



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

March 4, 2019

REPLY TO
ATTENTION OF

Operations Division
Eastern Evaluation Section

Project Manager
Angelle Greer
angelle.v.greer@usace.army.mil
(504) 862-2279

SUBJECT: MVN-2019-00187-EG

PUBLIC NOTICE

Interested parties are hereby notified that an application has been received by the District engineer for a Department of the Army permit to authorize the following pursuant to (X) Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or () Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

MID-STREAM BERTH AT MISSISSIPPI RIVER MP 122
IN ST. CHARLES PARISH, LOUISIANA

NAME OF APPLICANT: ARTCO c/o Lanier and Associates Engineers- 4101 Magazine St., New Orleans, LA 70115.

LOCATION OF WORK: On the Mississippi River, left descending bank, near mile post 122, at latitude 29.947944, longitude -90.378361, within Hydrologic Unit Code 08090100 (Lower Mississippi-New Orleans) in Destrehan, Louisiana, in St. Charles Parish, as shown on the enclosed drawings.

CHARACTER OF WORK: ARTCO is seeking authorization for the installation of a new mid-stream vessel berth on the Mississippi River near mile post 122. The berth will consist of 5 anchor piles with chains and buoys and will be positioned offshore of an existing barge fleet and upriver of two existing mid-stream berths also operated by ARTCO. All work will be performed from a barge-mounted crane. No impacts to vegetated wetlands will occur, therefore no compensatory mitigation is anticipated.

The comment period will close **30 days** from the date of this public notice advertisement. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons therefore, are being solicited from anyone having interest in this permit request. Letters must reference the applicant's name and the subject number, be addressed and mailed to the above address, ATTENTION: REGULATORY BRANCH.

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 aware of the Ormond Plantation House and Destrehan Plantation, which are listed in the National Register of Historic Places, and the St. Charles Borromeo Catholic Church, School, and Auditorium, which has been determined eligible for the National Register of Historic Places, and exist near the project site. We are currently in the process of evaluating the potential effects of the proposed project to these historic sites. The New Orleans District is unaware of any other 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 determined 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.

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.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would not result in the destruction or alteration 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 water quality standards will be required from the Department of Environmental Quality, Water Quality Certifications Section 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.

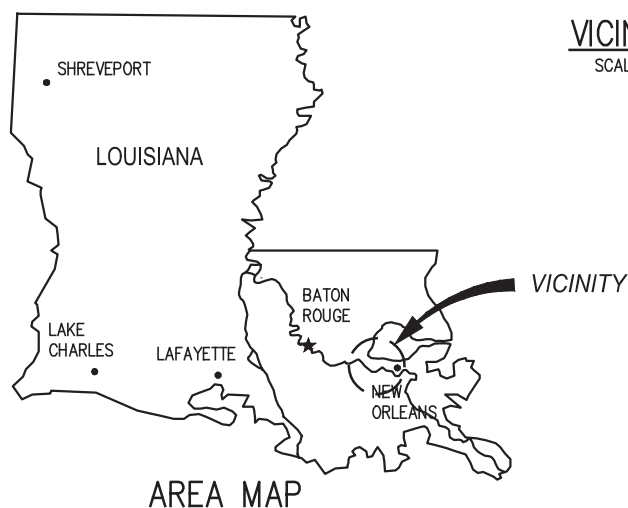
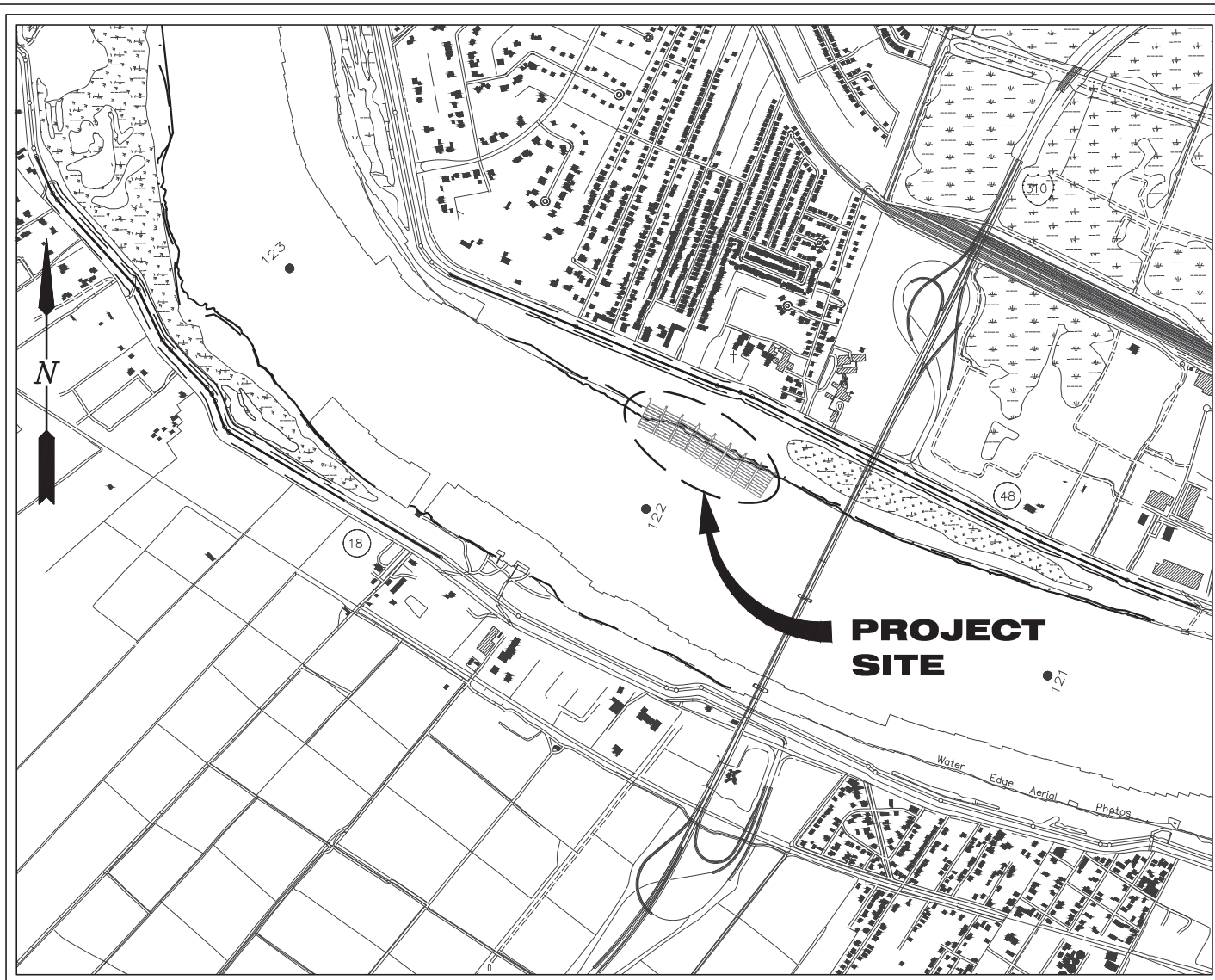
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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

You are 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

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VICINITY MAP

SCALE: 1" = 2000'

PARISH: ST. CHARLES
LATITUDE: 29°56'52.6"
LONGITUDE: 90°22'42.1"

GENERAL NOTES

1. AS-BUILT DRAWINGS AND/OR PLANS 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.
2. 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 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.
3. STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U.S. COAST GUARD REGULATIONS.
4. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITEE 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.
5. ALL ELEVATIONS REFER TO NAVD 88 UNLESS NOTED OTHERWISE.

PRELIMINARY - FOR PERMIT PURPOSES ONLY

10702-P1

LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
LA: C-1120 F-2981
NEW ORLEANS, LA • BEAUMONT, TX

ARTCO
DESTREHAN LOUISIANA
ARTCO MIDSTREAM BERTH STUDY
AREA MAP, VICINITY MAP, & GENERAL NOTES

DATE NOV. '18
DESIGN JPL
DRAWN SJA
CHECK NPL
CONTRACT 10702
SHEET No. 1 OF 6

J:\100005\10702 ARTCO MIDSTREAM BERTH STUDY\DRAWINGS\PERMIT\10702-P2.DWG



EXISTING SITE PLAN

SCALE: 1" = 800'



PRELIMINARY - FOR PERMIT PURPOSES ONLY

10702-P2



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DESTREHAN

ARTCO

LOUISIANA

ARTCO MIDSTREAM BERTH STUDY

EXISTING SITE PLAN

DATE NOV. '18
DESIGN JPL
DRAWN SJA
CHECK NPL
CONTRACT 10702
SHEET No.

2 OF **6**

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PROPOSED NEW SITE PLAN

SCALE: 1" = 800'



PRELIMINARY - FOR PERMIT PURPOSES ONLY

10702-P3



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LOUISIANA

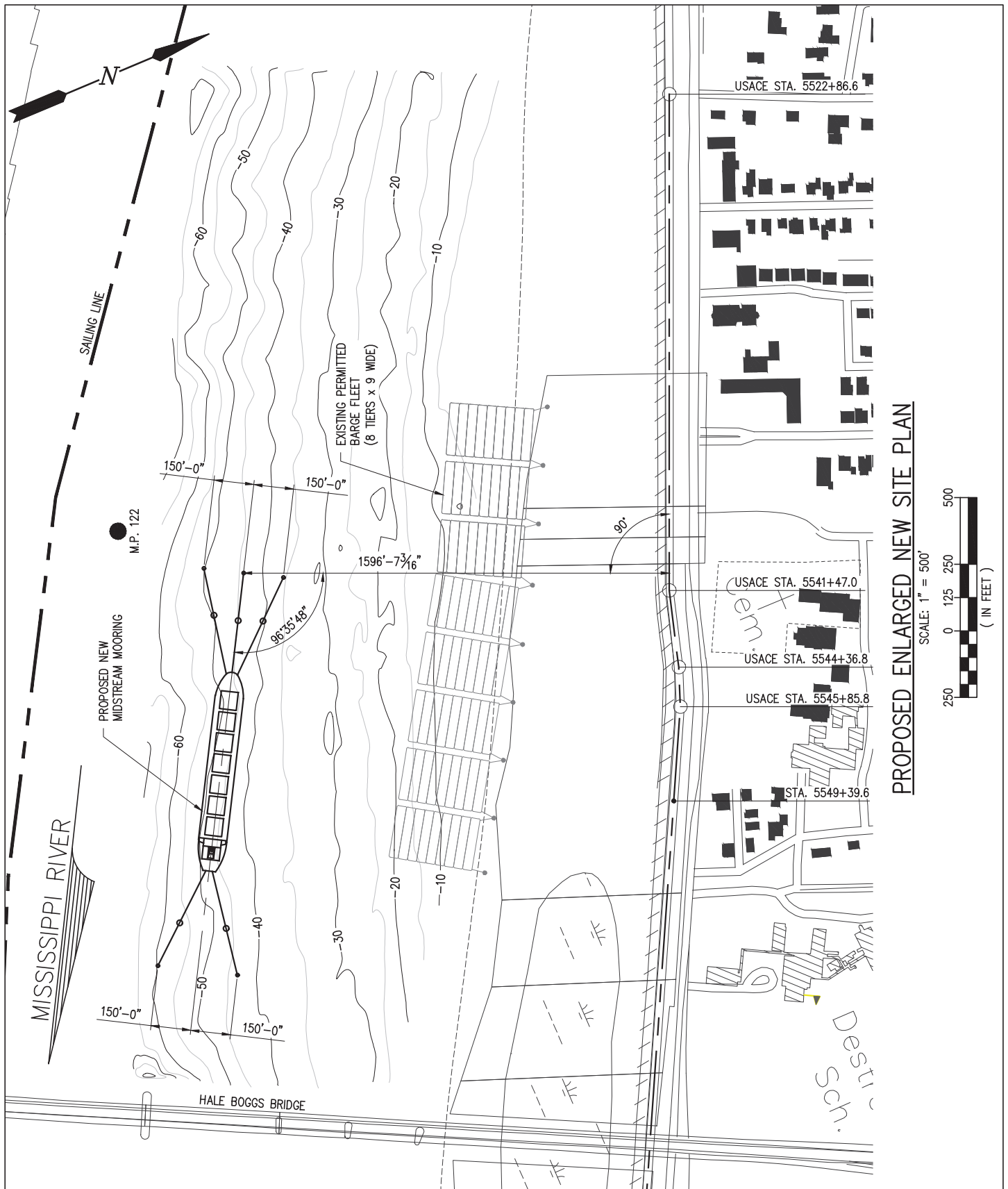
ARTCO MIDSTREAM BERTH STUDY

PROPOSED NEW SITE PLAN

DATE NOV. '18
DESIGN JPL
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CHECK NPL
CONTRACT 10702
SHEET No.

3 OF **6**

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PRELIMINARY - FOR PERMIT PURPOSES ONLY

10702-P4



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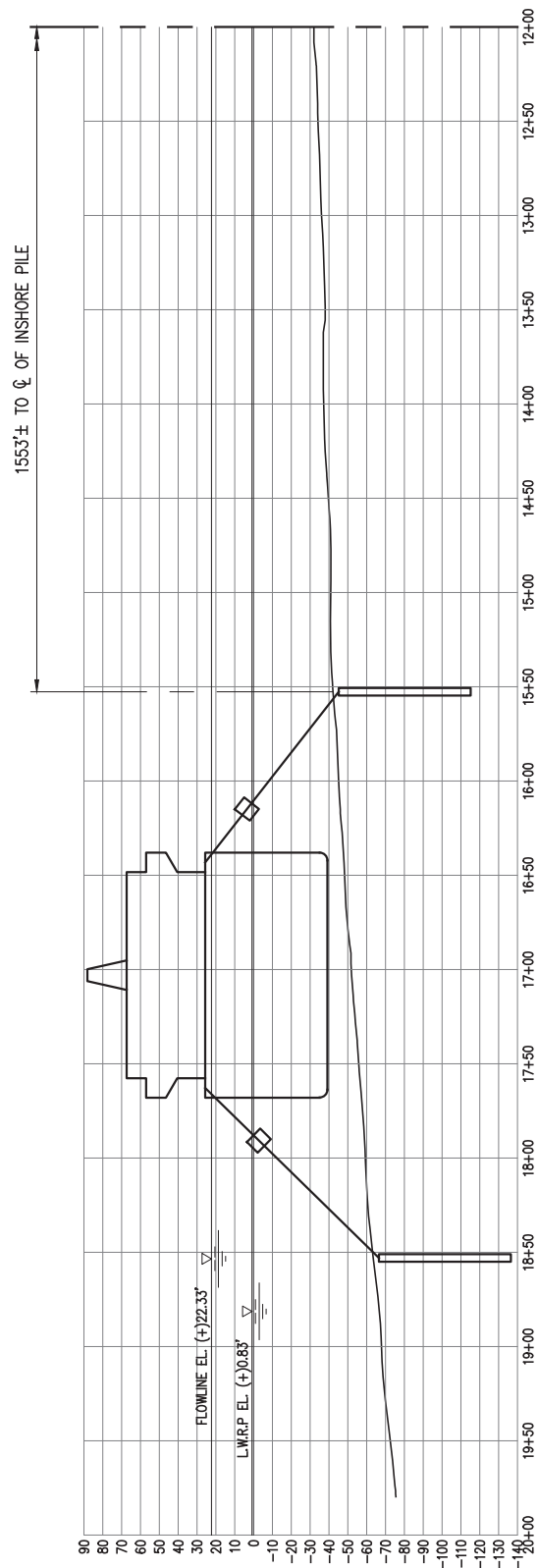
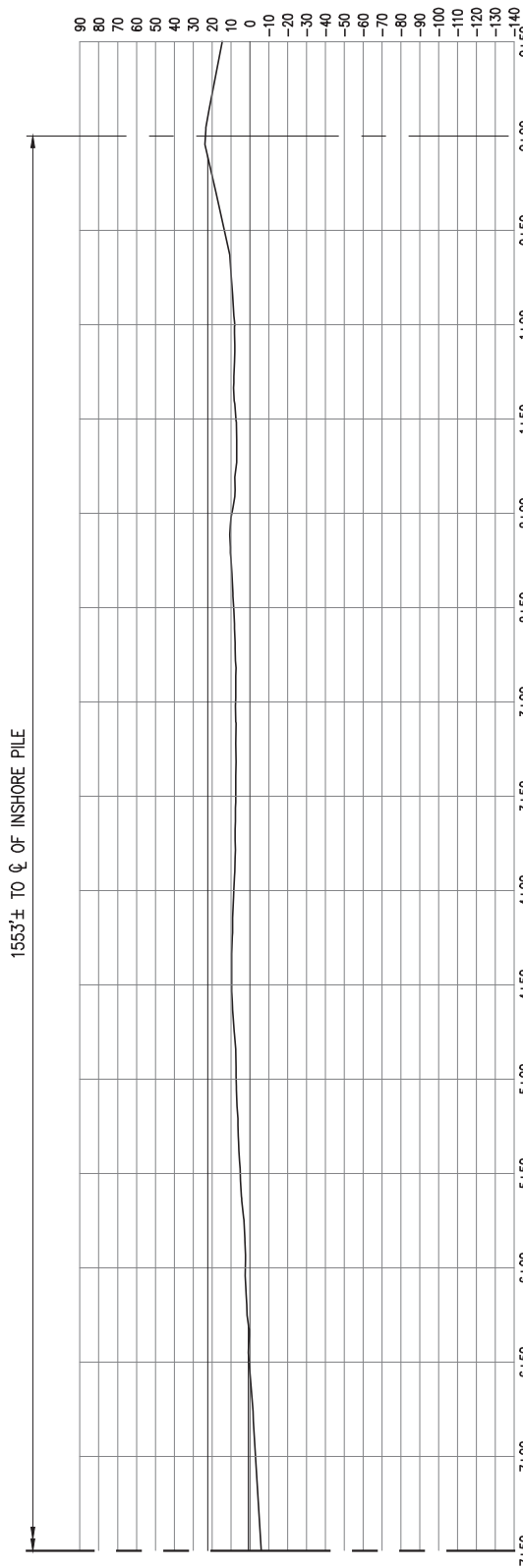
LOUISIANA

ARTCO MIDSTREAM BERTH STUDY

PROPOSED NEW ENLARGED SITE PLAN

DATE NOV. '18
DESIGN JPL
DRAWN SJA
CHECK NPL
CONTRACT 10702
SHEET No.

4 OF 6



SECTION AT STA. 5549+39.6

SCALE: 1" = 100'

PRELIMINARY - FOR PERMIT PURPOSES ONLY

10702-P5



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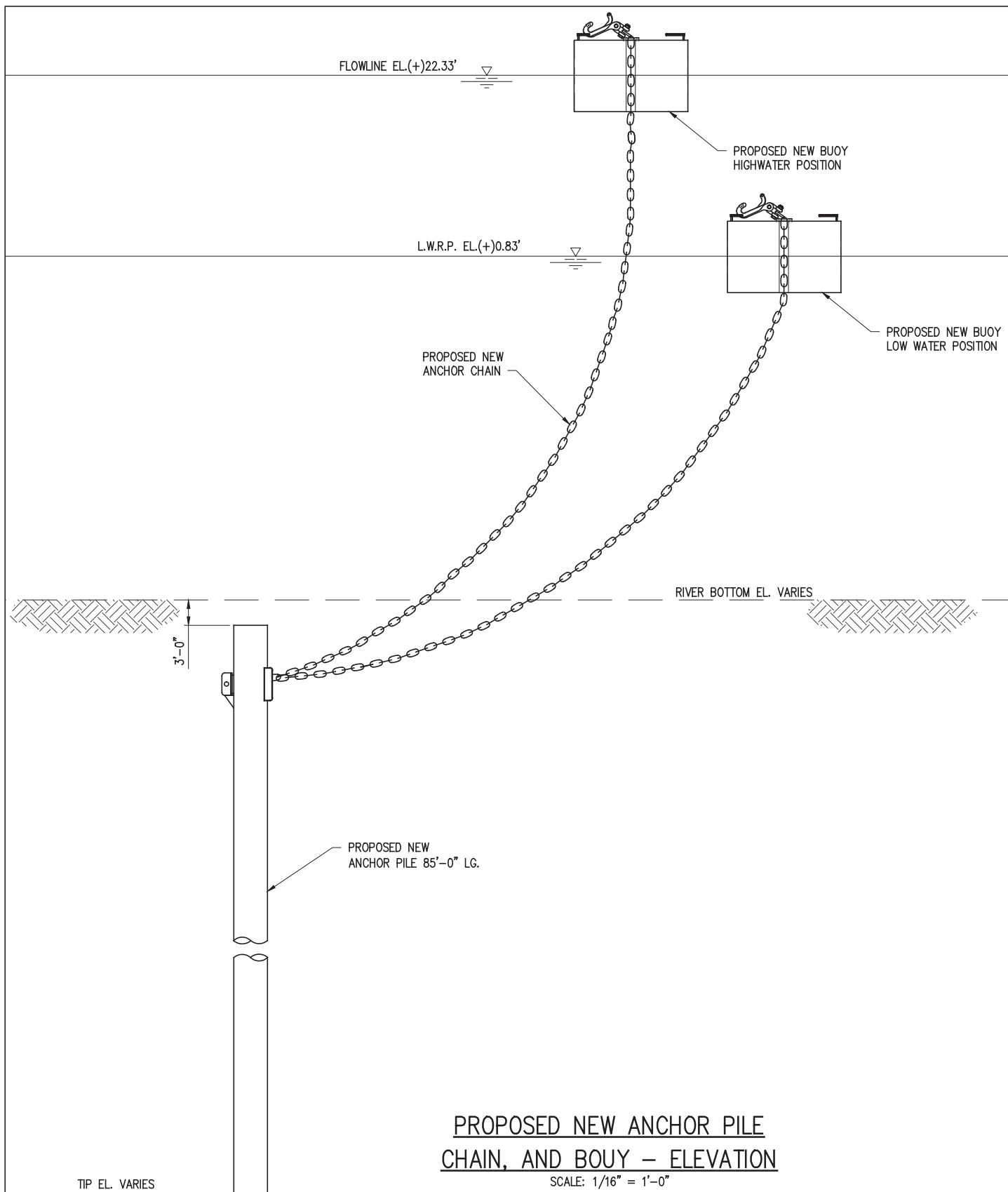
ARTCO MIDSTREAM BERTH STUDY

SECTION AT STA. 5549+39.6

DATE NOV. '18
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CONTRACT 10702
SHEET No.

5 OF **6**

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PRELIMINARY - FOR PERMIT PURPOSES ONLY

10702-P6

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ARTCO
DESTREHAN LOUISIANA

**ARTCO MIDSTREAM BERTH STUDY
PROPOSED NEW ANCHOR PILE
CHAIN, AND BOUY - ELEVATION**

DATE NOV. '18
DESIGN JPL
DRAWN SJA
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CONTRACT 10702
SHEET No.
6 OF **6**