

# JOINT PUBLIC NOTICE

16 April 2018

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  
ATTN: Water Quality Certifications  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(504) 862-2045  
[jennifer.e.burkett@usace.army.mil](mailto:jennifer.e.burkett@usace.army.mil)  
Project Manager  
Jennifer Burkett  
Permit Application Number  
MVN 2014-0511 EBB

(225) 219-3225  
Project Manager  
Elizabeth Hill  
WQC Application Number  
WQC 140516-01

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: [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).

## **MIDSTREAM MOORING AND BARGE FLEETING ON MISSISSIPPI RIVER IN PLAQUEMINES PARISH**

**NAME OF APPLICANT:** Cooper/Consolidated 111, LLC c/o Lanier & Associates at 4101 Magazine Street, New Orleans, Louisiana 70115.

**LOCATION OF WORK:** On the right descending bank of the Mississippi River, approximately 71 miles above Head of Passes, in Belle Chasse, Plaquemines Parish, Louisiana, as shown on the attached drawings.

**HUC:** 08090100; Lower Mississippi River – New Orleans

**CHARACTER OF WORK:** To install and maintain midstream mooring of a capesize vessel and fleeting of two five-wide and six eight-wide tiers of barges, requiring fill of 0.03 acre of non-vegetated water bottom for riprap around pilings which penetrate the revetment. The project will protrude approximately 875 feet into the Mississippi River, which is approximately 2700 feet wide at this location. This is a time extension to a permit previously issued 2 June 2015. There are no changes to the project. No adverse impacts to special aquatic sites are proposed; no compensatory mitigation is anticipated at this time.

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 neither affect any species, nor habitat designated as critical to the recovery of any species, listed as endangered by the U.S. Department of Commerce.

The New Orleans District has determined that the 0.03 acre fill footprint is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*) and concluded the activity is not likely to adversely affect this species 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..

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/A acre 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.

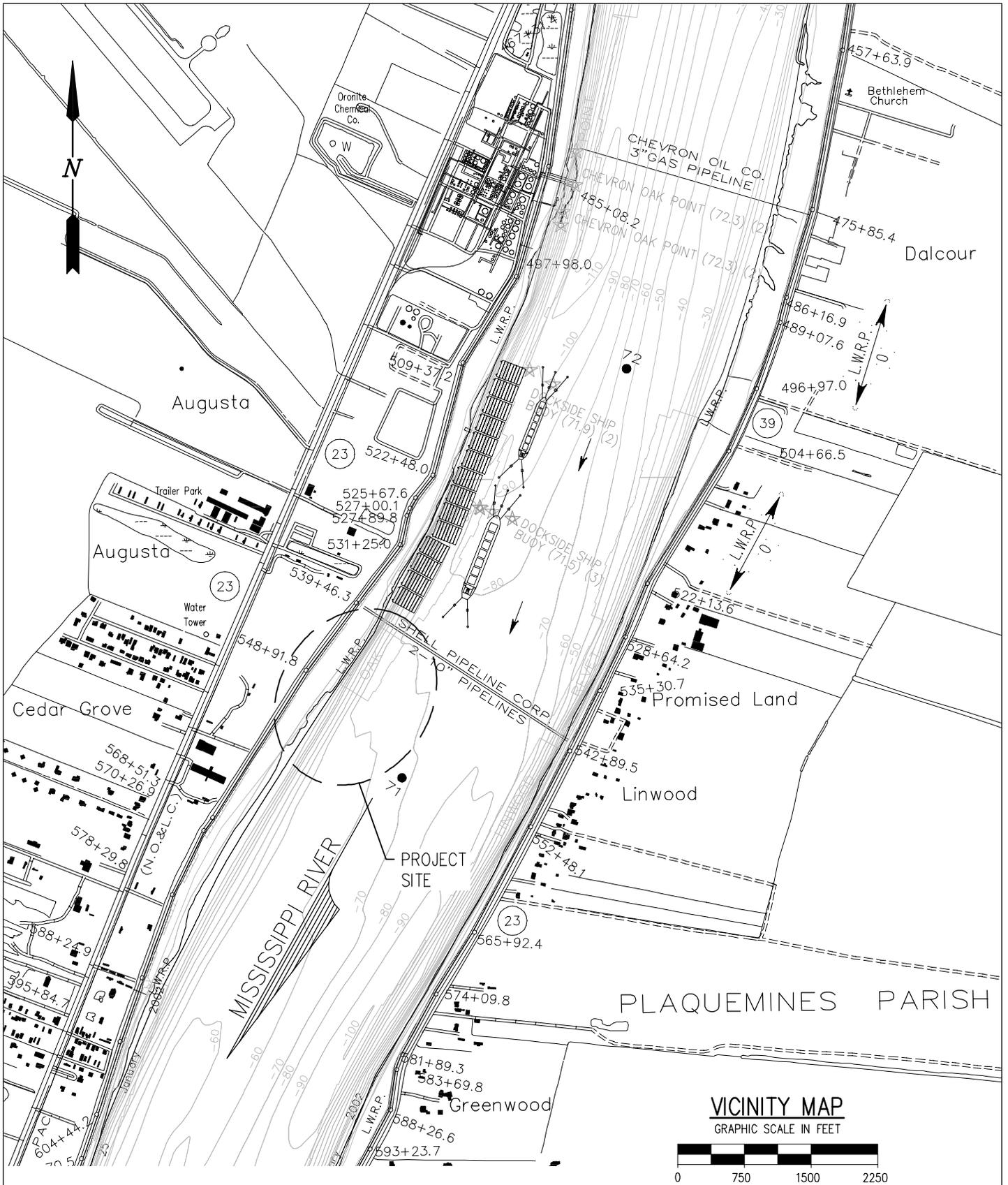
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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





LAT: 29°47'34.72"  
 LONG: 90°00'54.04"

9161-W-P1

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

**COOPER/CONSOLIDATED 111, LLC**  
 BELLE CHASSE LOUISIANA

**MILEPOINT 71**  
**PROPOSED NEW WEST BANK FLEETING**  
**VICINITY MAP**

DATE SEPT. 2013  
 DESIGN JDA  
 DRAWN DMH  
 CHECK JEJ  
 CONTRACT 9161  
 SHEET No.  
**1 OF 3**

MISSISSIPPI RIVER

M.P. 71

PROPOSED SHIP MIDSTREAM MOORING

CEDAR GROVE ANCHORAGE

42" Ø BARGE FLEETING PILE (TYP.)

PROPOSED 195'x35' BARGES  
8 WIDE (TYP. 6 PLCS.)  
5 WIDE (TYP. 2 PLCS.)

548+91.8

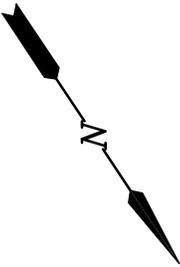
20'-0" CLR. (TYP.)

155'-0" (TYP.)

OAK POINT REVETMENT

(2) 10" PIPELINES (VERIFY LOCATION)

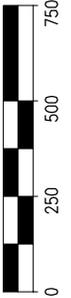
PREVIOUSLY PERMITTED SHIP MIDSTREAM MOORINGS  
MVN 2009-1804-EII (CORPS)  
P20111452 (STATE)



LAT: 29°47'34.72"  
LONG: 90°00'54.04"

**SITE PLAN**

GRAPHIC SCALE IN FEET



9161-W-P2



**LANIER & ASSOCIATES**

CONSULTING ENGINEERS  
INCORPORATED

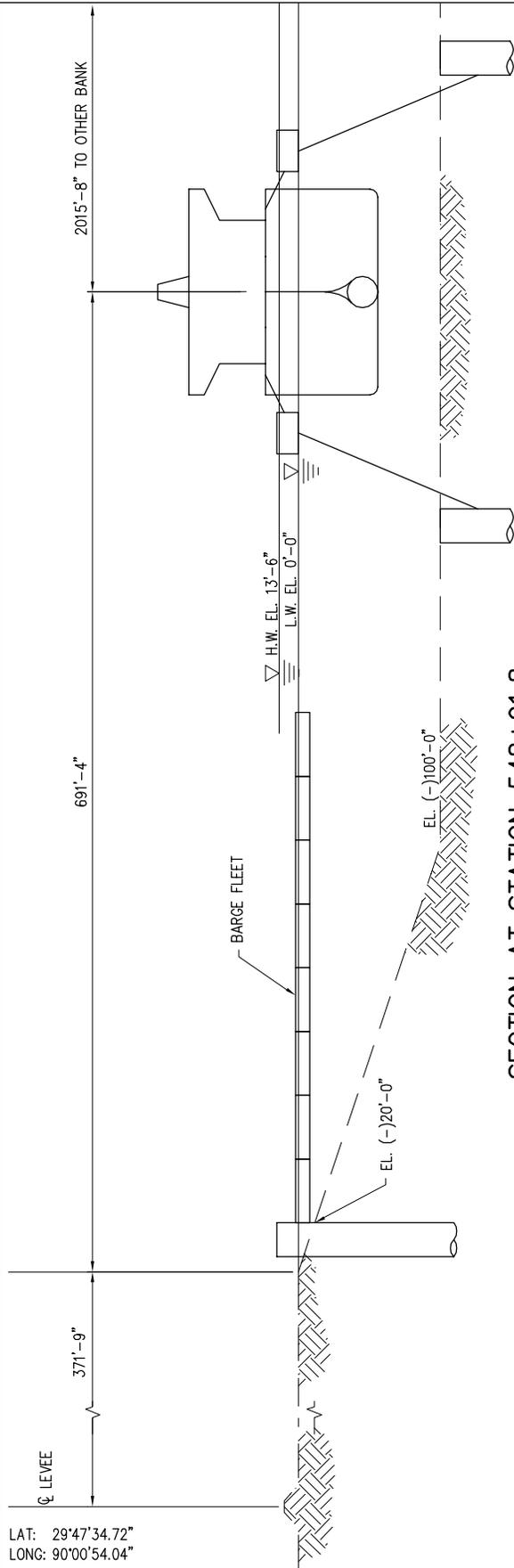
NEW ORLEANS, LA · BEAUMONT, TX

**COOPER/CONSOLIDATED 111, LLC**  
BELLE CHASSE LOUISIANA

**MILEPOINT 71  
PROPOSED NEW WEST BANK FLEETING  
SITE PLAN**

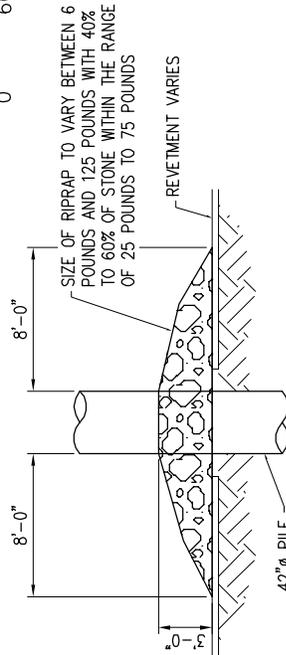
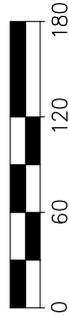
DATE SEPT. 2013  
DESIGN JDA  
DRAWN DMH  
CHECK JEJ  
CONTRACT 9161  
SHEET No.

**2 OF 3**



**SECTION AT STATION 548+91.8**

GRAPHIC SCALE IN FEET



**REPAIRMENT REPAIR DETAIL**

SCALE: N.T.S.

**GENERAL 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 OF THE FACILITIES FOR THE HEREIN PERMITTED USE UNLESS PRIOR WRITTEN APPROVAL TO LEAVE SUCH STRUCTURES IN PLACE IS RECEIVED FROM THE OFFICE OF COASTAL MANAGEMENT. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED.

LAT: 29°47'34.72"  
LONG: 90°00'54.04"

9161-W-P3



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SHEET No.

**3** OF **3**

- STRUCTURES MUST ALSO 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.
- THE PALLID STURGEON IS LISTED AS ENDANGERED UNDER THE THE ENDANGERED SPECIES ACT (16U.S.C. 1531-1544) AND IS CONFINED TO THE MISSISSIPPI AND ATCHAFALAYA RIVERS IN SOUTHERN LOUISIANA. THE PALLID STURGEON MAY OCCUR IN WATER BODIES NEAR THIS PROPOSED PROJECT. THE APPLICANT WILL TAKE THE NECESSARY MEASURES TO AVOID THE BREEDING SEASON AND ANY DEGRADATION OF WATER QUALITY IN THE MISSISSIPPI RIVER.
- THE LONG-TAILED WEASEL IS CONSIDERED RARE IN LOUISIANA. THE SPECIES IS FOUND IN HABITATS USUALLY NEAR WATER. RESEARCH INDICATES THAT THE WEASEL MAY BE SENSITIVE TO AGRICULTURALLY INDUCED FRAGMENTATION OF HABITAT SHOWING THE IMPORTANCE OF MAINTAINING LANDSCAPE CONNECTIVITY FOR THE CONSERVATION OF THIS SPECIES.
- THE AREA WHERE THE PROJECT IS LOCATED IS PART OF THE ABORIGINAL HOMELAND OF THE CHITIMACHA TRIBE OF LOUISIANA. AS SUCH, VILLAGES, BURIAL SITES AND SACRED SITES WERE IN PLACE IN THAT ENTIRE AREA. IF DURING THE COURSE OF WORK ANY CULTURAL PROPERTIES ARE DISCOVERED, PERMITTEE SHALL IMMEDIATELY CONTACT KIMBERLY WALDEN OR MELANIE AYMOND AT 337-923-9923 OR 337-923-4395.