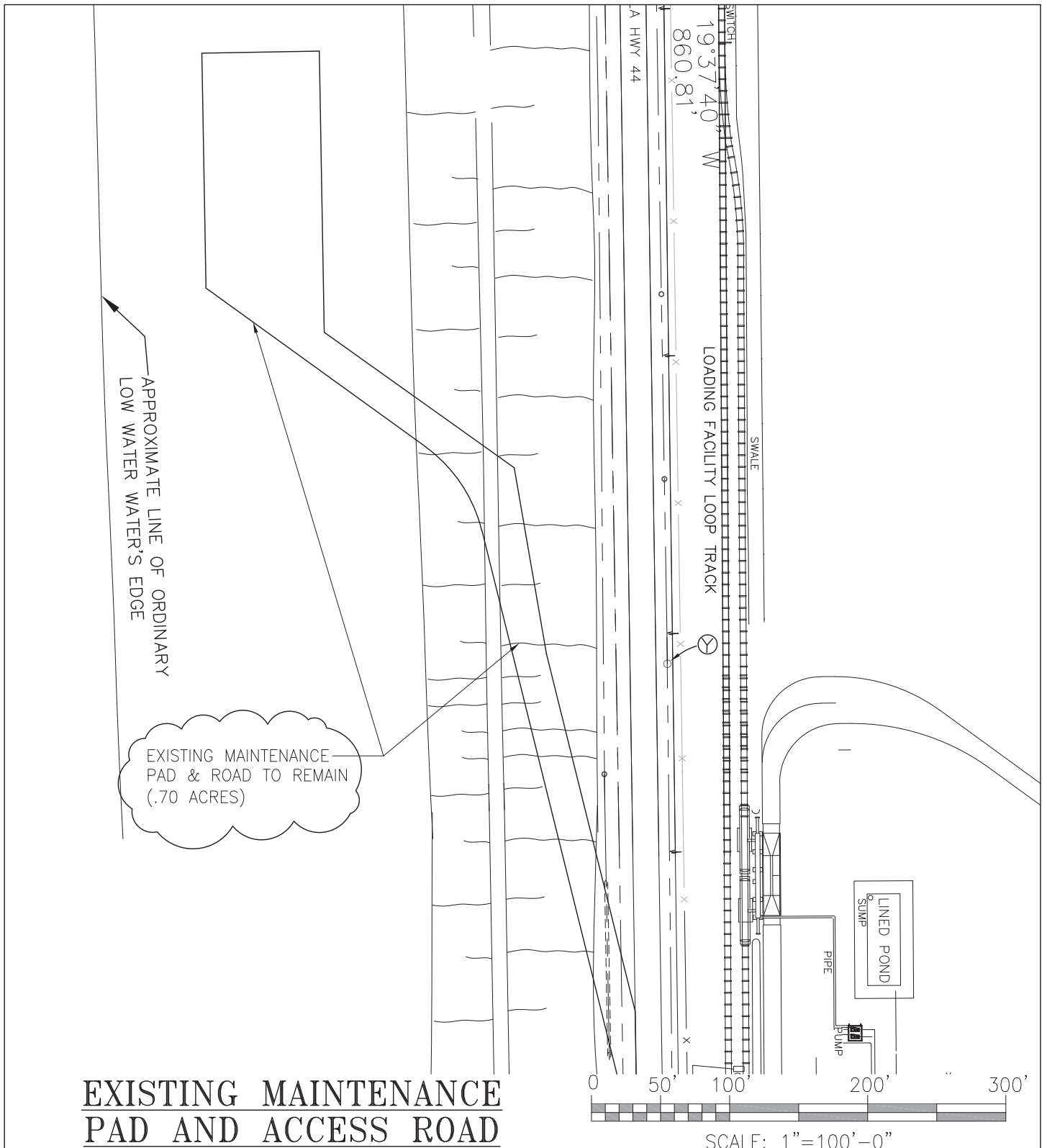
ENVIRONMENTAL & INFRASTRUCTURE

**PROPOSED SOUTH DOCK EXTENSION**

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**EXISTING MAINTENANCE  
PAD AND ACCESS ROAD**

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ENVIRONMENTAL & INFRASTRUCTURE

**PROPOSED SOUTH DOCK EXTENSION**

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SHEET 13 OF 13 Rev 1 DATE: 09/2018