



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

January 8, 2024

Regulatory Division

Eastern Evaluation Branch

Project Manager:
Scott Kennedy
(504) 862-2259
Scott.N.Kennedy@usace.army.mil

Application #: MVN 2014-01647 EMM

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/or [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344), and/or [] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

INSTALL AND MAINTAIN FOURTEEN NEW 48' MONOPILES TO MOOR AN EXISTING BARGE FLEET IN SAINT JOHN THE BAPTIST PARISH

NAME OF APPLICANT: Cargill, Inc., c/o Lanier & Associates, 4101 Magazine Street, New Orleans, Louisiana 70115.

LOCATION OF WORK: Mississippi River, right descending bank, Mile Marker 138. Section 1, Township 12 South, Range 19 East, in Edgard, Louisiana, in Saint John the Baptist Parish, as shown on the attached drawings.

Hydrologic Unit Code: 08070102: Lower Mississippi – Lake Maurepas
Latitude: 30.047625 Longitude: -90.558681

CHARACTER OF WORK: The proposed project is to modify the existing Cargill barge fleet. The proposed work will be accomplished by installing and maintaining fourteen new 48' monopiles behind the existing barge fleet in order to moor the existing fleet in place more securely. This permit, MVN 2014-01647 EBB, was previously issued in February 2015 and June 2018. It is not anticipated that there will be any additional permanent or temporary impacts to jurisdictional wetlands or Waters of the U.S.

MITIGATION: The applicant states that the proposed project has been designed to avoid and minimize direct and secondary adverse impacts to the maximum amount practicable. No permanent impacts to vegetated wetlands are expected, and no mitigation is anticipated.

The comment period for the 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 preferably emailed to the Corps of Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGE, Mr. Scott Kennedy**. The Branch Chief will review the request and the requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous to the initial comment period and, inclusive of the initial comment period, will not exceed a total of 30 calendar days. 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 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. Further, all factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project.

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.

The New Orleans District has determined that the project footprint is located in waters known to be utilized by the Pallid Sturgeon (*Scaphirhynchus albus*) and the West Indian Manatee (*Trichechus manatus*) and determined that the proposed activities are Not Likely to Adversely Affect the species 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.

Our initial finding is that the proposed work is Not Likely to Adversely Affect any species listed as endangered by the U.S. Departments of Commerce, nor affect any habitat designated as critical to the survival and recovery of such 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, alteration, and/or disturbance of **0.0 acres** of EFH utilized by various life stages of red drum and penaeid shrimp. Our initial determination is that the proposed action would have no 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, Water Quality Certifications, before a permit is issued.

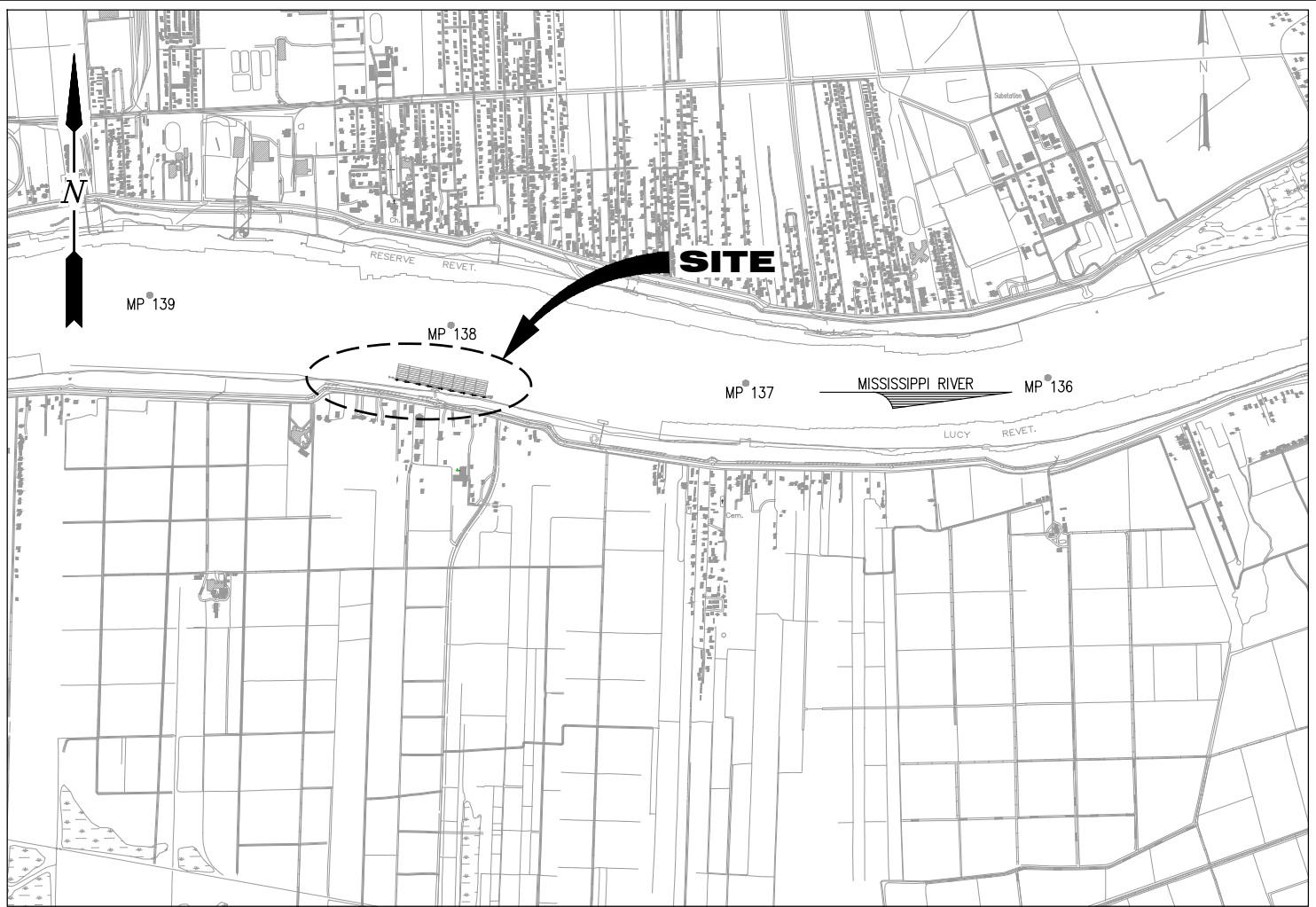
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 (Louisiana Coastal Zone Application P20230863). 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 invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

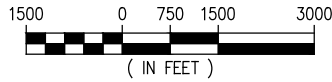
Brad P. LaBorde
Chief, Eastern Evaluation Branch
Regulatory Division

Enclosure

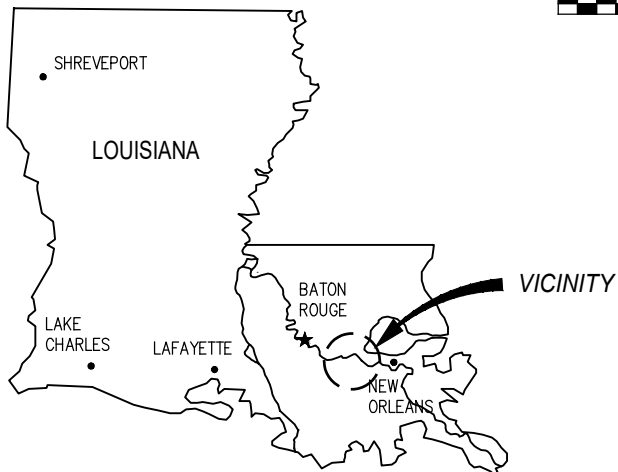


VICINITY MAP

SCALE: 1" = 3000'



ST. JOHN THE BAPTIST PARISH
LAT. 30° 02' 49"
LONG. 90° 33' 31"



AREA MAP

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VF-185 LSF-10194817

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EDGARD

CARGILL

LOUISIANA

**PROPOSED BARGE FLEET MONOPILES
VICINITY MAP & AREA MAP**

DATE MAY '23
DESIGN NPL
DRAWN ADG
CHECK JDM
JOB NO 12534
SHEET No.
1 OF 6

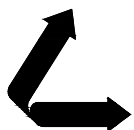
NOTES

1. 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 WILDLIFE DIVERSITY PROGRAM (WDP) REPORTS SUMMARIZE THE EXISTING INFORMATION KNOWN AT THE TIME OF THE REQUEST REGARDING THE LOCATION IN QUESTION. WDP 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 WPD TRACKED SPECIES ARE ENCOUNTERED WITHIN THE PROJECT AREA, PLEASE CONTACT OUR BIOLOGIST AT 225-763-3554.
2. 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.
3. 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.
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 ELEVATIONS REFER TO NAVD 88 UNLESS NOTED OTHERWISE.

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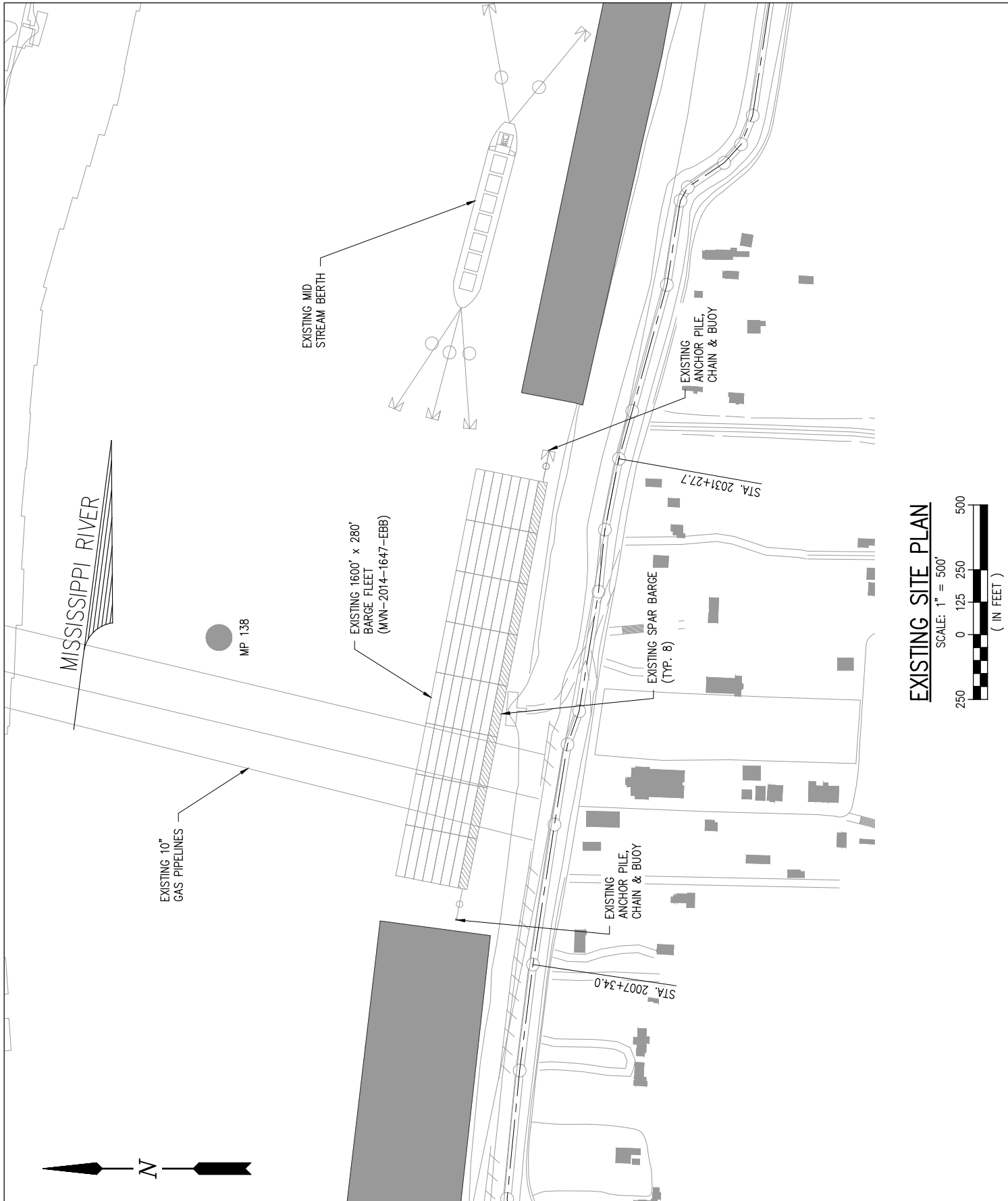
EDGARD

CARGILL

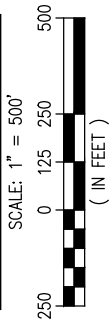
LOUISIANA

PROPOSED BARGE FLEET MONOPILES
NOTES

DATE MAY '23
DESIGN NPL
DRAWN ADG
CHECK JDM
JOB NO 12534
SHEET No.
2 OF **6**



EXISTING SITE PLAN



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PROPOSED BARGE FLEET MONOPILES
EXISTING SITE PLAN

DATE MAY '23

DESIGN NPL

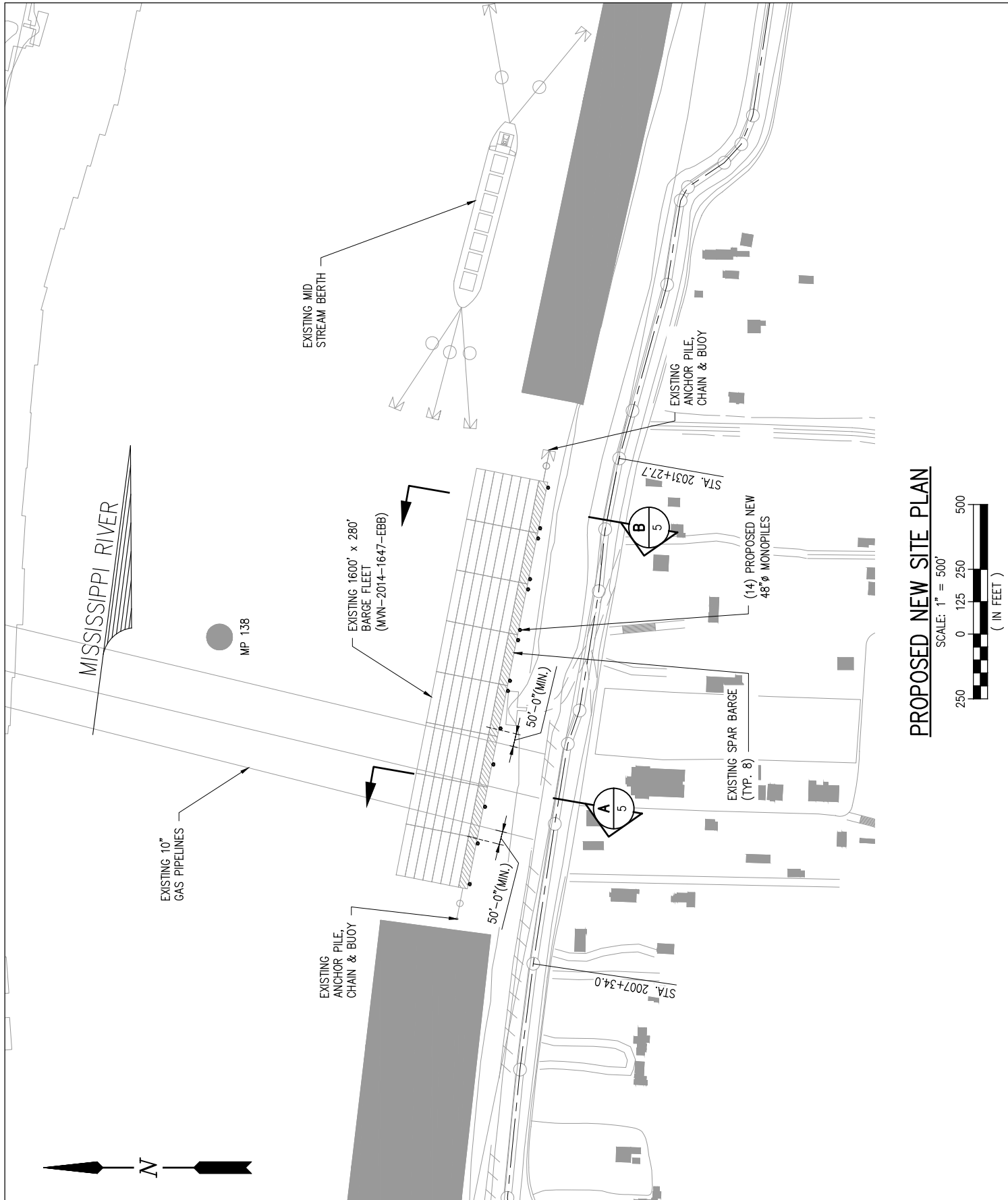
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3 OF 6



PROPOSED NEW SITE PLAN

SCALE: 1" = 500'



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PROPOSED BARGE FLEET MONOPILES
PROPOSED NEW SITE PLAN

DATE APR. '23

DESIGN NPL

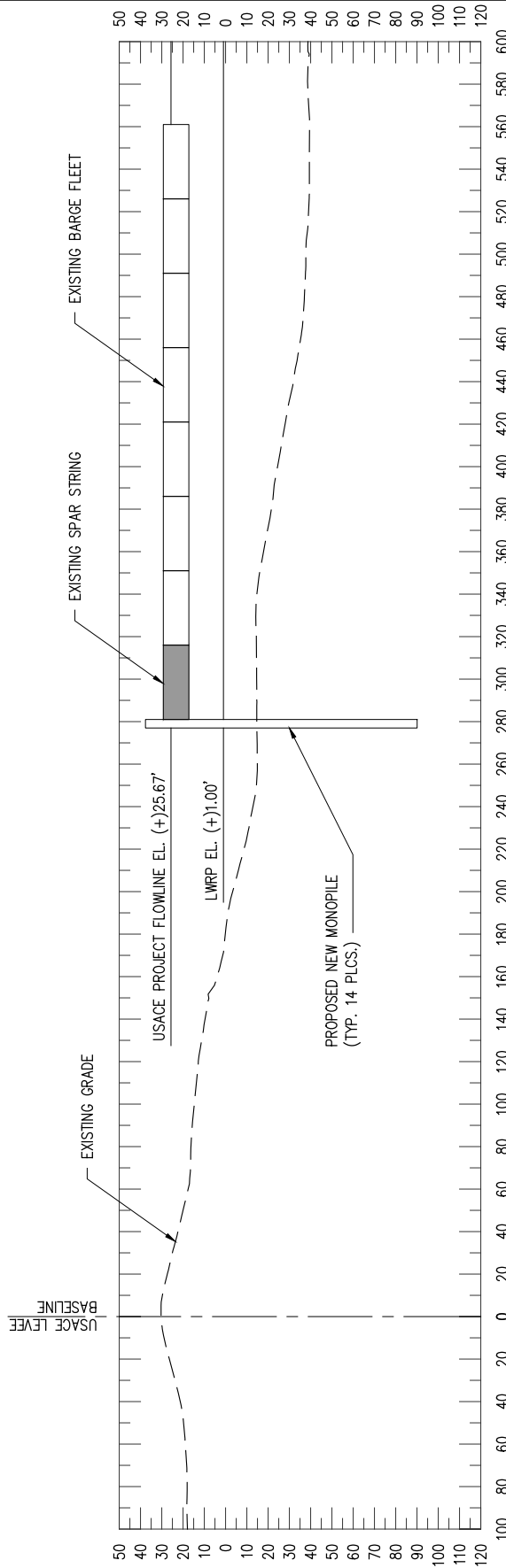
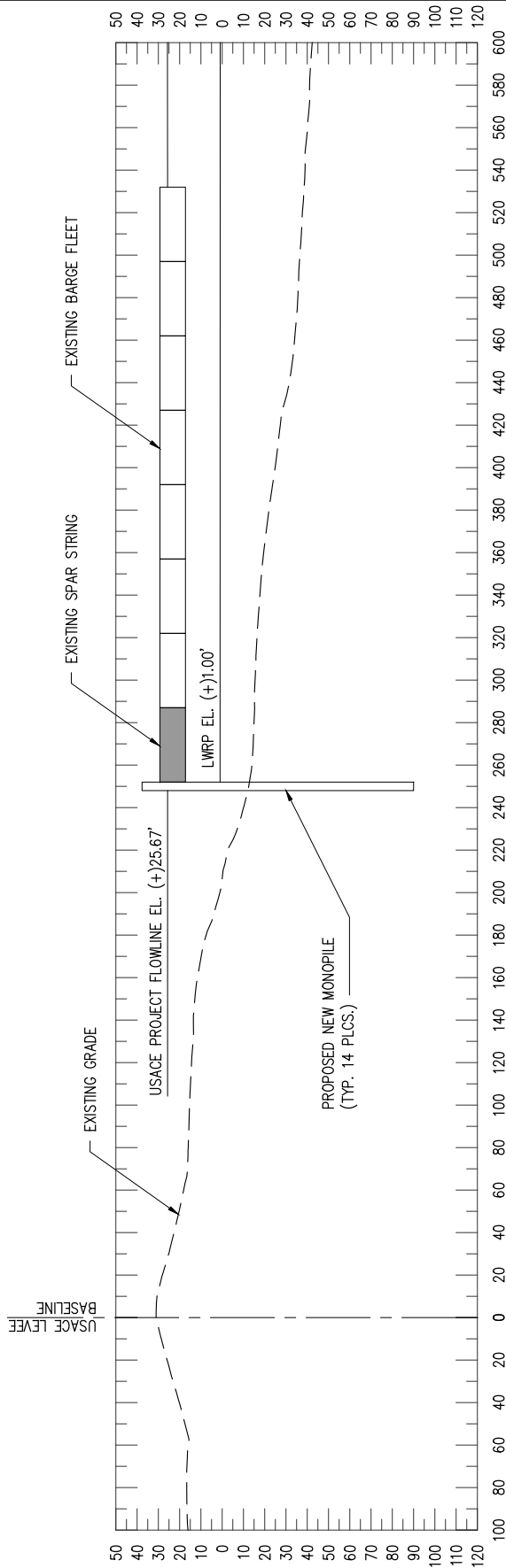
DRAWN ADG

CHECK JDM

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4 OF 6



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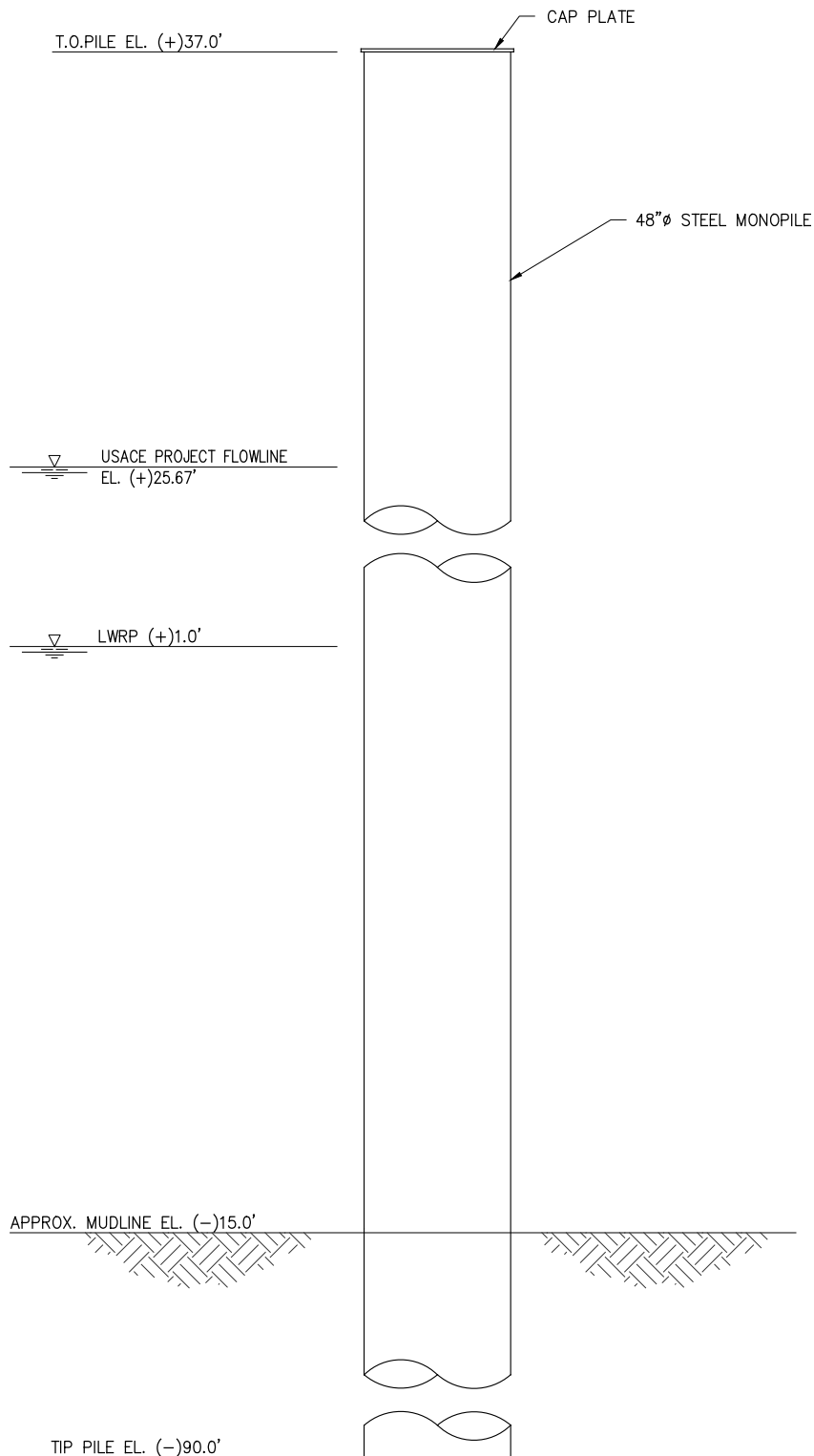
EDGARD

CARGILL

LOUISIANA

**PROPOSED BARGE FLEET MONOPILES
CROSS SECTIONS**

DATE APR. '23
DESIGN NPL
DRAWN ADG
CHECK JDM
JOB NO 12534
SHEET No.
5 OF 6



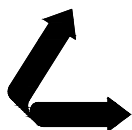
BARGE MONOPILE ELEVATION

SCALE: 1" = 5'-0"
(REFERENCE SHEET 4)

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PROPOSED BARGE FLEET MONOPILES
BARGE MONOPILE ELEVATION

DATE MAY '23

DESIGN NPL

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CHECK JDM

JOB NO 12534

SHEET No.

6 OF **6**