

JOINT PUBLIC NOTICE

2 July 2018

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

(504) 862-2045
jennifer.e.burkett@usace.army.mil
Project Manager
Jennifer Burkett
Permit Application Number
MVN 2013-3042-1 EBB

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 180615-02

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).

SHIP DOCK ON MISSISSIPPI RIVER IN JEFFERSON PARISH

NAME OF APPLICANT: Blackwater Harvey, LLC c/o Lanier & Associates Engineers, Attention: Price Lanier, at 4101 Magazine Street, New Orleans, Louisiana 70115.

LOCATION OF WORK: On the right descending bank of the Mississippi River, approximately 97.9 miles above HOP, at 1805 4th Street, Harvey, in Jefferson Parish, Louisiana, as shown on the attached drawings.

Hydrologic Unit Code: 08090100; Lower Mississippi River – New Orleans
Latitude: 29.913639, Longitude: -90.079436

CHARACTER OF WORK: To install and maintain a 50' x 100' tanker loading dock for bulk liquids with hose tower, four ship breasting dolphins with connecting walkways, five anchor piles with chains and buoys for mooring lines, and a 20' elevated pipe rack with walkway to the levee which will connect to an existing tank farm facility on the protected side of the levee. The operation will protrude approximately 272 feet into the Mississippi River and require clearing of 0.03 acre of batture wetlands for the piperack as well as fill of 0.01 acres of previously-impacted non-vegetated waterbottoms for installation of 500 cubic yards of riprap around piles which penetrate the revetment. The applicant proposes to buy 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 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.

Based on the 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, it has been determined that the proposed activity is "not likely to adversely affect" the pallid sturgeon (*Scaphirhynchus albus*) listed as endangered by the U.S. Department of Interior, nor affect any habitat designated as critical to the survival and recovery of this species as it does not require dredging, water intake structures, or riverine pathway obstruction.

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 0.01 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 before a permit is issued.

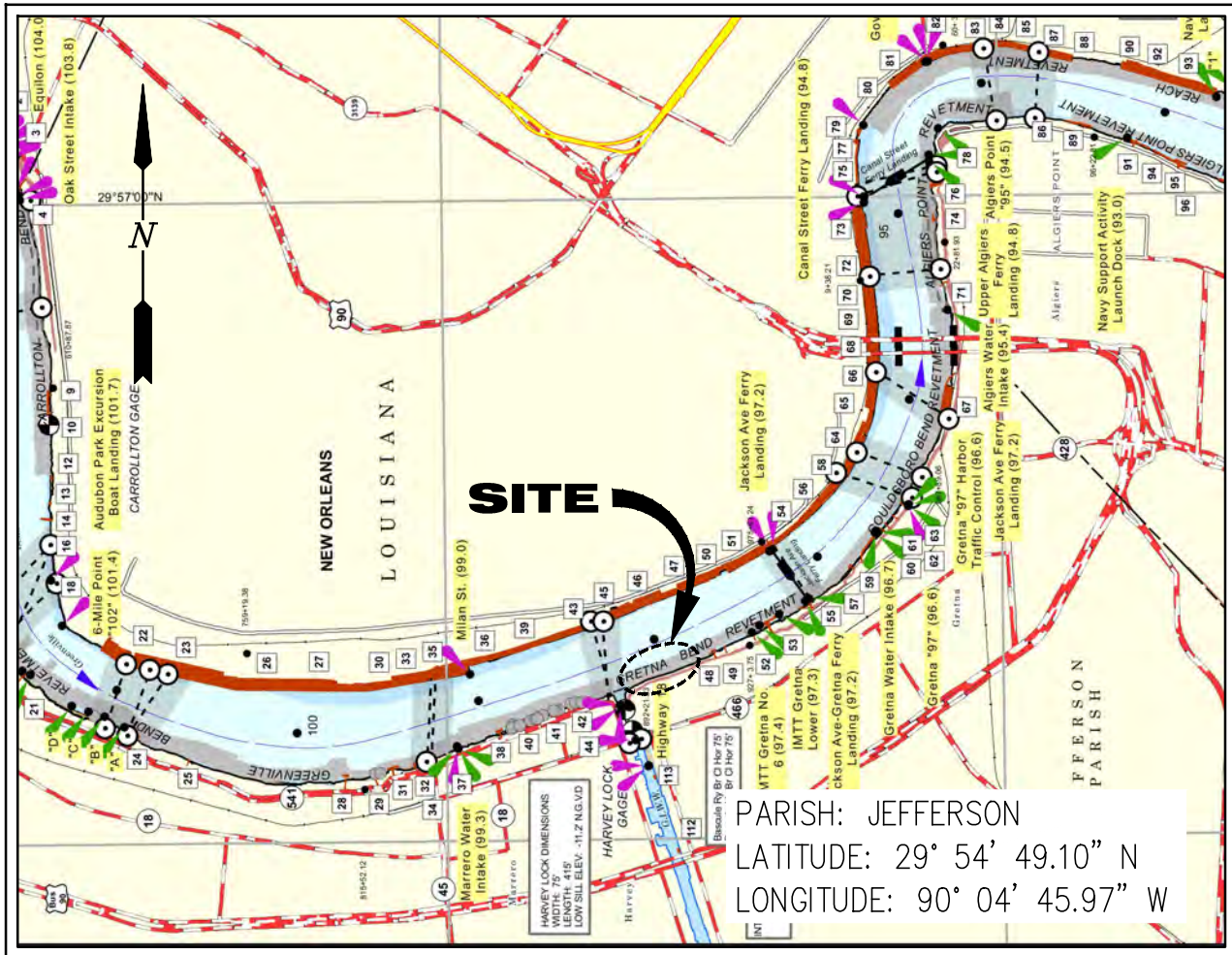
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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

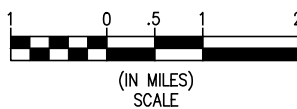
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Michael V. Farabee
Chief, Eastern Evaluation Section

Enclosures



VICINITY MAP



GENERAL 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 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.
4. 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. THE LOUISIANA NATURAL HERITAGE PROGRAM (LNHP) HAS COMPILED DATA ON RARE, ENDANGERED, OR OTHERWISE SIGNIFICANT PLANT AND ANIMAL SPECIES, PLANT COMMUNITIES, AND OTHER NATURAL FEATURES THROUGHOUT THE STATE OF LOUISIANA. 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.

10079-P1

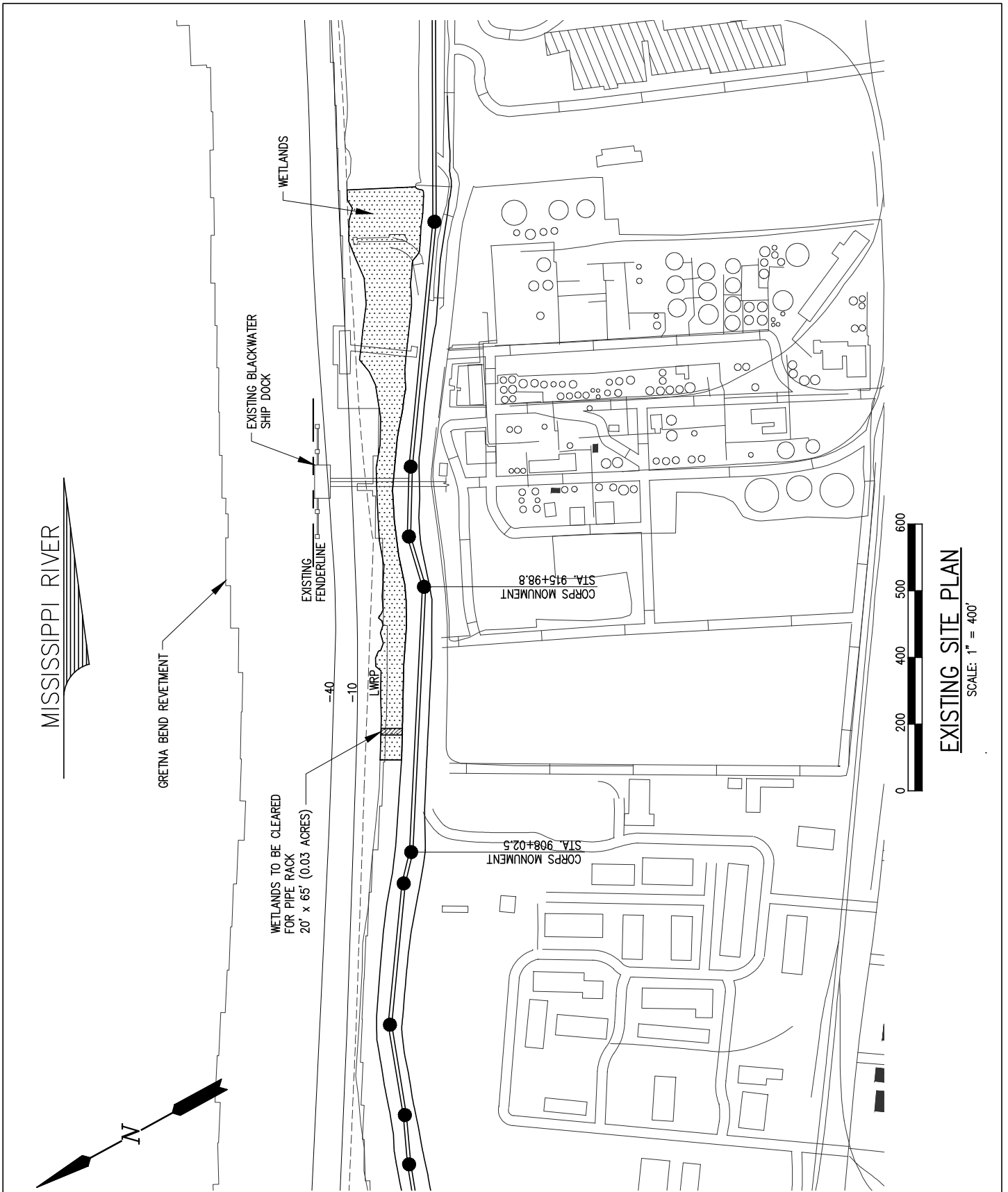
LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED

NEW ORLEANS, LA • BEAUMONT, TX

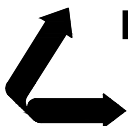
BLACKWATER HARVEY, L.L.C.
LOUISIANA

PROPOSED NEW SHIP DOCK
VICINITY MAP

DATE	MAY '16
DESIGN	NPL
DRAWN	JDM
CHECK	BNF
CONTRACT	10079
SHEET No.	1 OF 9



10079-P2



LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED

NEW ORLEANS, LA • BEAUMONT, TX

HARVEY

BLACKWATER HARVEY, L.L.C.

LOUISIANA

**PROPOSED NEW SHIP DOCK
EXISTING SITE PLAN
WETLANDS IMPACTS**

DATE APR '18
DESIGN NPL
DRAWN JDM
CHECK BNF
CONTRACT 10079
SHEET No.

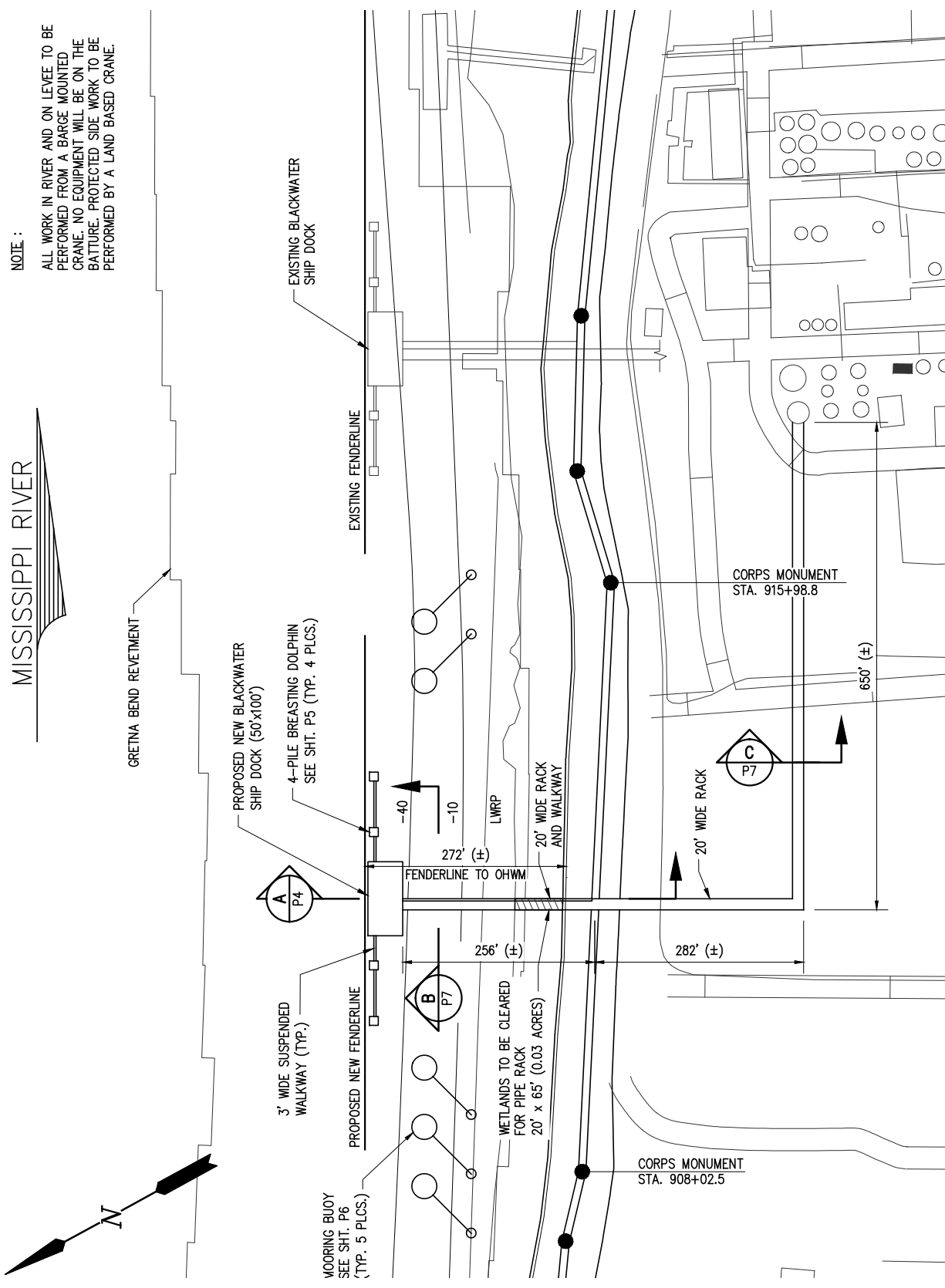
2 OF 9

NOTE :

ALL WORK IN RIVER AND ON LEVEE TO BE PERFORMED FROM A BARGE MOUNTED CRANE. NO EQUIPMENT WILL BE ON THE BATTURE. PROTECTED SIDE WORK TO BE PERFORMED BY A LAND BASED CRANE.

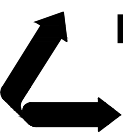
MISSISSIPPI RIVER

GREYNA BEND RETEVMENT



PROPOSED NEW SITE PLAN

SCALE: 1" = 200'



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BLACKWATER HARVEY, L.L.C.
 HARVEY LOUISIANA

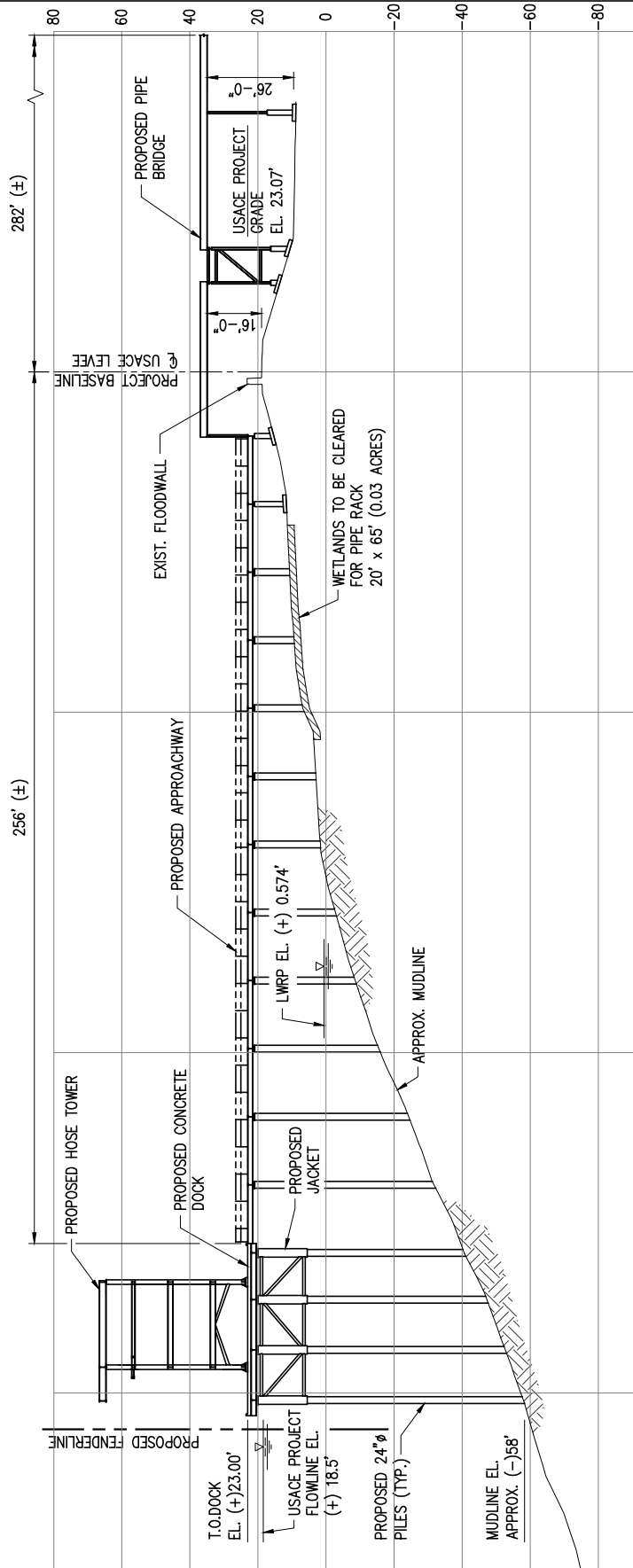
PROPOSED NEW SHIP DOCK
PROPOSED NEW SITE PLAN

10079-P3

DATE	APR '18
DESIGN	NPL
DRAWN	JDM
CHECK	BNF
CONTRACT	10079
SHEET No.	
3	OF 9

NOTE :

ALL WORK IN RIVER AND ON LEVEE TO BE PERFORMED FROM A BARGE MOUNTED CRANE. NO EQUIPMENT WILL BE ON THE BATTURE. PROTECTED SIDE WORK TO BE PERFORMED BY A LAND BASED CRANE.

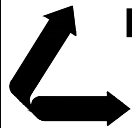


A
P3

PROPOSED NEW DOCK SECTION

SCALE: 1" = 50'

10079-P4



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HARVEY

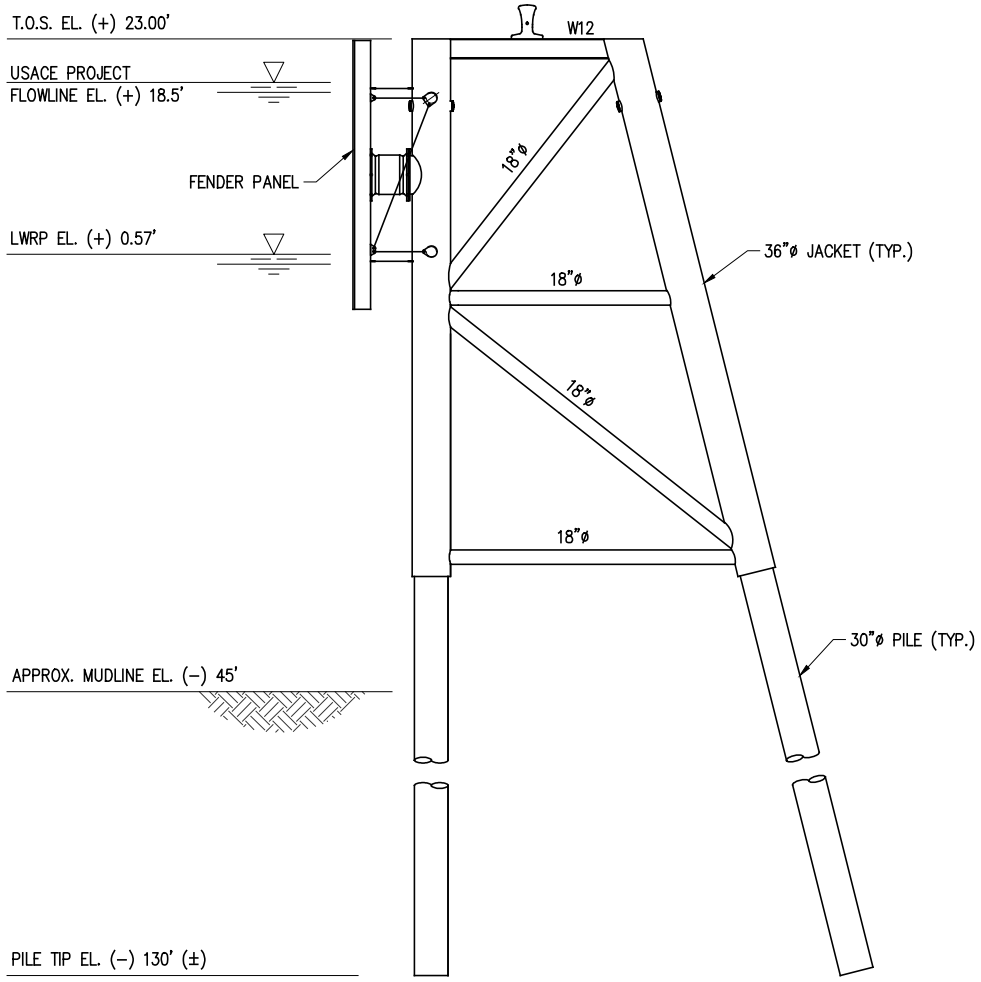
BLACKWATER HARVEY, L.L.C.

LOUISIANA

**PROPOSED NEW SHIP DOCK
PROPOSED NEW DOCK SECTION 'A'**

DATE	APR '18
DESIGN	NPL
DRAWN	JDM
CHECK	BNF
CONTRACT	10079
SHEET No.	

4 OF **9**



(LOOKING EAST/DOWNSTREAM)
PROPOSED 4-PILE DOLPHIN ELEVATION

SCALE: 1" = 20'
 REF. DWG. P3
 (4 REQUIRED)

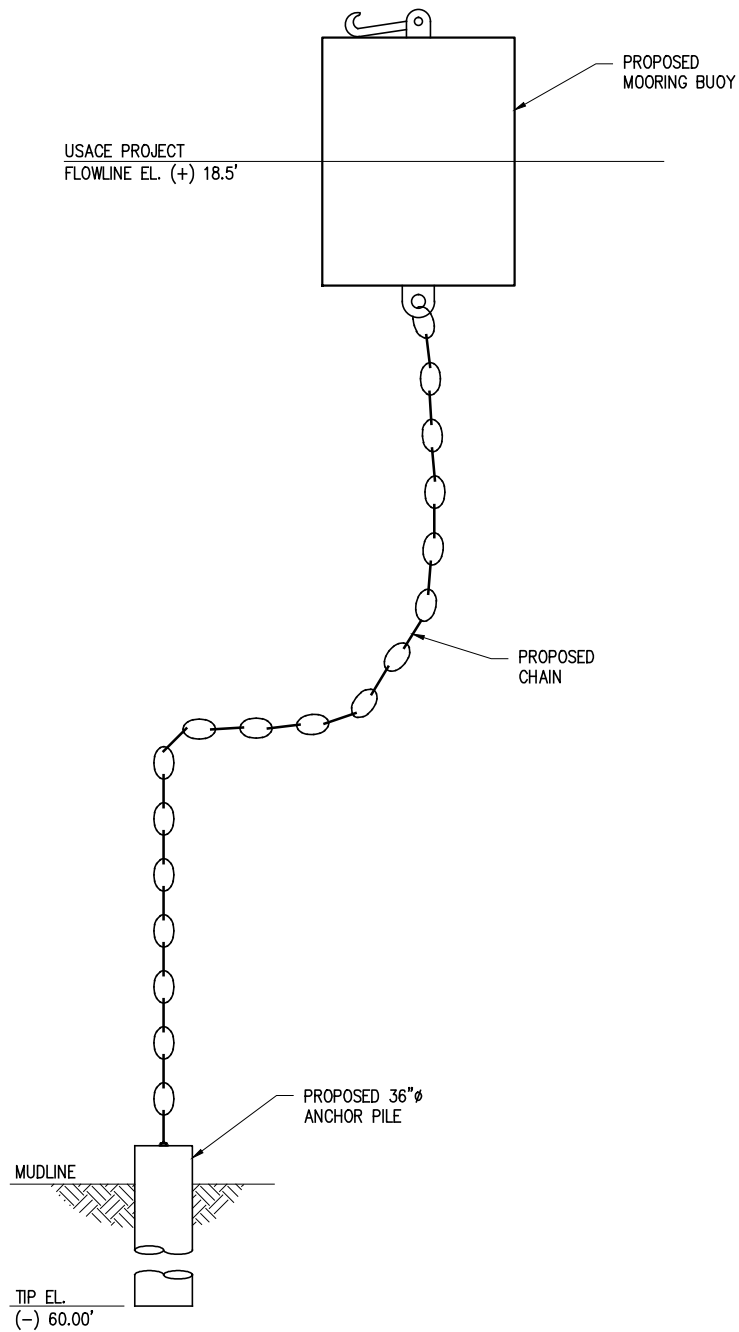
10079-P5

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BLACKWATER HARVEY, L.L.C.
 HARVEY LOUISIANA

PROPOSED NEW SHIP DOCK
PROPOSED 4-PILE DOLPHIN ELEVATION

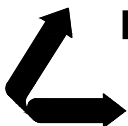
DATE	MAR '16
DESIGN	NPL
DRAWN	JDM
CHECK	BNF
CONTRACT	10079
SHEET No.	
	5 OF 9



PROPOSED MOORING BUOY SYSTEM

SCALE: 1" = 20'
REF. DWG. P3
(5 REQUIRED)

10079-P6



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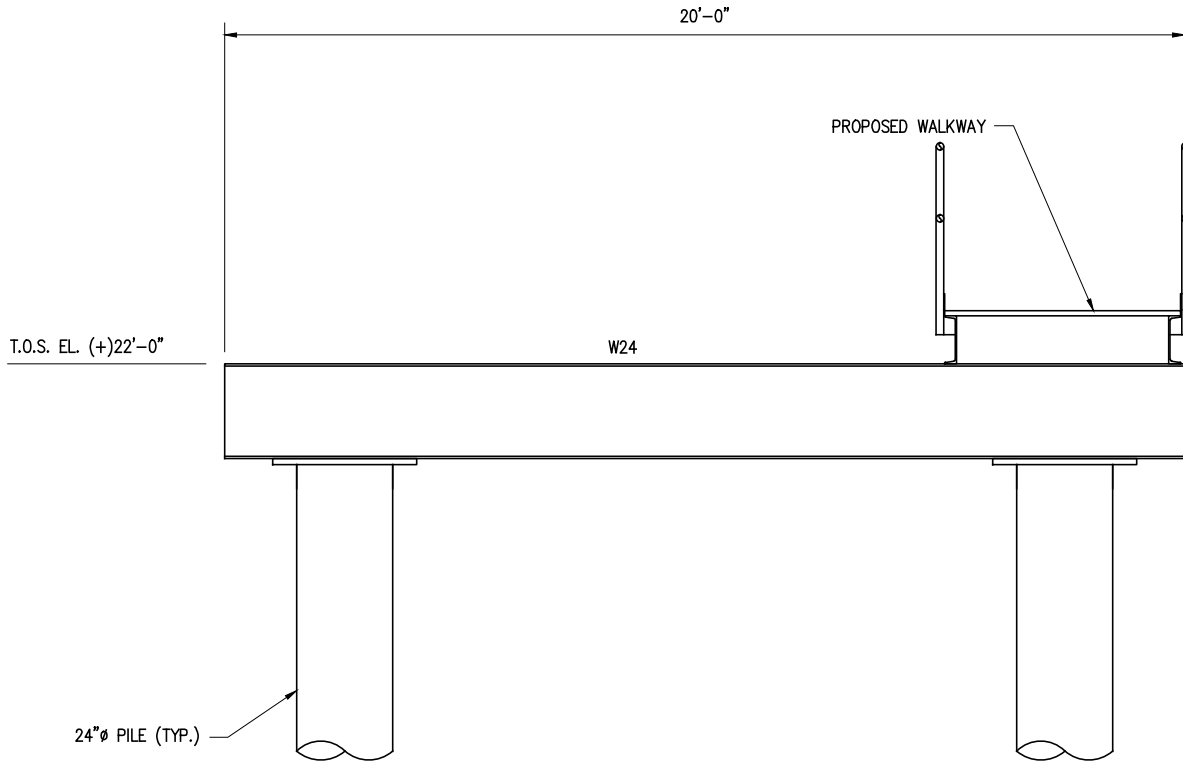
NEW ORLEANS, LA • BEAUMONT, TX

BLACKWATER HARVEY, L.L.C.
HARVEY LOUISIANA

**PROPOSED NEW SHIP DOCK
PROPOSED MOORING BUOY SYSTEM**

DATE MAR '16
DESIGN NPL
DRAWN JDM
CHECK BNF
CONTRACT 10079
SHEET No.

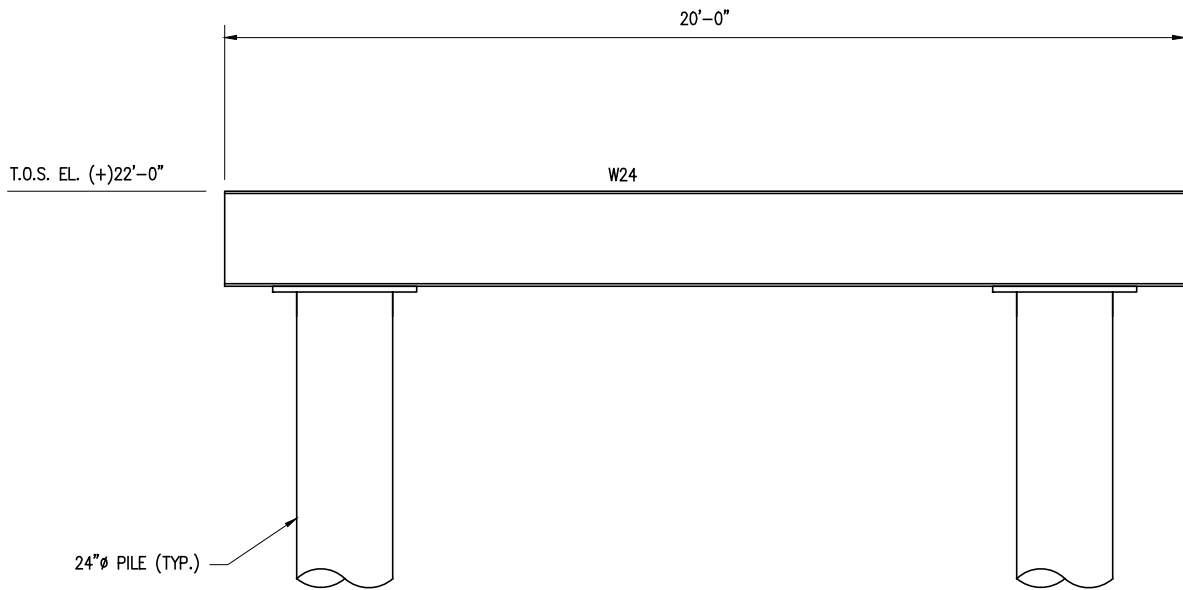
6 OF 9



TYPICAL APPROACHWAY BENT

SCALE: 1/4" = 1'-0"

B
P3

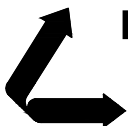


TYPICAL PIPE RACK BENT

SCALE: 1/4" = 1'-0"

C
P3

10079-P7



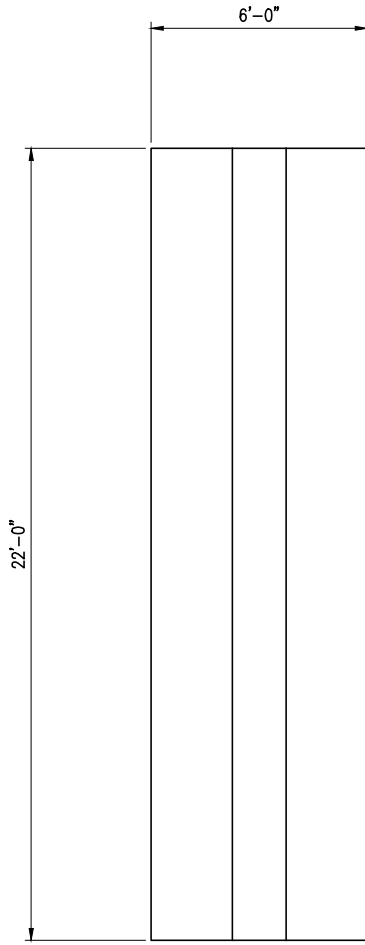
LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
TX FIRM # F-2981
NEW ORLEANS, LA • BEAUMONT, TX

BLACKWATER HARVEY, L.L.C.
HARVEY LOUISIANA

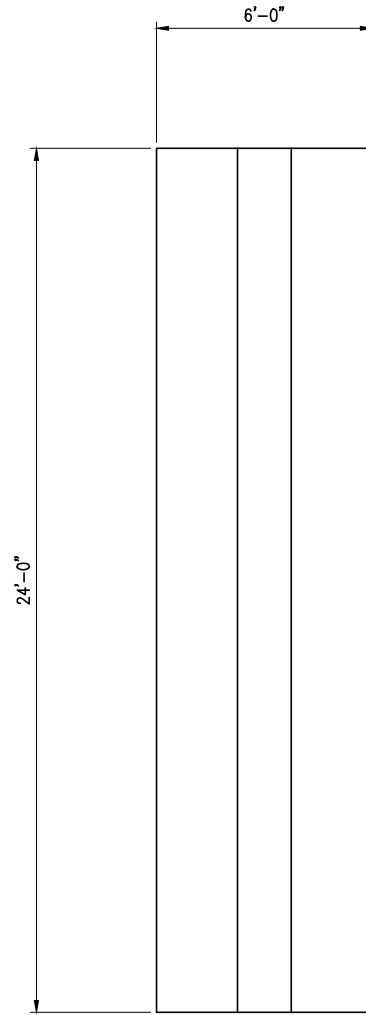
PROPOSED NEW SHIP DOCK
TYPICAL APPROACHWAY & PIPE RACK BENT

DATE MAY '16
DESIGN NPL
DRAWN JDM
CHECK BNF
CONTRACT 10079
SHEET No.

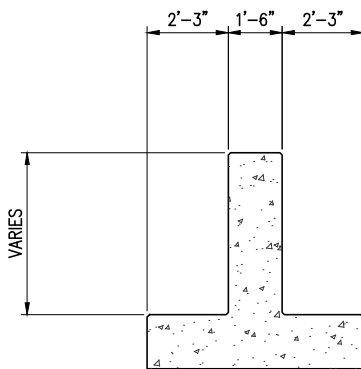
7 OF 9



PLAN



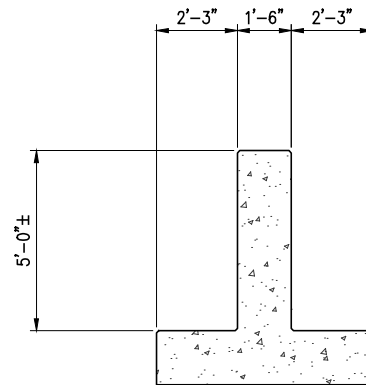
PLAN



ELEVATION

FOOTINGS #1, #2 & #3

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

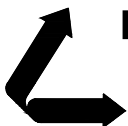


ELEVATION

FOOTINGS #4

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

10079-P8



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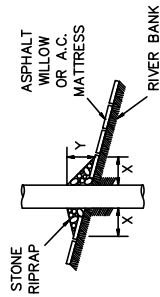
BLACKWATER HARVEY, L.L.C.
HARVEY LOUISIANA

**PROPOSED NEW SHIP DOCK
PROPOSED NEW CONCRETE FOOTINGS**

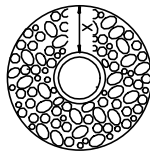
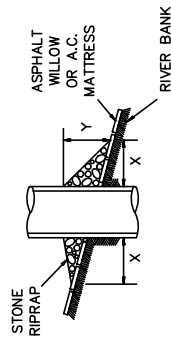
DATE MAR '16
DESIGN NPL
DRAWN JDM
CHECK BNF
CONTRACT 10079
SHEET No.

8 OF 9

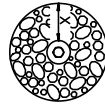
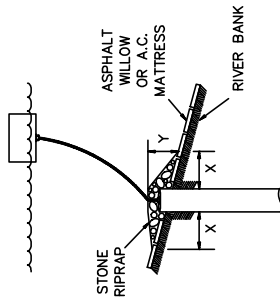
PILE



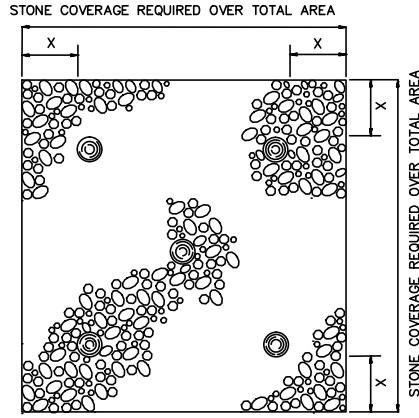
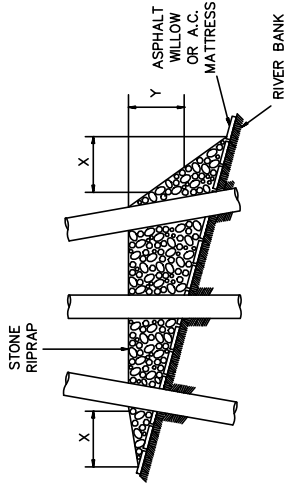
CAISSON



SPUD PILE (BUOY AND ANCHOR CHAIN)



PILE CLUSTER

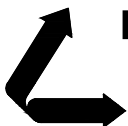


NOTES:

1. SIZE OF RIPRAP TO VARY BETWEEN 6 POUNDS AND 125 POUNDS WITH 40 PERCENT TO 60 PERCENT OF THE STONE WITHIN THE RANGE OF 25 POUNDS TO 75 POUNDS.
2. WHEN PENETRATING THE UPPER BANK PAVING IN A RETEVMENT AREA WITH PILES, CAISSONS AND/OR PILE CLUSTERS, A 10 INCH THICK RIPRAP STONE LAYER SHALL BE PLACED OVER ALL AREAS WHERE THE BANK PAVING IS DISTURBED BY DRIVING OPERATIONS.
3. WHEN USING AN ANCHOR CHAIN AND BUOY SYSTEM, THE ANCHOR CHAIN MUST BE ATTACHED AT THE TOP OF THE PILE TO MINIMIZE RETEVMENT DAMAGE.

DEPTH OF WATER IN FEET AT POINT OF PENETRATION AT TIME OF STONE PLACEMENT	DIMENSIONS IN FEET FOR PROTECTION AREA REQUIRED									
	PILE		CAISSON			SPUD PILE (BUOY AND ANCHOR CHAIN)			PILE CLUSTER	
	X	Y	X	Y	X	Y	X	Y	X	Y
1' - 10'	3	1.5	5	2					3	1
11' - 40'	5	2	8	3	7	3	6	2		
41' - 60'	8	3	12	4	12	4	10	3		

10079-P9



LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED

NEW ORLEANS, LA • BEAUMONT, TX

HARVEY

BLACKWATER HARVEY, L.L.C.

LOUISIANA

**PROPOSED NEW SHIP DOCK
RETEVMENT REPAIR PROCEDURES**

DATE MAY '16
DESIGN NPL
DRAWN JDM
CHECK BNF
CONTRACT 10079
SHEET No.

9 OF 9