

JOINT PUBLIC NOTICE

October 26, 2015

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

State of Louisiana
Department of Environmental Quality
Attn: Water Quality Certification Sec.
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

Project Manager: Dirreen Arnold
(504) 862-2301 / fax: (504) 862-2574
dirreen.s.arnold@usace.army.mil
Permit Application Number:
MVN-2015-02100-CA

Project Manager:
Elizabeth Hill
(225) 219-3225 / fax: (225) 219-3156
WQC Application Number:
WQC-151019-04

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the US 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, 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.

BARGE FLEETING, MISSISSIPPI RIVER, RDB, MP 154 **ST. JAMES PARISH**

NAME OF APPLICANT: ACL Transportation Services, c/o Gulf South Engineering, 2201 Aberdeen Street, Kenner, Louisiana, 70062

LOCATION OF WORK: Along the right descending bank of the Mississippi River, at a point about 154 miles above the Head of Passes, near Vacherie, Louisiana, (POB Latitude 29.995417 N, Longitude -90.793294 W; POE Latitude 30.005244 N, Longitude -90.782569 W), in St. James Parish, as shown on the enclosed drawings, within Hydrologic Unit Code 08070100, Lower Mississippi – Lake Maurepas.

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to install and maintain forty-six (46) 3-pile dolphins along with twenty-five (25) on-shore anchor piles with chains and wire ropes for securing a new barge fleeting operation. The fleet will be installed in two (2) sections: the upstream fleet will consist of three (3) tiers of seven (7) barges, and the downstream fleet will consist of twenty (20) tiers of nine (9) barges. The proposed fleeting area is 4,485 feet long and 315 feet wide. Approximately 59 cubic yards of concrete fill will secure the on-shore deadmen anchors. Fleet construction activities will be completed from the river utilizing work barges; therefore, no land access is required. Construction material will also be stored on the work barges. Minimal wetland impacts will be affected by this project and no mitigation is anticipated.

It is presumed that the applicant has designed the project to avoid and minimize direct and secondary adverse impacts to the maximum extent practicable.

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 submitted 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 forwarded 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. Individuals or parties may request an extension of time in which to comment on the proposed work by writing, faxing, or e-mailing the Corps of Engineers Project Manager listed above. Any request must be specific and substantively supportive of the requested extension, and received by this office prior to the end of the initial comment period. The Section 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.

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, pre-historical, 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 listed as endangered by the U.S. Department of Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species.

The New Orleans District has determined that the proposed project is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*) and determined that the proposed activity is not likely to adversely affect the species based on the Standard Local Operating Procedure for Endangered Species of Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers and the 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 may result in the destruction or alteration of N/A 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.

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.

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.

JOHN M. HERMAN
Chief, Central Evaluation Section
Regulatory Branch

Enclosure



For:
ACL Transportation Serv.
New Orleans, LA

Project:
ACL Transportation Serv.
Barge Fleet
MR, RDB, M.P. 154
St. James Parish, LA

File Number:
15-503

Date:
8/25/15

Drawing Number:
Figure 1

Drawing Name:
Site Plan



Project:
 ACL Transportation Serv.
 Barge Fleet
 MR, RDB, M.P. 154
 St. James Parish, LA

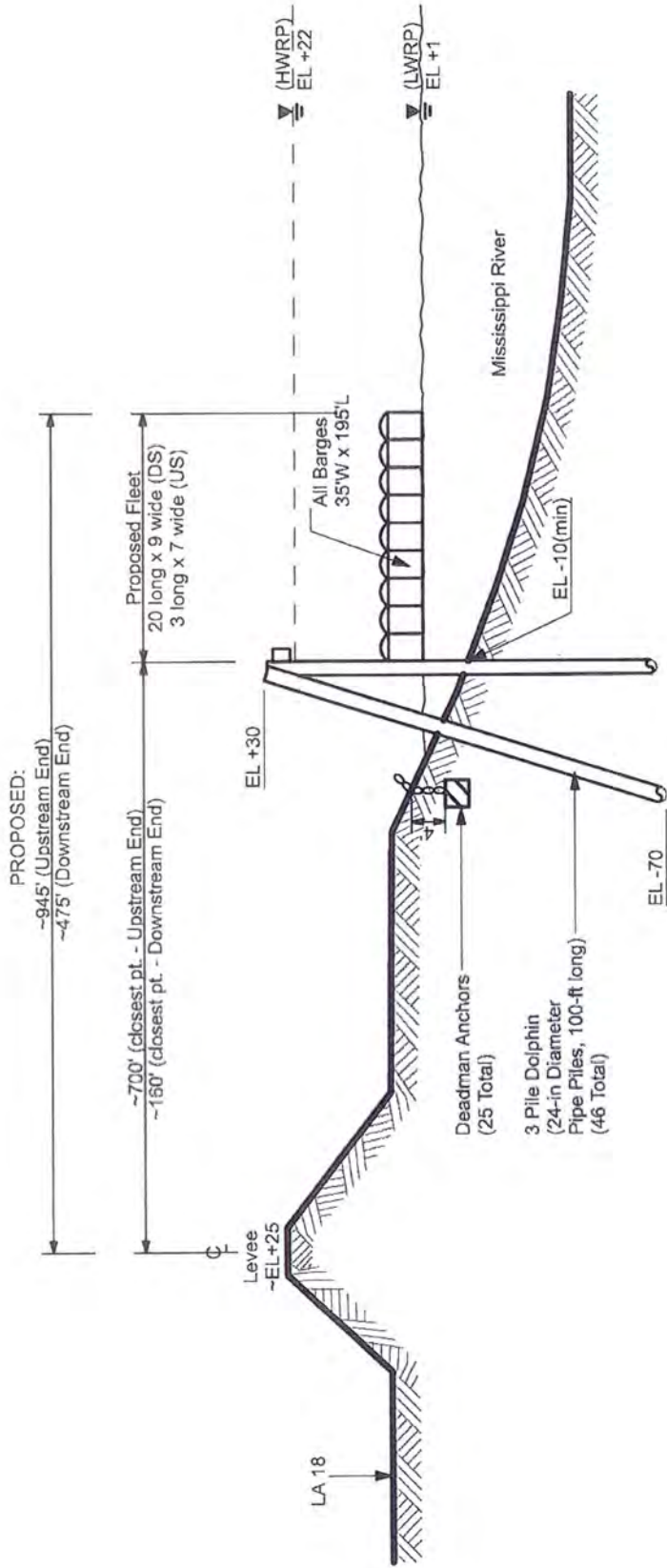
File Number:
 15-503

Date:
 8/25/15

Drawing Number:
 Figure 2

Drawing Name:
 Aerial View

For:
 ACL Transportation Serv.
 New Orleans, LA



Project:
 ACL Transportation Serv.
 Barge Fleet
 MR, RDB, M.P. 154
 St. James Parish, LA

For:
 ACL Transportation Serv.
 New Orleans, LA

Date:
 8/25/15

File Number:
 15-503

Drawing Name:
 Section A'-A

Drawing Number:
 Figure 3



Notes


1. The area where the project is located may be part of the aboriginal homelands of the Chitimacha Tribe of Louisiana. As such, large villages, burial sites, and sacred sites were in place in that entire area. If at any time during the course of the work, any traditional cultural properties are discovered, Permittee shall immediately contact Kimberly S. Walden (Cultural Director) or Melanie Aymond (Research Coordinator) at (337) 923-9923 or (337) 923-4395. Office hours are Monday through Thursday from 7:30 A.M. - 5:00 P.M. and on Friday between 7:30 A.M. - 11:30 A.M. If traditional cultural properties are discovered on the weekend or after business hours, the notification shall be made the next business morning.

2. As-built drawings will be submitted within 30 days of completion of this project to the Louisiana Department of Natural Resources, Office of Coastal Management, P. O. Box 44487, Baton Rouge, LA 70804-4487.

3. 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.


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.

<p>Gulf South File 15-503</p>	 <p>GULF SOUTH ENGINEERING AND TESTING, INC. Geotechnical & Materials Consultants</p>	
<p>ACL Transportation Services New Fleet MR, RDB, MP 154 St. James Parish, LA</p>	<p>For ACL Transportation Services New Orleans, LA</p>	<p>Permit Notes</p>

Notes

1. The pallid sturgeon (*Scaphirhynchus albus*) may occur in water bodies near this 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 will 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 337-491-2576.

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