

JOINT PUBLIC NOTICE

June 24, 2013

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, LA 70160-0267

(504) 862-2675 FAX (504) 862-2574
Project Manager
Jamie Crowe
Jamie.M.Crowe@usace.army.mil
Permit Application Number
MVN-2012-2154-CO

State of Louisiana
Department of Environmental Quality
Attn: Water Quality Certifications
Post Office Box 4313
Baton Rouge, LA 70821-4313

(225) 219-3225 FAX (225) 325-8250
Project Manager
Jamie Phillippe
WQC Application Number
WQC 130612-01

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: 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).

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.

DREDGING AT EXISTING MIDSTREAM MOORING FACILITIES IN THE MISSISSIPPI RIVER IN ST. JAMES PARISH

NAME OF APPLICANT: A.E.P. River Operations, c/o Lanier & Associates Engineers, 4101 Magazine Street, New Orleans, Louisiana 70115.

LOCATION OF WORK: Within the Mississippi River Basin, in the Lower Mississippi River – Baton Rouge hydrologic unit (HUC 08070100); in the Mississippi River, at a point between 150 and 159 miles above the Head of Passes, near Convent, Louisiana, in St. James Parish.

CHARACTER OF WORK: The applicant proposes to dredge an 132-acre area near River mile 158 to the -50' contour using a bucket dredge to allow access to three previously permitted midstream mooring facilities. Approximately 148,747 cubic yards of material will be excavated and deposited below the -55' contour between River miles 150 and 152. No vegetated wetlands will be impacted by the proposed activity.

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**. 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 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.

No properties listed on the National Register of Historic Places are 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 the State Historic Preservation Officer.

The proposed activity is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*). Approximately 132 acres of foraging habitat will be directly impacted by the

proposed activity. The Corps has determined that this activity may affect the pallid sturgeon.

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/Aacre(s) 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.

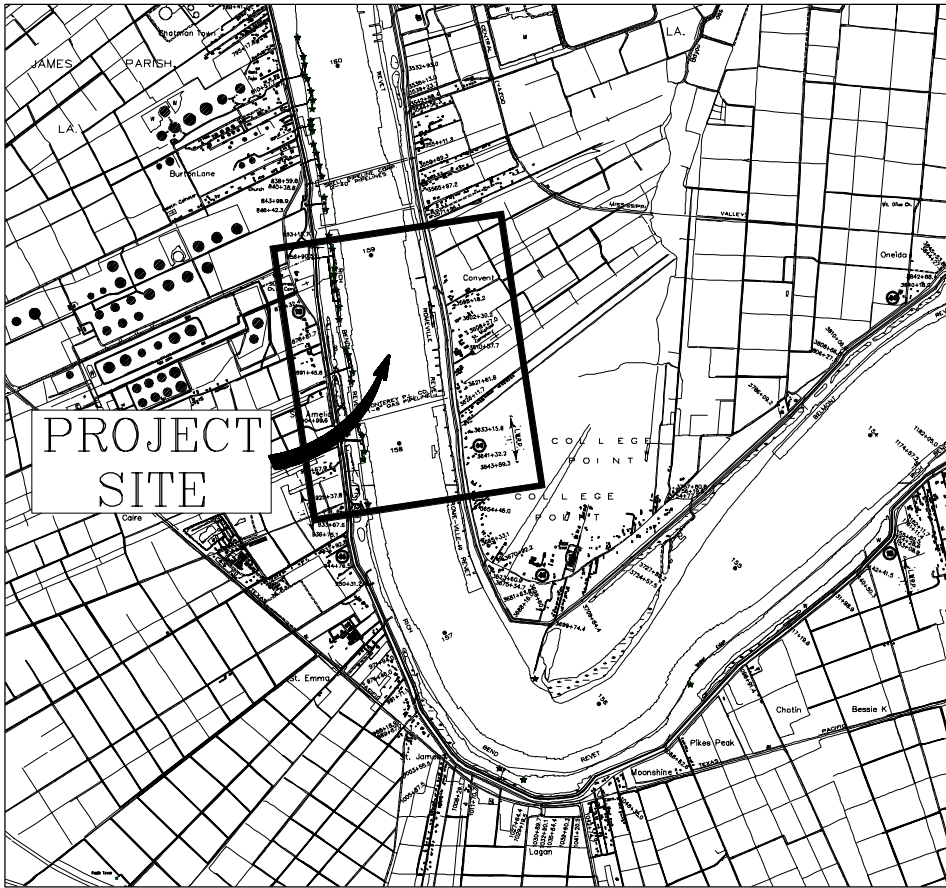
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

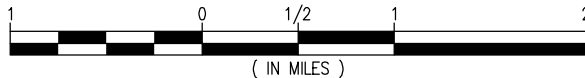
John M. Herman
Chief, Central Evaluation Section

Enclosures



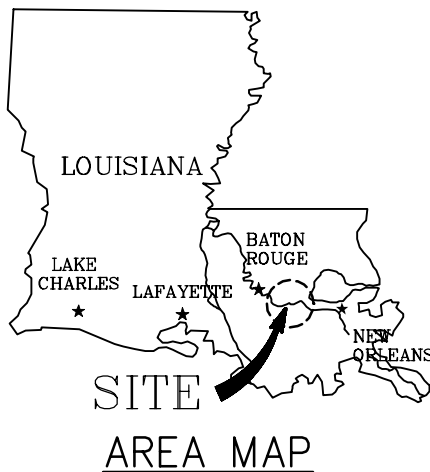
VICINITY MAP

SCALE: 1" = 1 MILE



SITE PLAN LOCATION:

LAT: 30° 00' 29.0"
LONG: 90° 49' 50.3"



NOTES:

- AS-BUILT DRAWINGS AND/OR PLATS SHALL HAVE WRITTEN ON THEM THE DATE OF COMPLETION OF SAID ACTIVITIES AND SHALL BE SUBMITTED TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, P.O. BOX 44487, BATON ROUGE, LA 70804-4487 WITHIN 30 DAYS FOLLOWING PROJECT COMPLETION.
- 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.
- STRUCTURES WILL BE MARKED/LIGHTED IN ACCORDANCE WITH U.S. COAST GUARD REGULATIONS.
- 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.

LOUISIANA NATURAL HERITAGE PROGRAM:
THE PALLID STURGEON (SCAPHIRHYCHUS ALBUS) MAY OCCUR IN WATER BODIES NEAR YOUR 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 ADVISE YOU TO 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 225-765-2820.

NO OTHER 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 1/4 MILE OF THE PROPOSED PROJECT.

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 225-765-2643.

9061-CS1



LANIER & ASSOCIATES

CONSULTING ENGINEERS
INCORPORATED

NEW ORLEANS, LA · BEAUMONT, TX

CONVENT

A.E.P. RIVER OPERATIONS

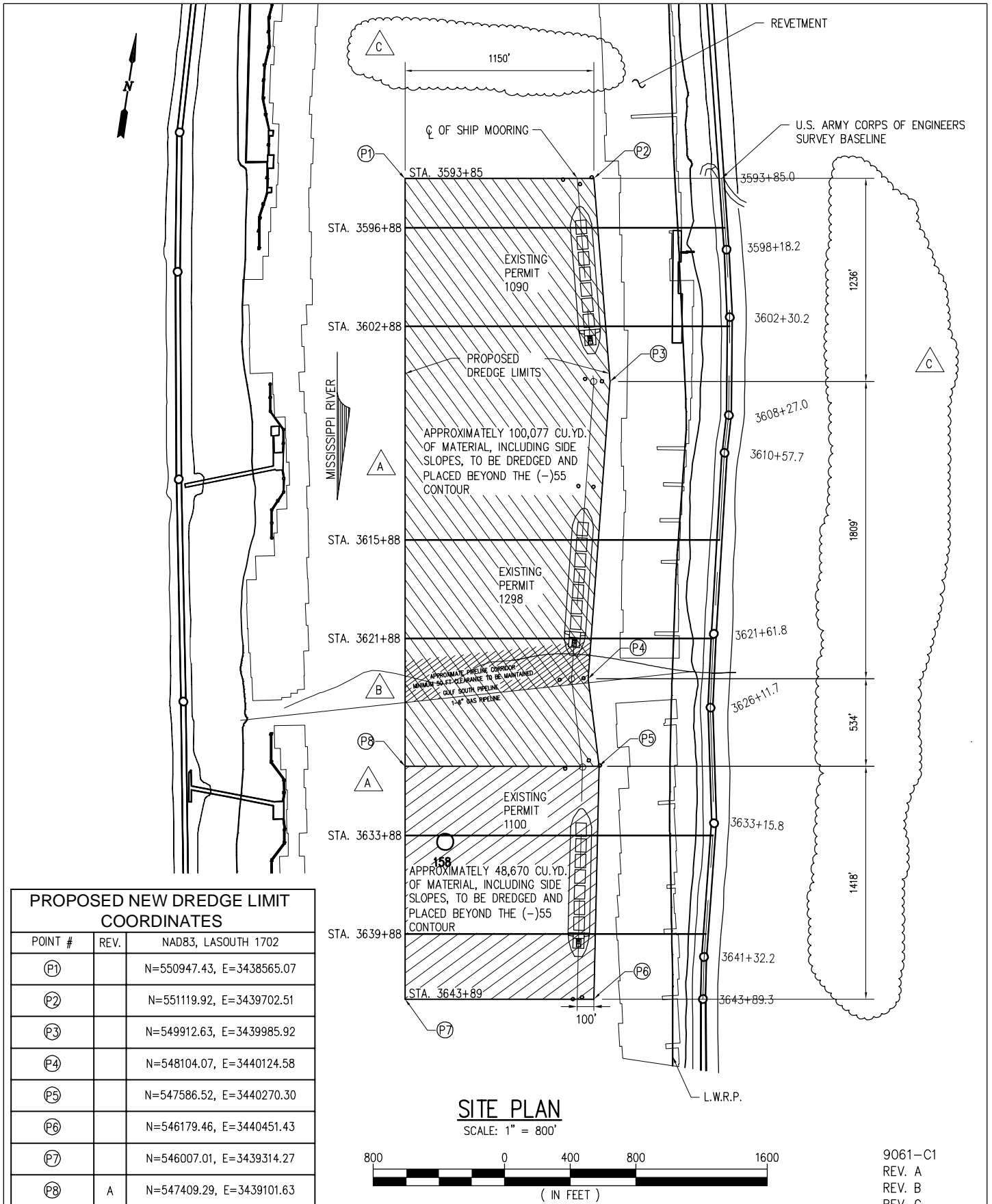
LOUISIANA

PROPOSED NEW DREDGE LIMITS

VICINITY MAP

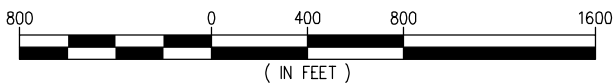
DATE	AUG. '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	

1 OF 9



PROPOSED NEW DREDGE LIMIT COORDINATES		
POINT #	REV.	NAD83, LASOUTH 1702
(P1)		N=550947.43, E=3438565.07
(P2)		N=551119.92, E=3439702.51
(P3)		N=549912.63, E=3439985.92
(P4)		N=548104.07, E=3440124.58
(P5)		N=547586.52, E=3440270.30
(P6)		N=546179.46, E=3440451.43
(P7)		N=546007.01, E=3439314.27
(P8)	A	N=547409.29, E=3439101.63

SITE PLAN
SCALE: 1" = 800'

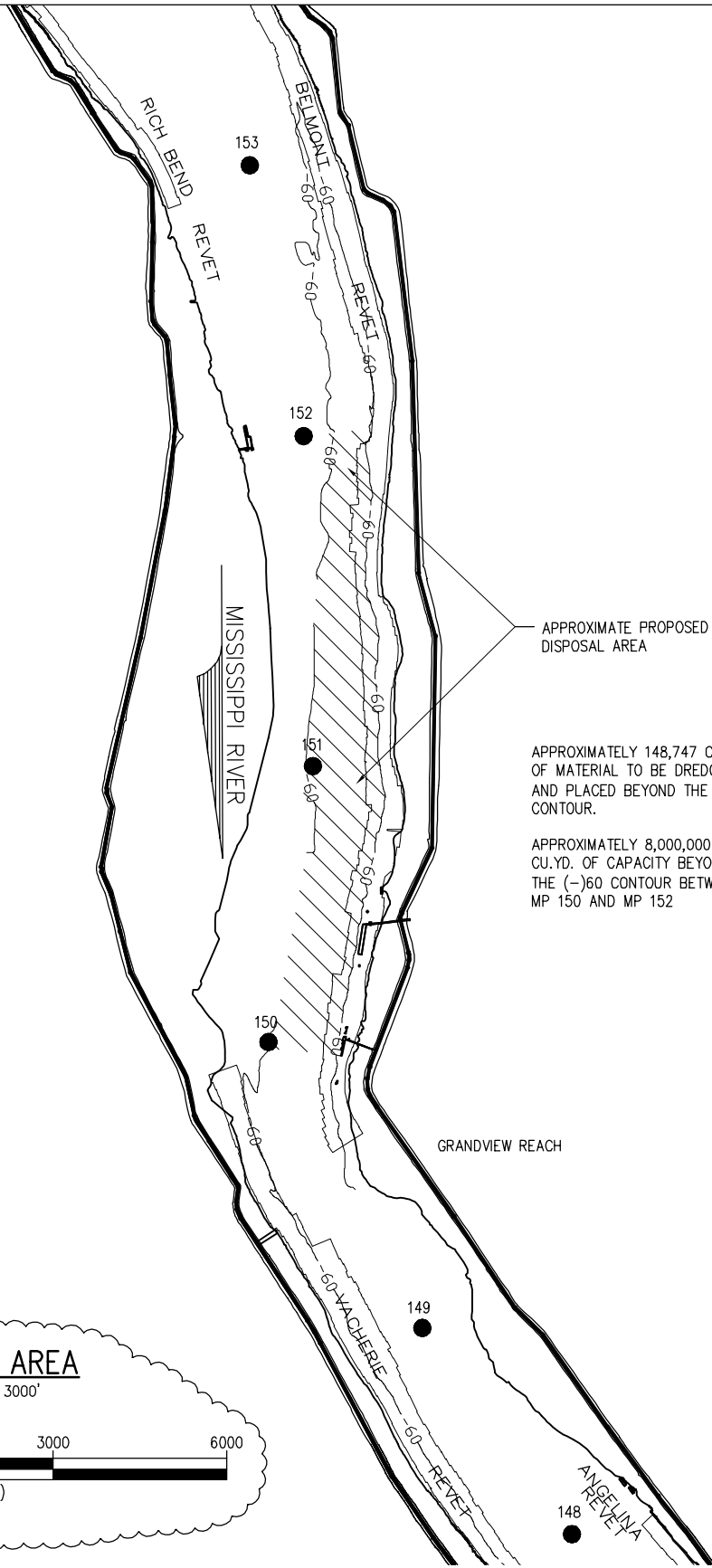
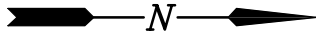


9061-C1
REV. A
REV. B
REV. C

LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

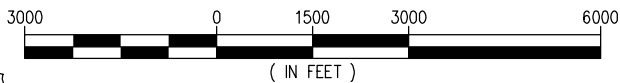
A.E.P. RIVER OPERATIONS LOUISIANA
CONVENT
PROPOSED NEW DREDGE LIMITS
SHIP MOORINGS
SITE PLAN

DATE	AUG. '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	
	2 OF 9

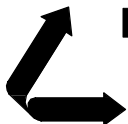


DISPOSAL AREA

SCALE: 1" = 3000'



9061-C2
REV A



LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED

NEW ORLEANS, LA · BEAUMONT, TX

CONVENT

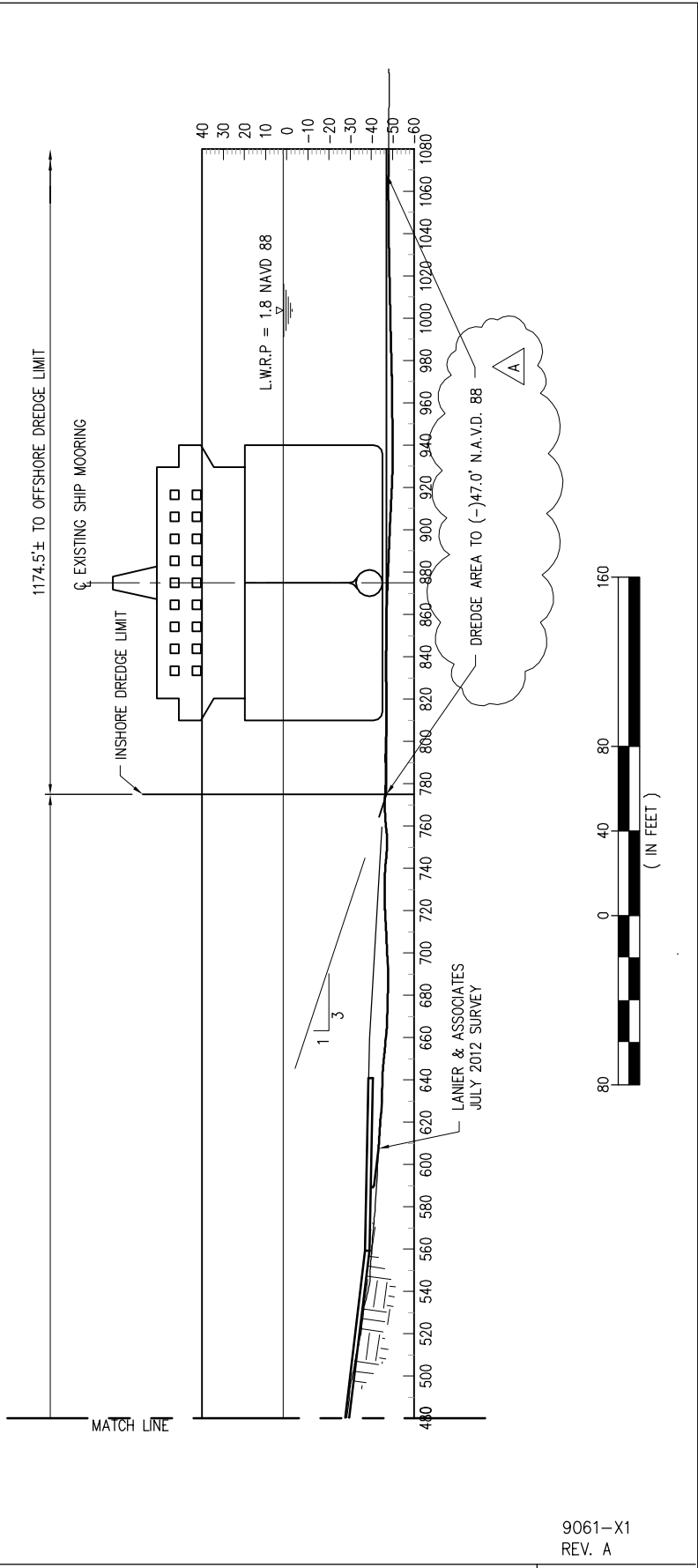
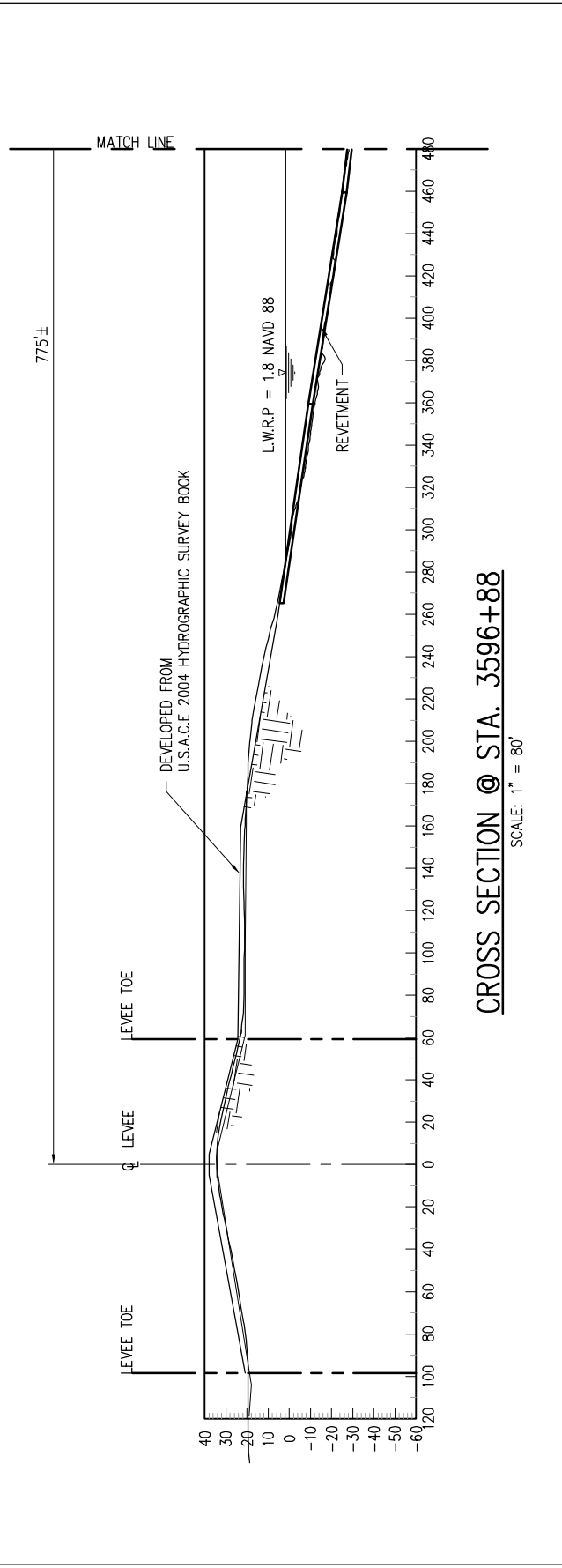
A.E.P. RIVER OPERATIONS

LOUISIANA

**PROPOSED NEW DREDGE LIMITS
DISPOSAL AREA
SITE PLAN**

DATE	AUG '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	

3 OF **9**



CROSS SECTION @ STA. 3596+88

SCALE: 1" = 80'

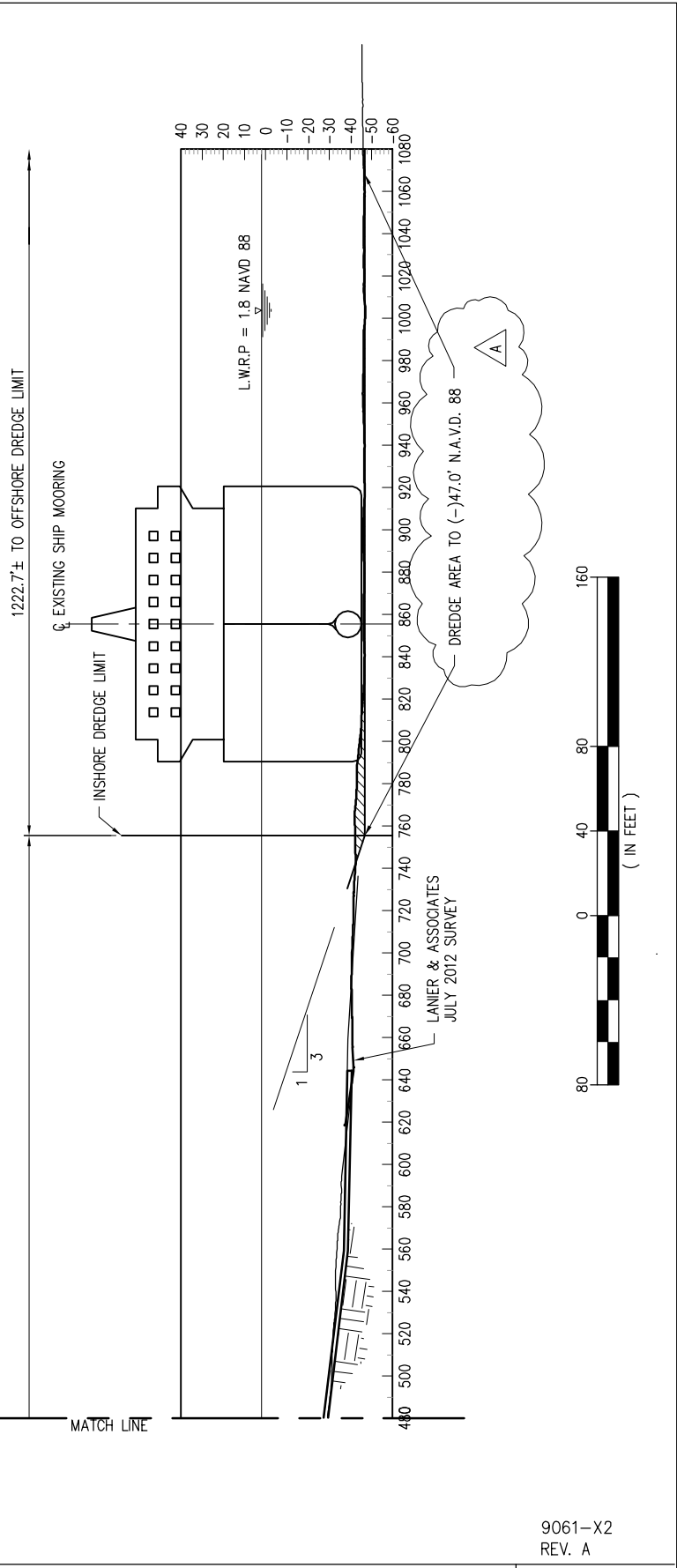
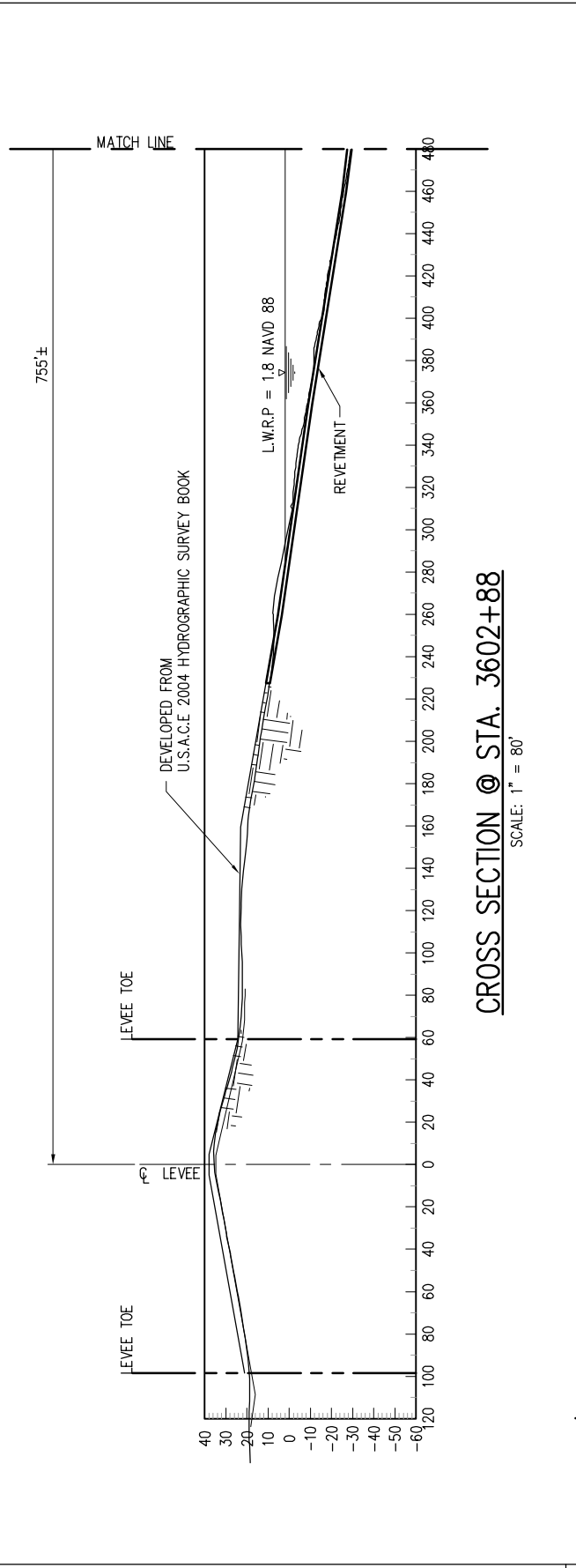
LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

A.E.P. RIVER OPERATIONS
CONVENT LOUISIANA

PROPOSED NEW DREDGE LIMITS
M.P. 158.7 SHIP MOORING
CROSS SECTION @ STA. 3596+88

9061-X1
REV. A

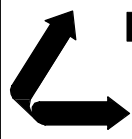
DATE	AUG. '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	
4	OF 9



CROSS SECTION @ STA. 3602+88

SCALE: 1" = 80'

9061-X2
REV. A

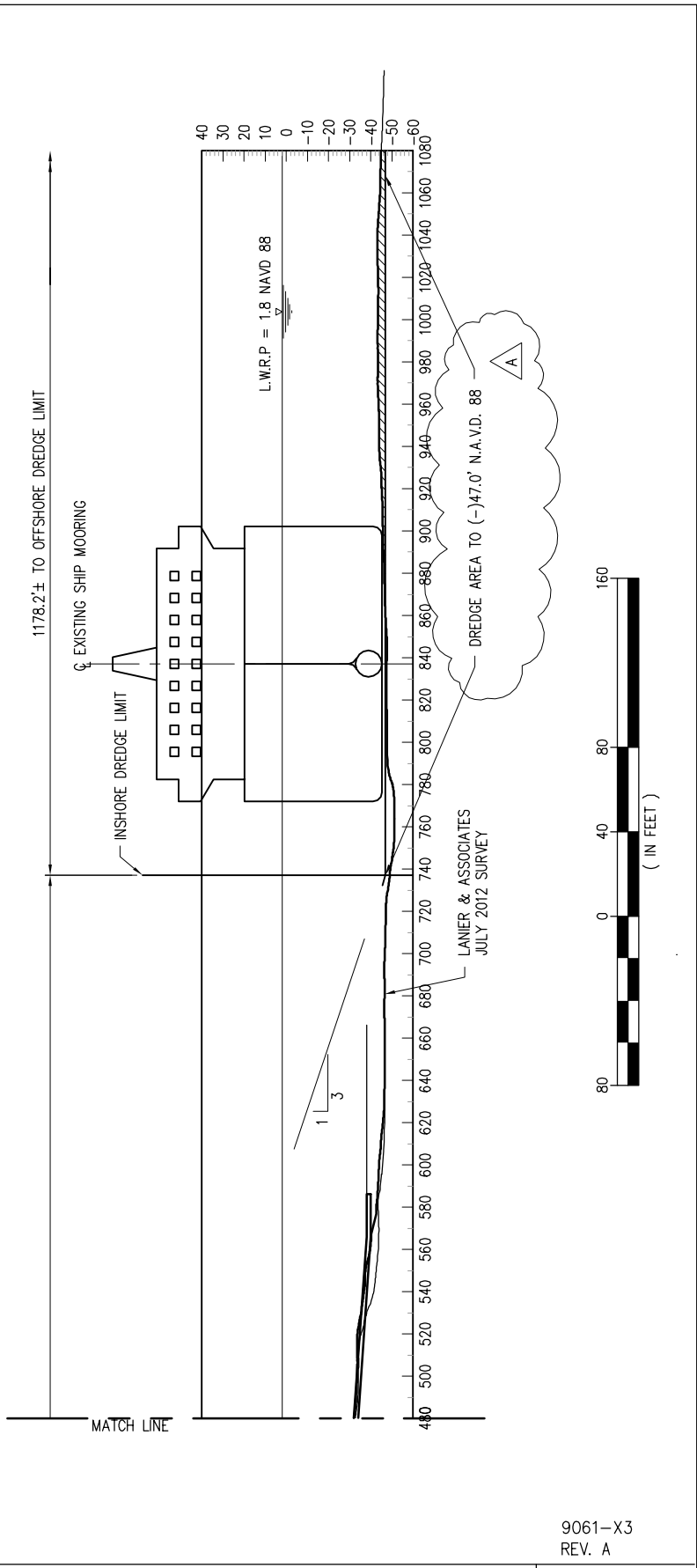
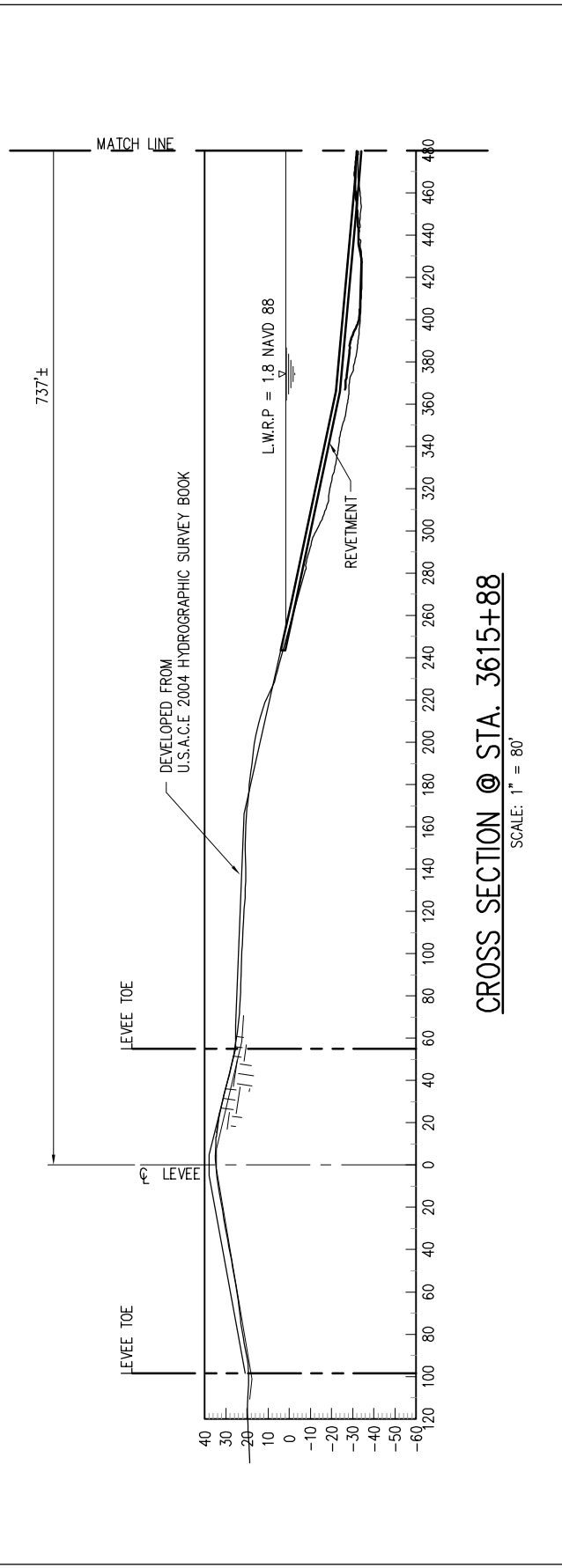


LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

A.E.P. RIVER OPERATIONS
CONVENT LOUISIANA

PROPOSED NEW DREDGE LIMITS
M.P. 158.7 SHIP MOORING
CROSS SECTION @ STA. 3602+88

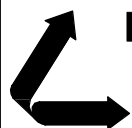
DATE	AUG. '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	
5	OF 9



CROSS SECTION @ STA. 3615+88

SCALE: 1" = 80'

9061-X3
REV. A

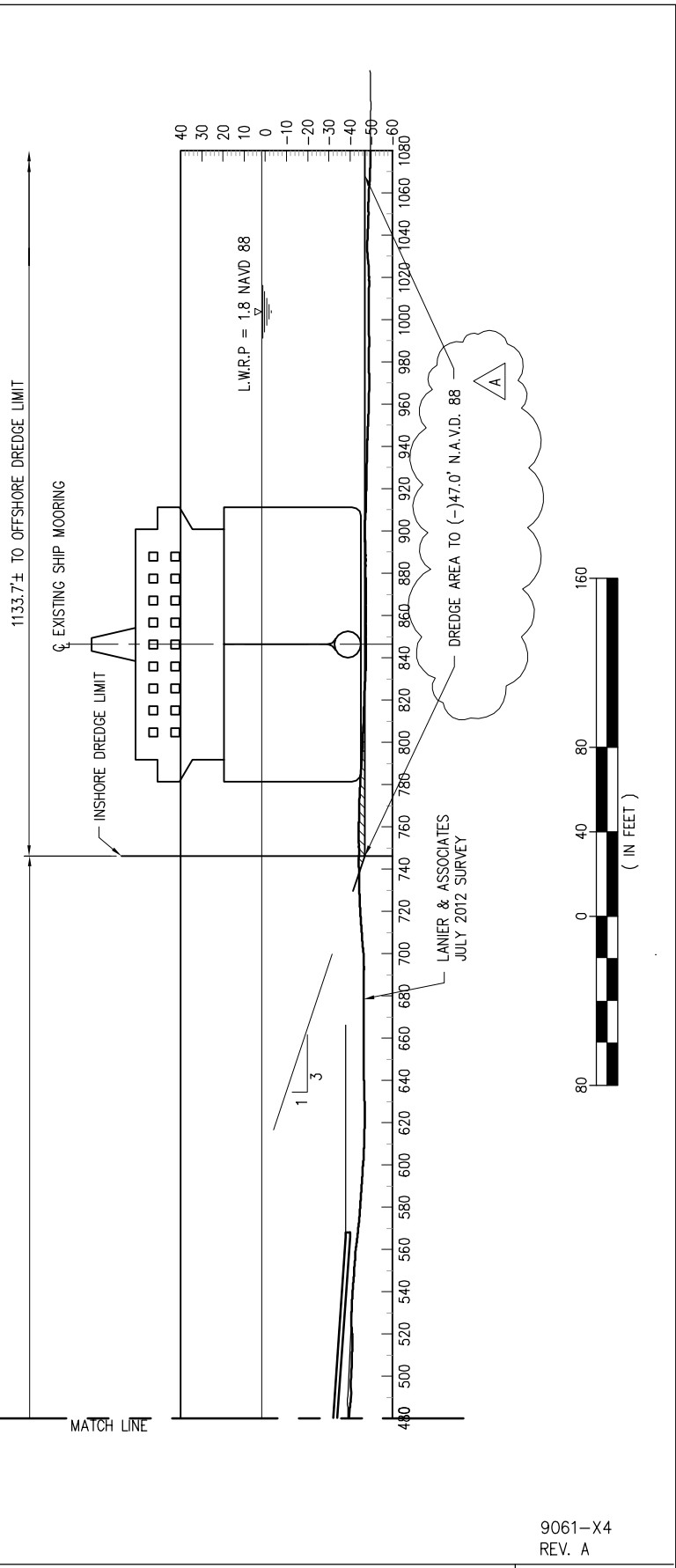
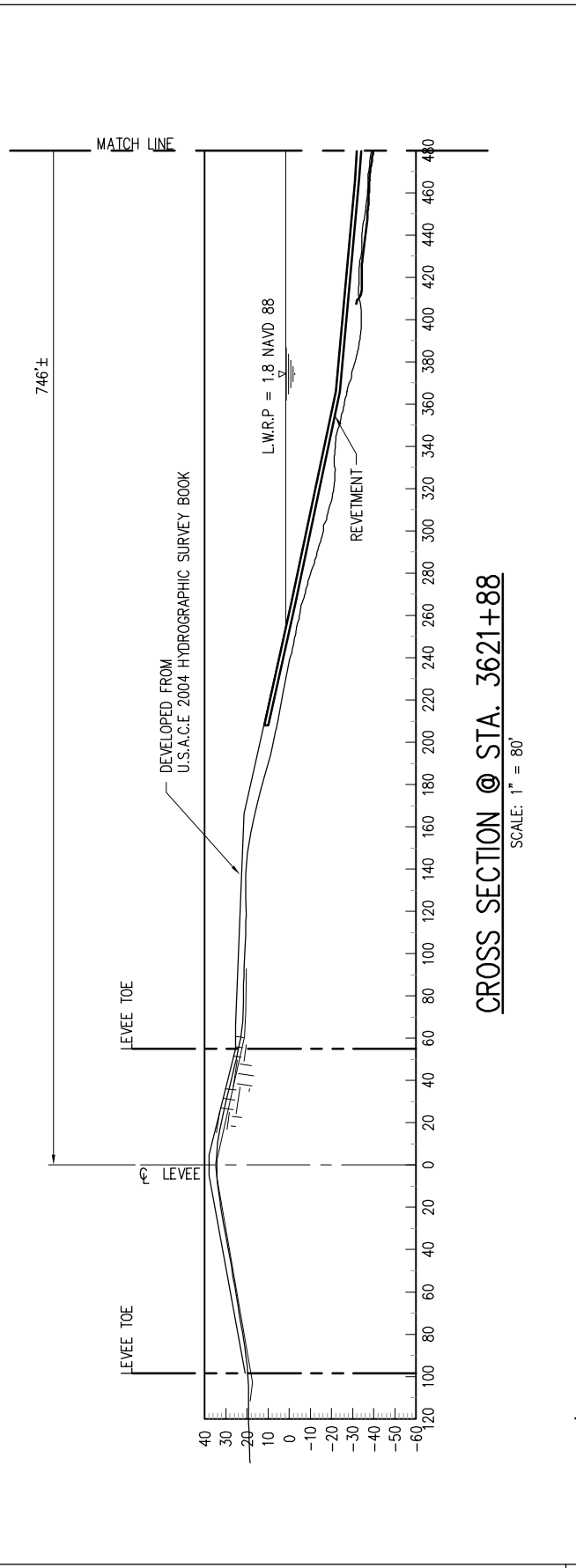


LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

A.E.P. RIVER OPERATIONS
CONVENT LOUISIANA

PROPOSED NEW DREDGE LIMITS
M.P. 158.3 SHIP MOORING
CROSS SECTION @ STA. 3615+88

DATE	AUG. '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	
6	OF 9



CROSS SECTION @ STA. 3621+88

SCALE: 1" = 80'

9061-X4
REV. A

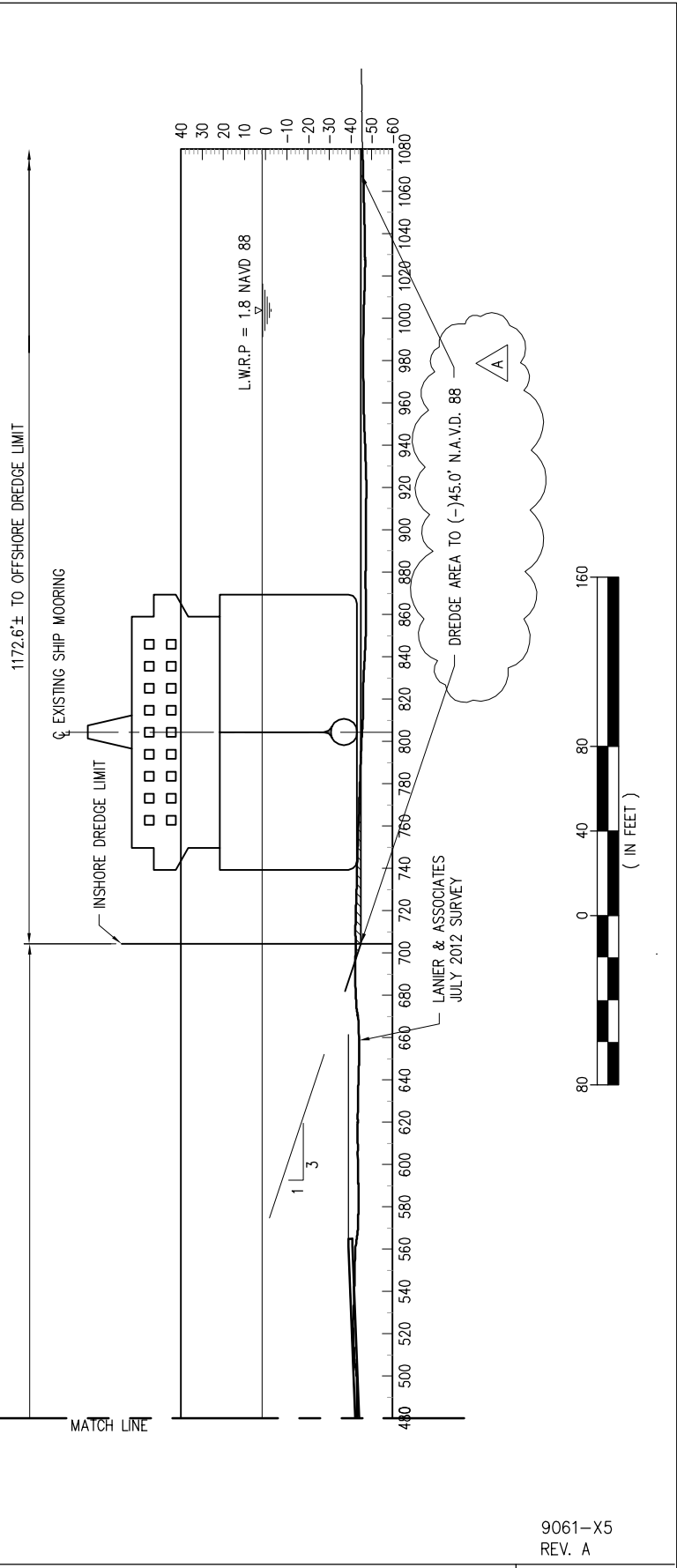
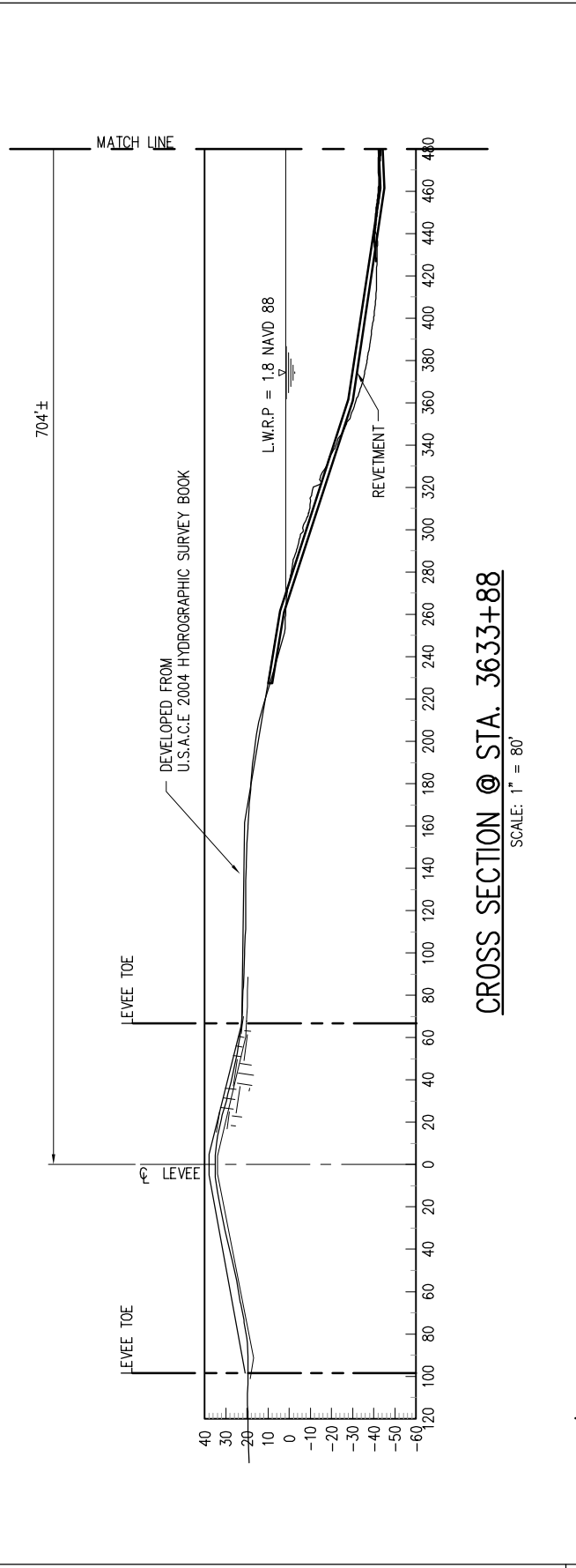


LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

A.E.P. RIVER OPERATIONS
CONVENT LOUISIANA

PROPOSED NEW DREDGE LIMITS
M.P. 158.3 SHIP MOORING
CROSS SECTION @ STA. 3621+88

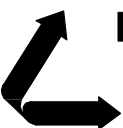
DATE	AUG. '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	
7	OF 9



CROSS SECTION @ STA. 3633+88

SCALE: 1" = 80'

9061-X5
REV. A

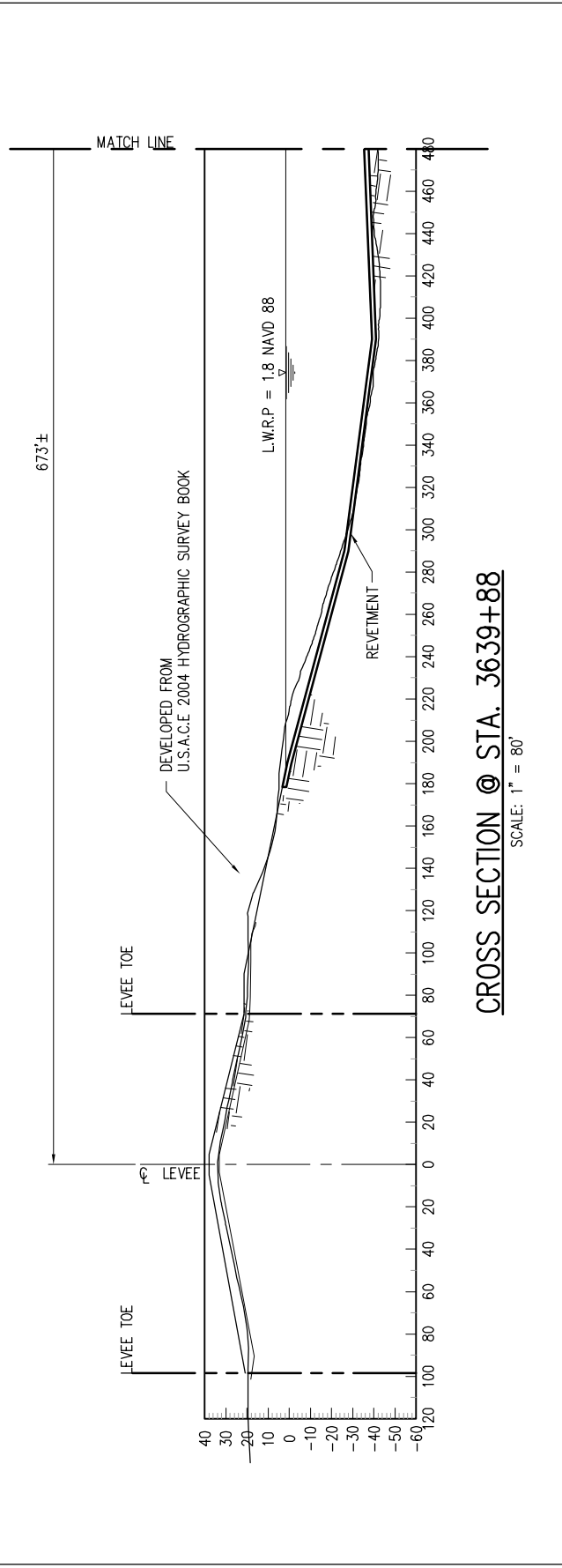


LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

A.E.P. RIVER OPERATIONS
CONVENT LOUISIANA

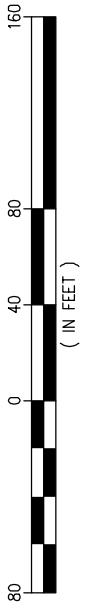
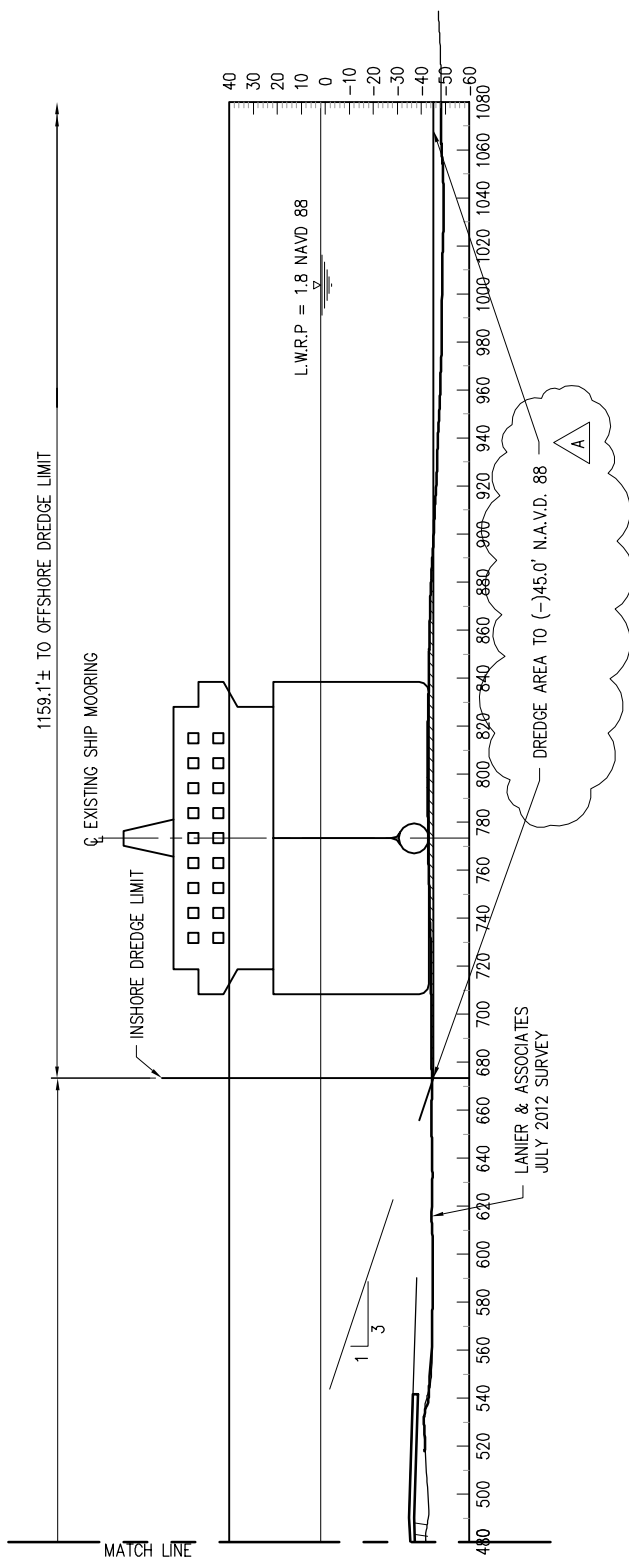
PROPOSED NEW DREDGE LIMITS
M.P. 158 SHIP MOORING
CROSS SECTION @ STA. 3633+88

DATE	AUG. '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	
8	OF 9

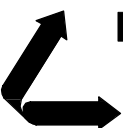


CROSS SECTION @ STA. 3639+88

SCALE: 1" = 80'



9061-X6
REV. A



LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

A.E.P. RIVER OPERATIONS
CONVENT LOUISIANA

PROPOSED NEW DREDGE LIMITS
M.P. 158 SHIP MOORING
CROSS SECTION @ STA. 3639+88

DATE	AUG. '12
DESIGN	JEL
DRAWN	TMC
CHECK	JEL
CONTRACT	9061
SHEET No.	
9	OF 9