

JOINT PUBLIC NOTICE

29 July 2019

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
Project Manager
Jennifer Burkett
Permit Application Number
MVN 2014-1895 EBB

(225) 219-3225
Project Manager
Elizabeth Hill
WQC Application Number
WQC 190726-01

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).

BATTURE REMEDIATION ON MISSISSIPPI RIVER IN PLAQUEMINES PARISH

NAME OF APPLICANT: Chevron Oronite Company, LLC c/o GHD Services Inc., Attention: Daniel Wascom, at 5551 Corporate Boulevard, Suite 200, Baton Rouge, Louisiana 70808.

LOCATION OF WORK: On the right descending bank of the Mississippi River, approximately 72.5 miles above Head of Passes, in Belle Chasse, Plaquemines Parish, Louisiana, as shown on the attached drawings.

Hydrologic Unit Code: 08090100; Lower Mississippi River – New Orleans
Latitude: 29.808598, Longitude: -90.008426

The work described below was completed prior to obtaining a Department of the Army permit and was in violation of Section 10 of the Rivers and Harbors Act and Section 301 of the Clean Water Act. All legal issues concerning the unauthorized work have been deferred.

CHARACTER OF WORK: To clear, excavate, and install and maintain fill, requiring temporary cantilevered sheetpile cofferdams and gravel and board roads, all to remove 127,000 cubic yards of filter cake material from the batture and dispose of it at an off-site landfill. The site will be restored with 132,000 cubic yards of approved fill material on the batture and 6900 cubic yards of rip rap where revetment is impacted. Project implementation will require temporary impacts to approximately 11.5 acres of bottomland hardwood wetlands for access and staging areas. These wetlands were cleared prior to authorization and will be restored following project completion. The applicant proposes to purchase credits from a mitigation bank to offset any unavoidable losses to wetland functions caused by project implementation.

The applicant may be required to fully or partially restore the project site to pre-project conditions, if issuance of a permit is determined not to be in the overall public interest.

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 a portion of the project 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.

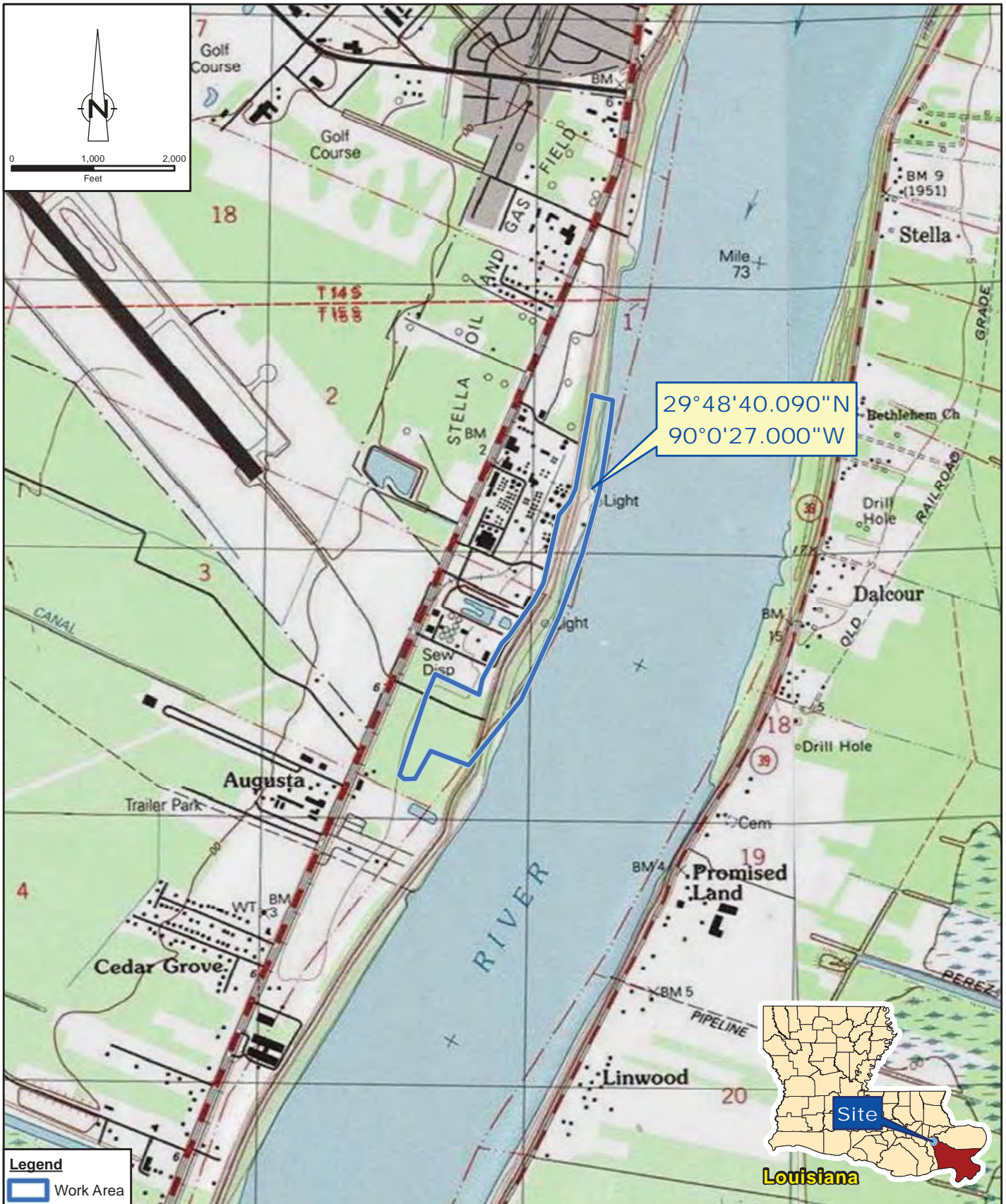
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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

Attachments

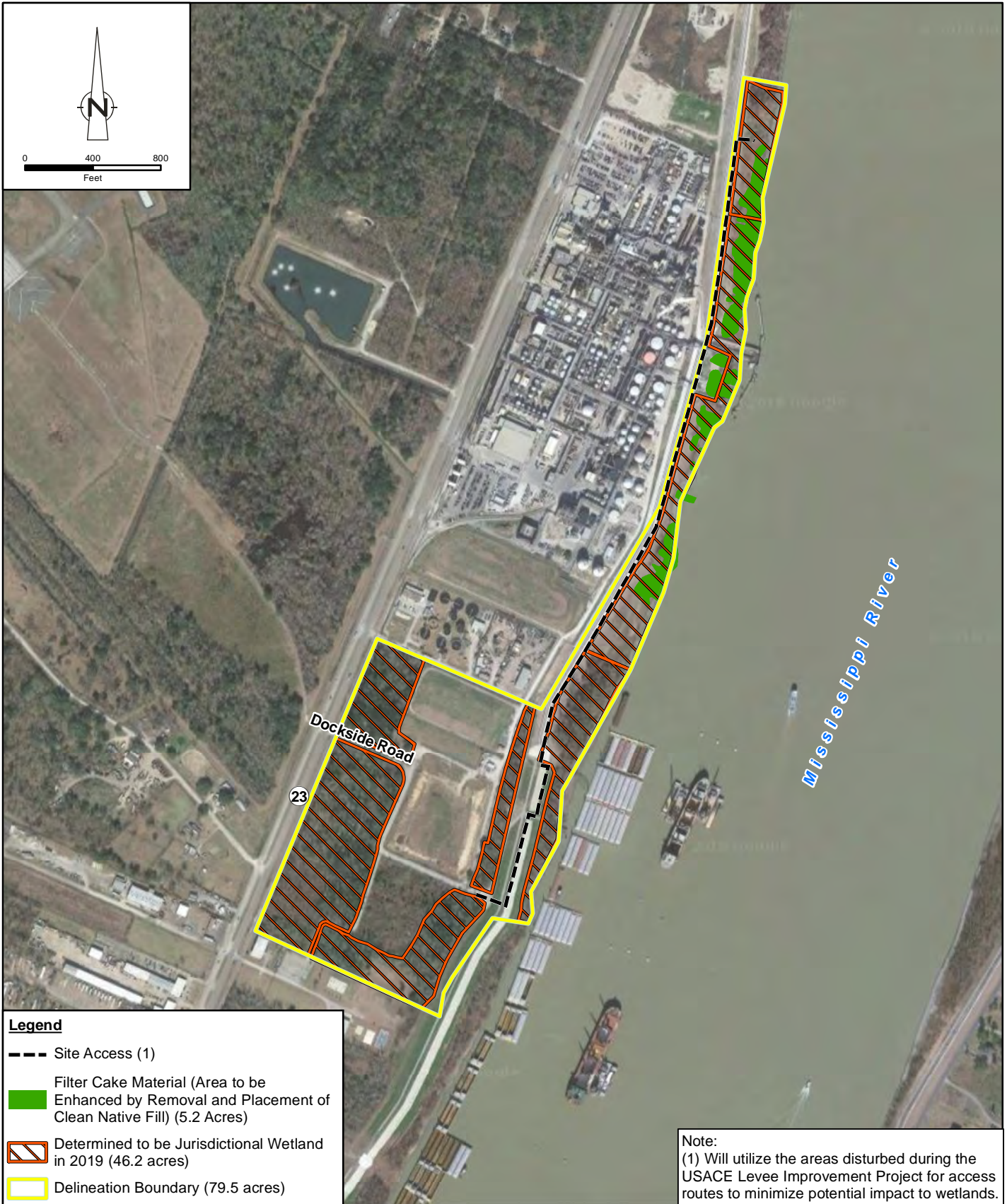


CHEVRON ORONITE COMPANY, LLC
 CHEVRON ORONITE OAK POINT PLANT, BELLE CHASSE, LOUISIANA

028909-00
 Feb 14, 2018

VICINITY MAP

FIGURE 1



Legend

- Site Access (1)
- Filter Cake Material (Area to be Enhanced by Removal and Placement of Clean Native Fill) (5.2 Acres)
- Determined to be Jurisdictional Wetland in 2019 (46.2 acres)
- Delineation Boundary (79.5 acres)

Note:
 (1) Will utilize the areas disturbed during the USACE Levee Improvement Project for access routes to minimize potential impact to wetlands.

Source: Image ©2019 Google Earth, Imagery Date: 1/24/2018
 Coordinate System: NAD 1983 UTM Zone 15N

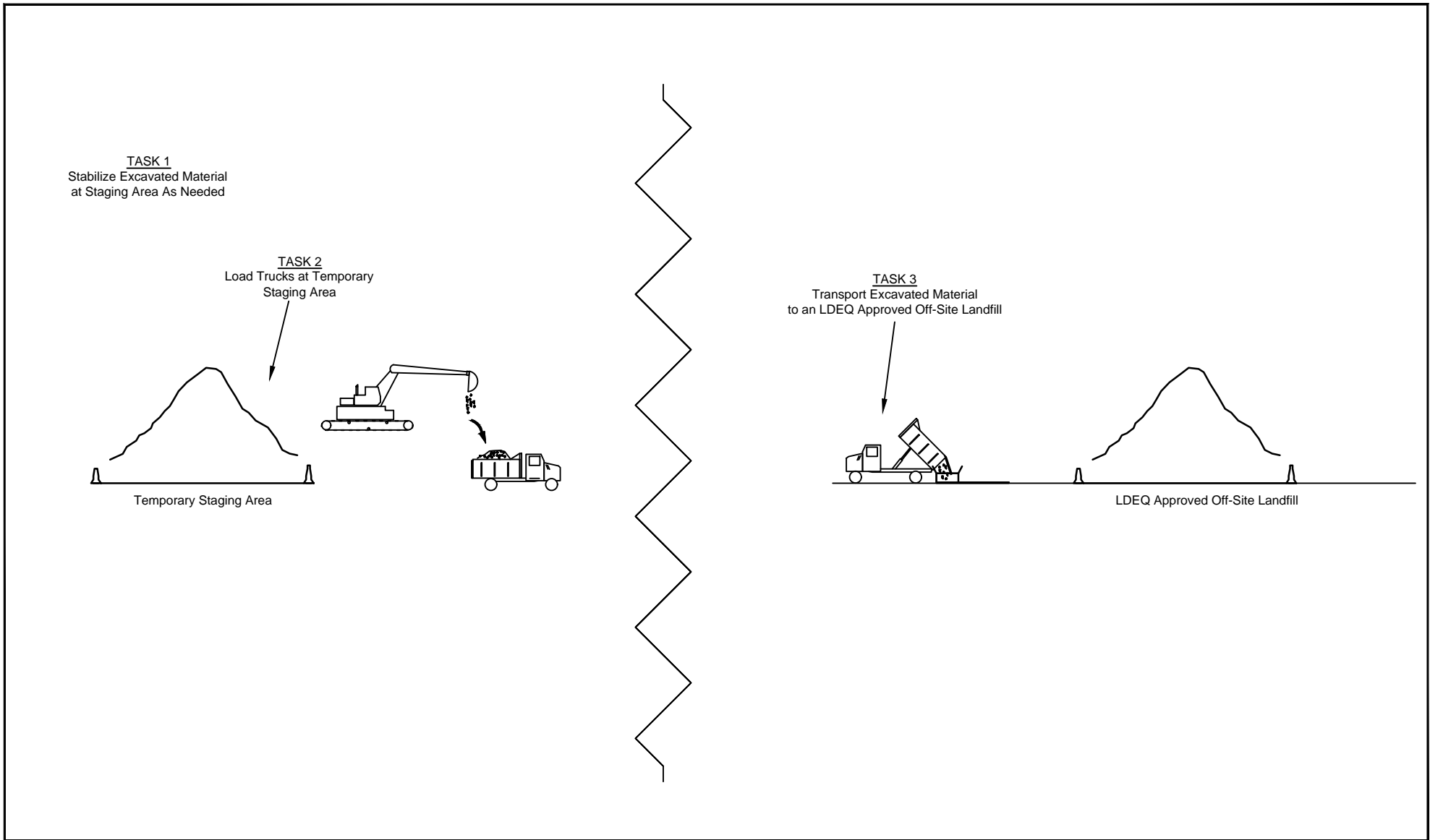


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SITE PLAN

FIGURE 2



Not To Scale

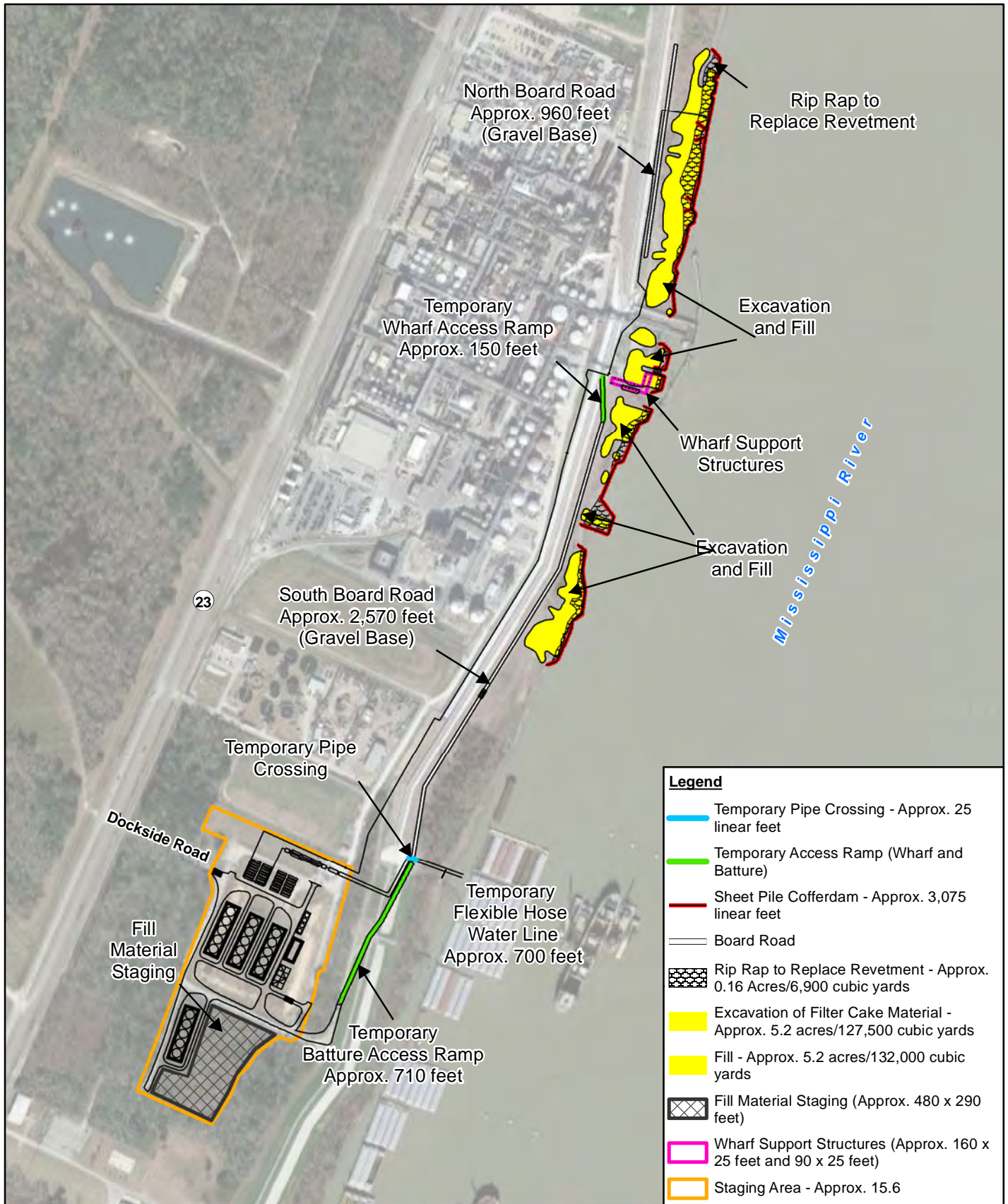


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 CHEVRON ORONITE OAK POINT PLANT
 REMEDIAL PROJECT PLAN

28909-00
 May 13, 2019

TRANSPORT AND DISPOSAL CONCEPTUAL ILLUSTRATION

FIGURE 4



Source: Google Earth Imagery Basemap Services. 1/24/2018



Coordinate System:
NAD 1983 StatePlane Louisiana
South FIPS 1702 Feet

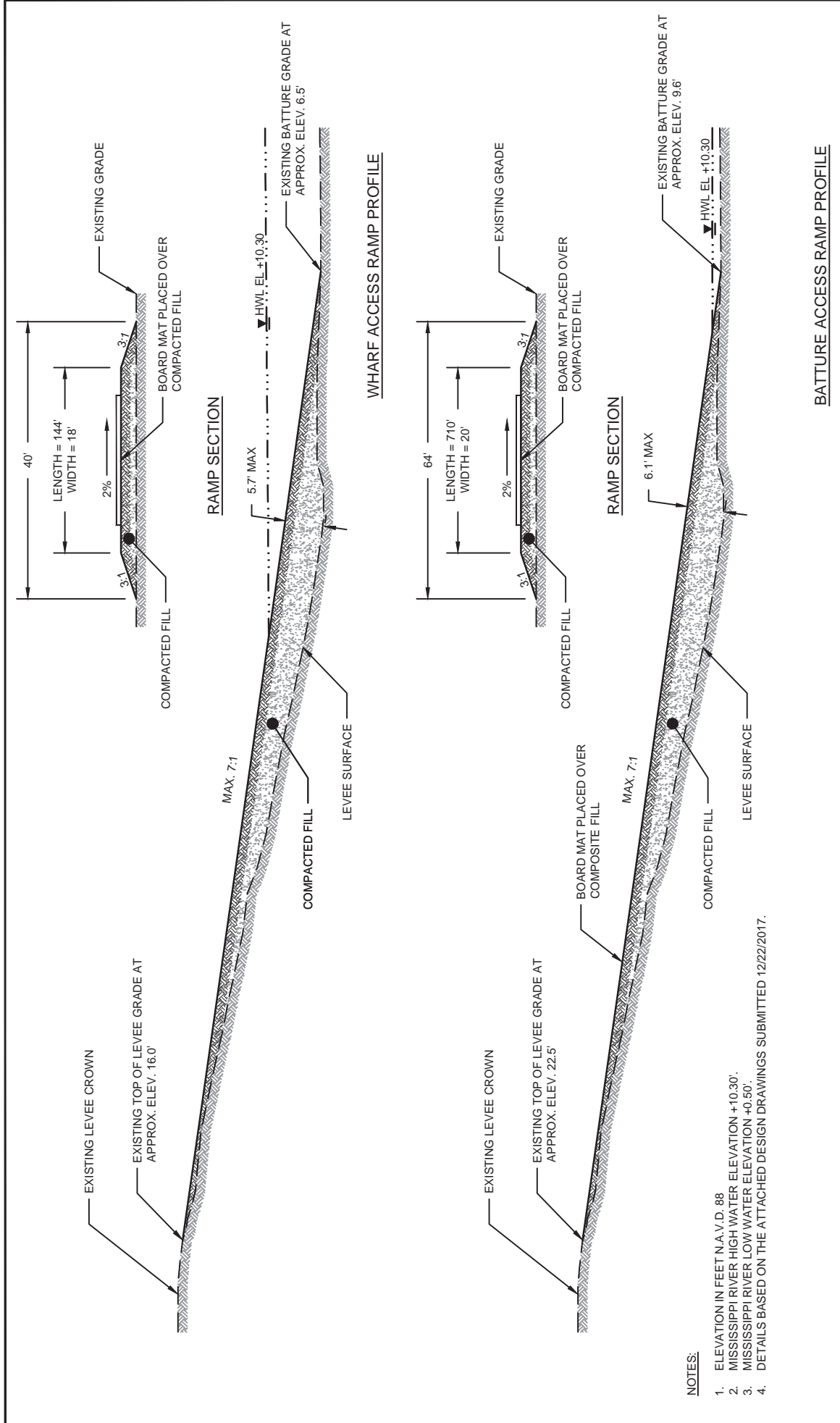


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PLAN VIEW

FIGURE 5



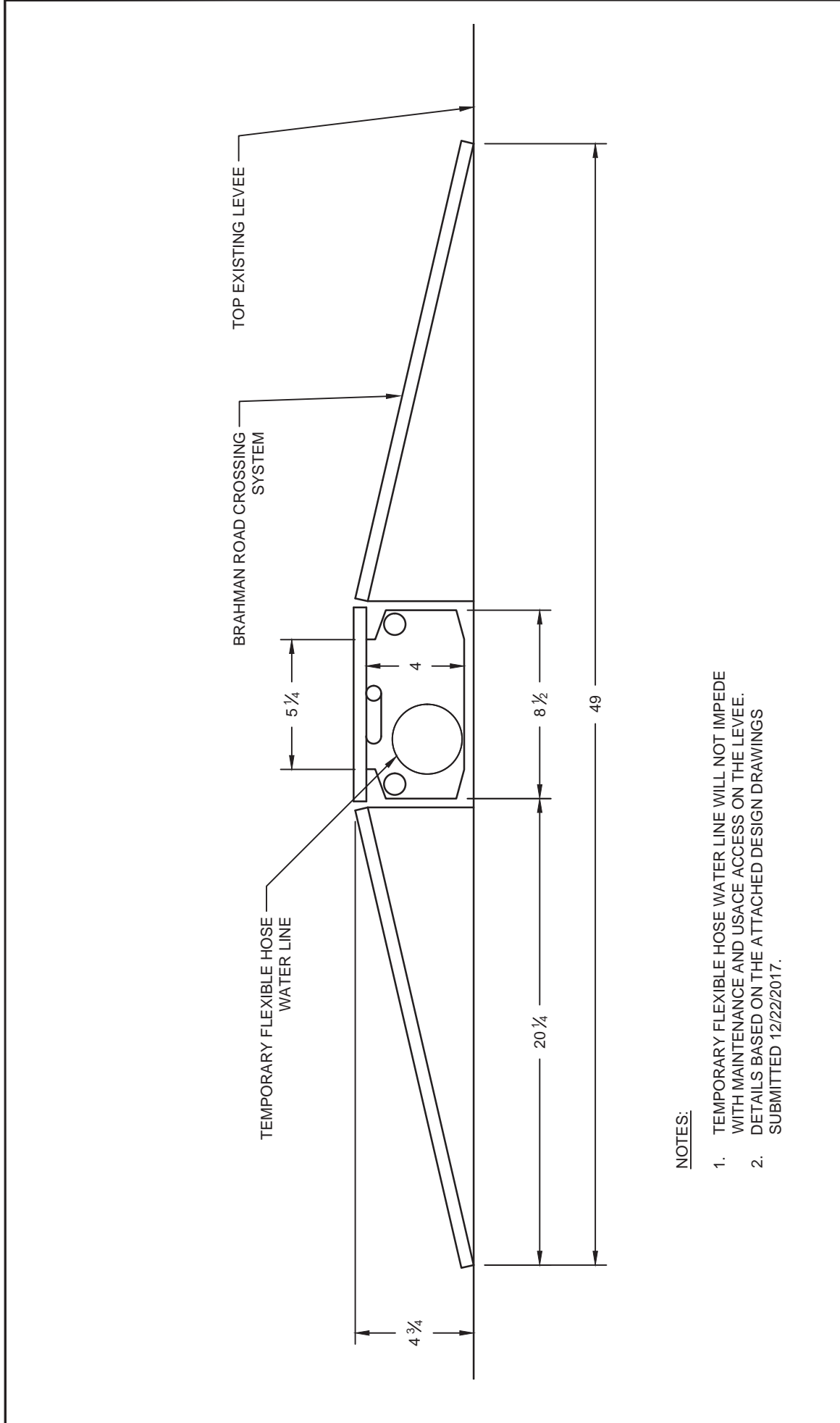
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FIGURE 6

TEMPORARY ACCESS RAMPS (WHARF AND BATTURE)



NOTES:

1. TEMPORARY FLEXIBLE HOSE WATER LINE WILL NOT IMPEDE WITH MAINTENANCE AND USAGE ACCESS ON THE LEVEE.
2. DETAILS BASED ON THE ATTACHED DESIGN DRAWINGS SUBMITTED 12/22/2017.

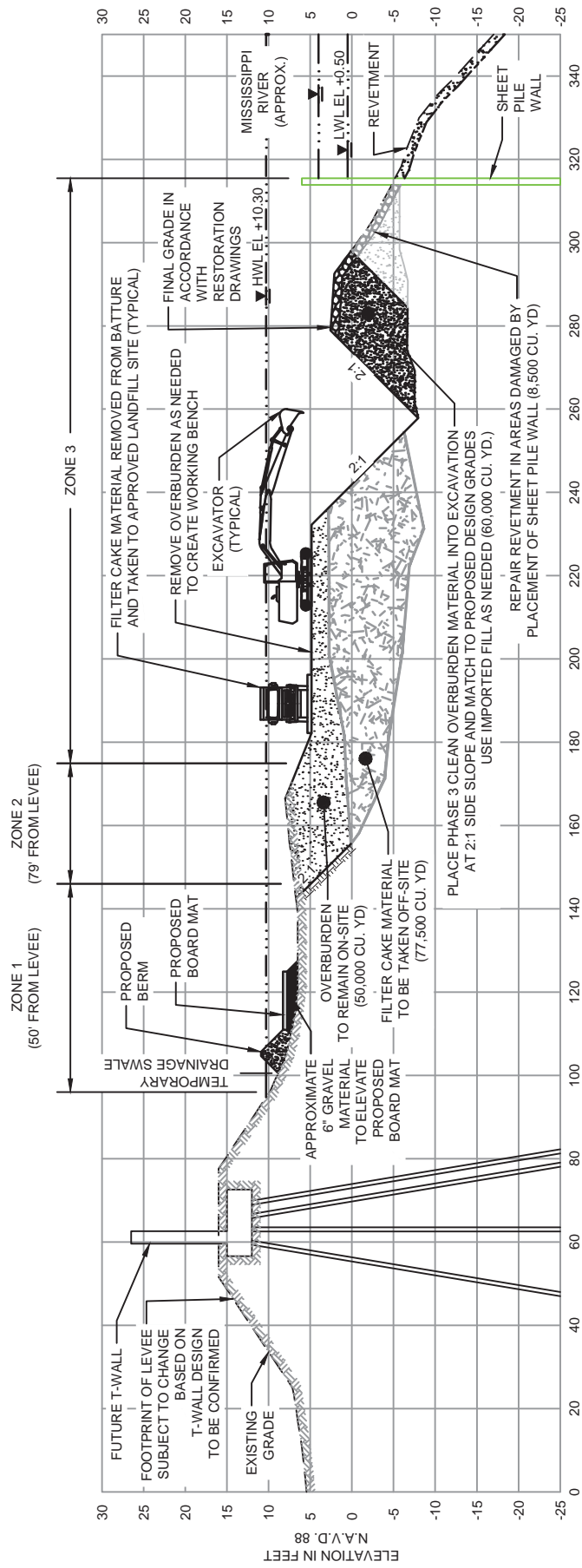


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TEMPORARY PIPE CROSSING

FIGURE 7



NOTES:

1. PORTION OF OVERBURDEN WILL BE USED TO CONSTRUCT BERM AND USED AS BACKFILL AT THE COMPLETION OF EXCAVATION.
2. DETAILS BASED ON THE ATTACHED DESIGN DRAWINGS SUBMITTED 12/22/2017.

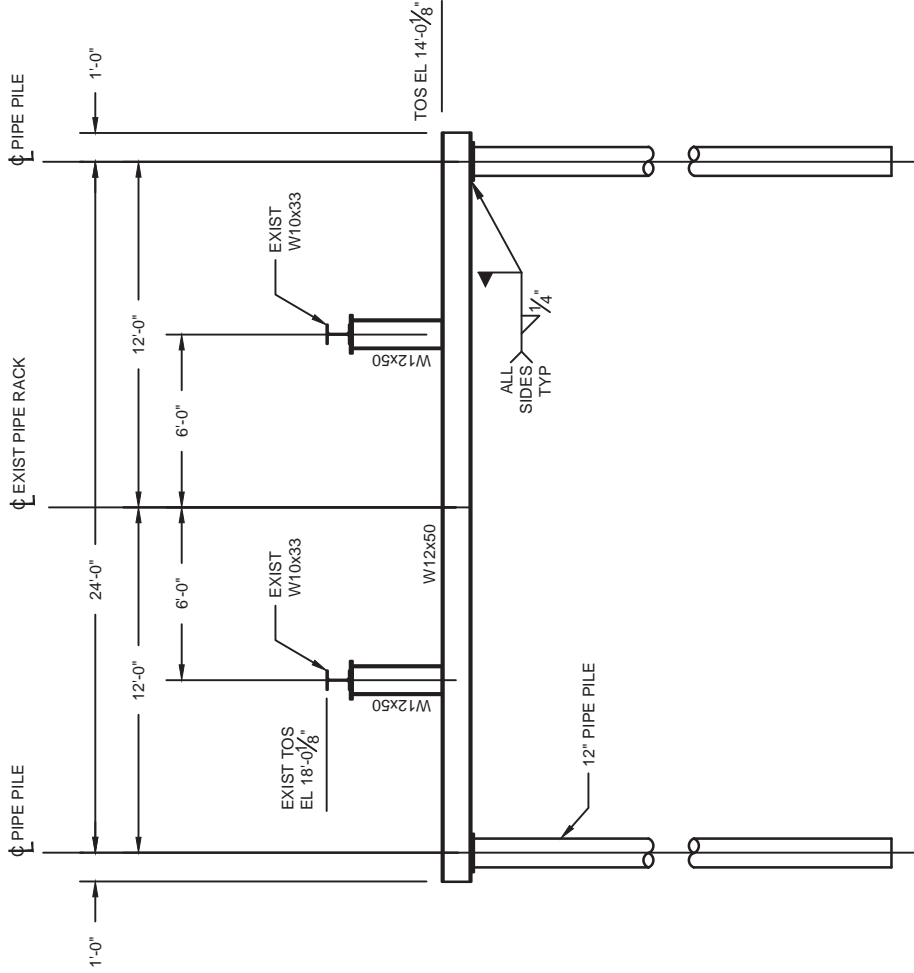
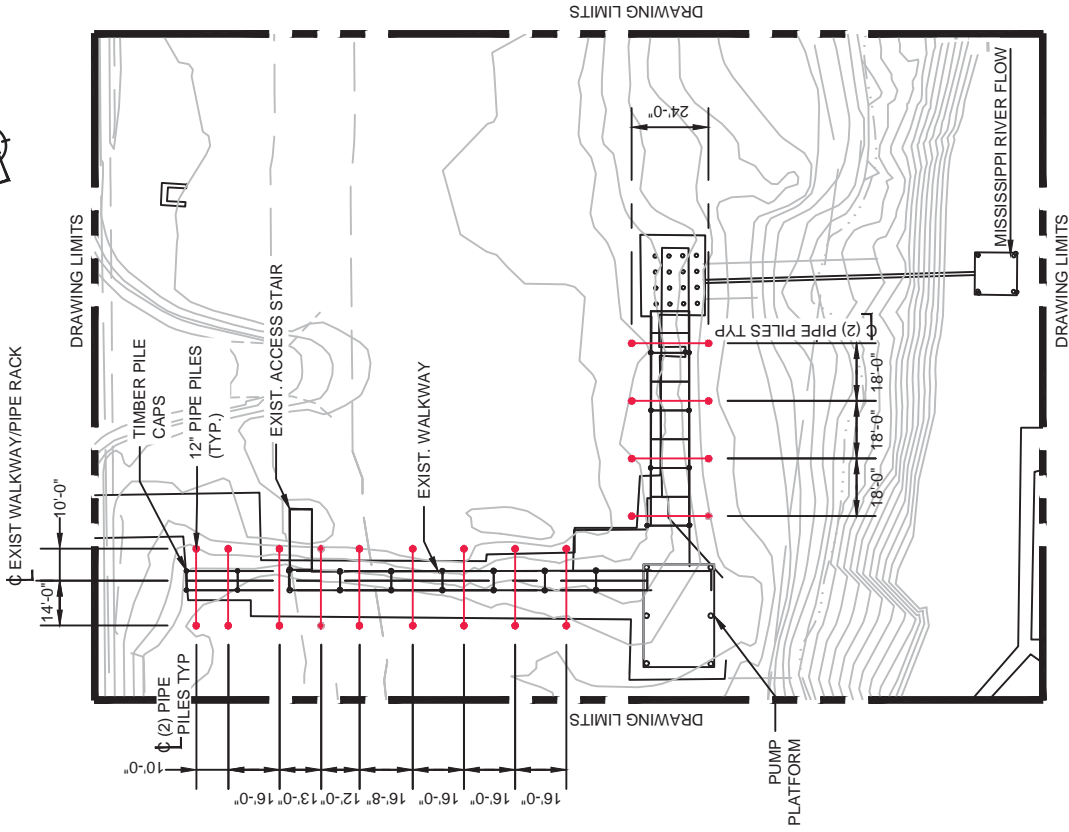


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EXCAVATION AND FILL AREA

FIGURE 8



NOTE:

1. WHARF SUPPORT IMPROVEMENTS TO EXISTING STRUCTURE, NO INCREASE TO FOOTPRINT.
2. EXISTING STRUCTURES SHOWN IN BLACK, PROPOSED STRUCTURES SHOWN IN RED.
3. DETAILS BASED ON THE ATTACHED DESIGN DRAWINGS SUBMITTED 12/22/2017.



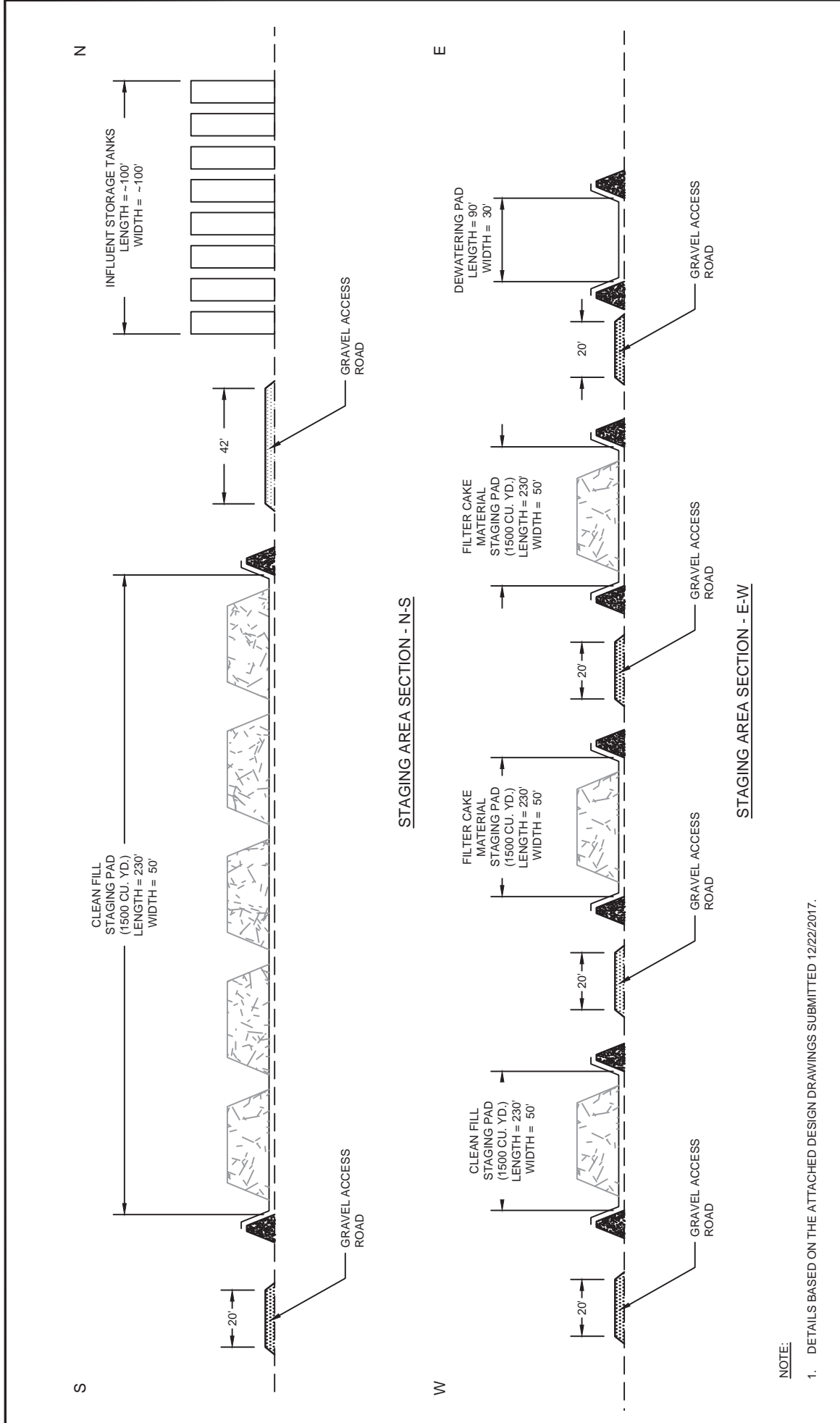
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WHARF SUPPORT STRUCTURES

FIGURE 10



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STAGING AREA

FIGURE 11