



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

June 19, 2023

Regulatory Division
Eastern Evaluation Branch

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

Application #: MVN-2021-00270-EG

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 [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, Water Quality Certifications, 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).

ADDITIONAL GEOTECHNICAL EXPLORATION ACTIVITIES IN ST. BERNARD PARISH

NAME OF APPLICANT: Board of Commissioners of the Port of New Orleans, c/o Evans-Graves Engineers, Inc., Attention: Lee Walker, 909 Poydras Street, Suite 3050, New Orleans, Louisiana 70112, or lwalker@evans-graves.com.

LOCATION OF WORK: At approximately Latitude: 29.885908, Longitude: -89.897235, on the Mississippi River, left-descending bank, 83 miles AHP, on East St. Bernard Highway and East Judge Perez Drive, in Violet, Louisiana, in St. Bernard Parish, as shown on the enclosed drawings. Hydrologic Unit Code: 08090203 (Lower Mississippi- Eastern Louisiana Coastal)

CHARACTER OF WORK: Clear and place approximately 24,020-cubic yards of clay and/or sand to install geotechnical survey equipment at two sites. A DA permit was previously issued to conduct/install twenty-seven (27) soil borings, sixty (60) Cone Penetration Tests (CPTs), and

approximately twelve-thousand (12,000) linear feet of Electrical Resistivity Testing (ERT) on the same project site, and access paths already cleared for that work will be utilized to access the two additional proposed test sites. The applicant proposes to compensate for additional unavoidable project-related impacts to approximately 1.6-acres of jurisdictional wetlands through the purchase of wetland credits from a Corps' approved mitigation bank within the appropriate watershed.

The comment period on the requested Department of the Army Permit will close **20 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 be preferably emailed to angelle.v.greer@usace.army.mil or forwarded to the Corps of Engineers at the address above, ATTENTION: REGULATORY DIVISION (RGE, Angelle Greer). Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment 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 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 and inclusive of the initial comment period and 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 Section 10/404 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 any 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. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer and federally listed tribes 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. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service.

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 or alteration of 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.

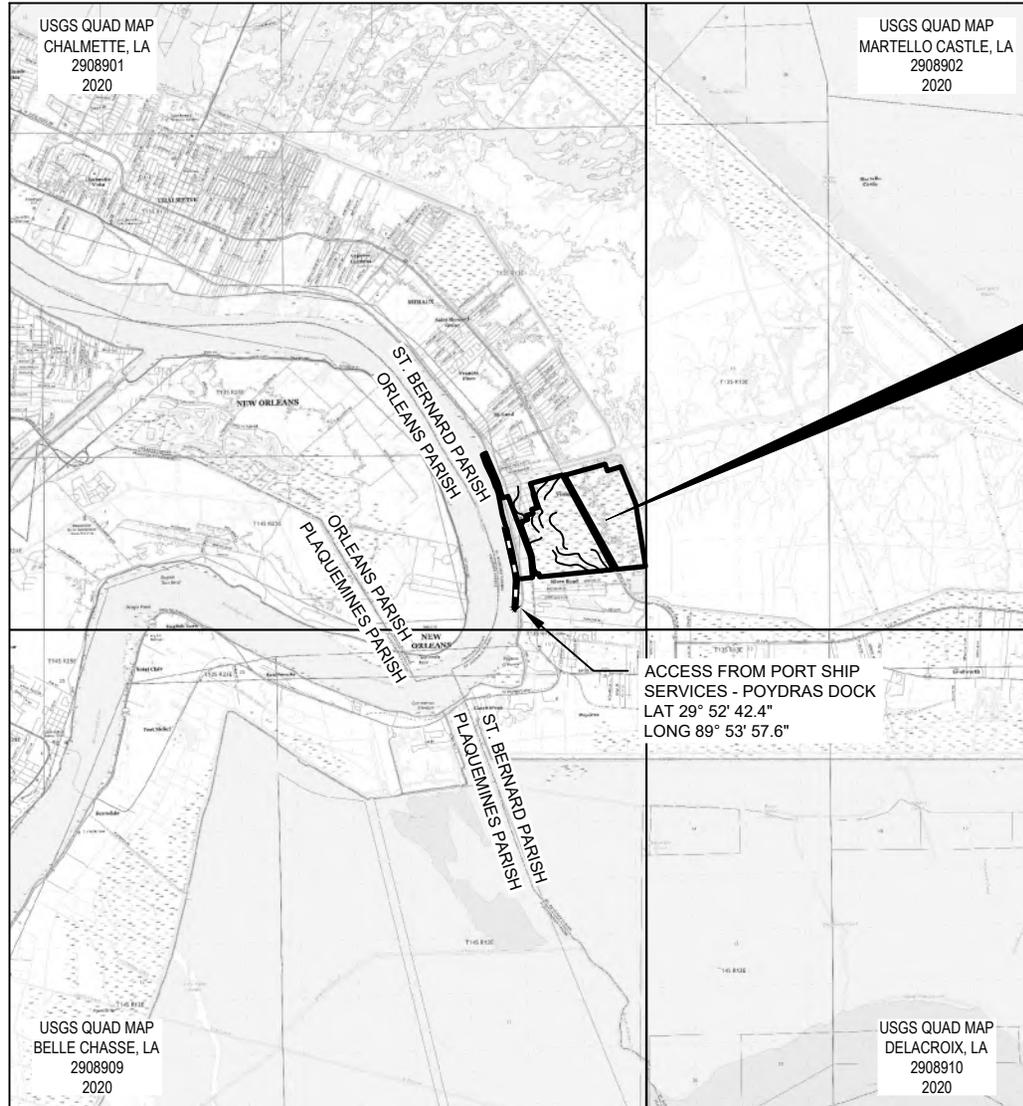
The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver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

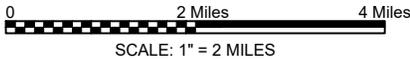
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Brad P. LaBorde
Chief, Eastern Evaluation Branch
Regulatory Division

C:\pwworking\aecom_ds21_na_2020\0256510\FIG 1 - SHT 1 OF 1.dwg, Apr 26, 2023 - 2:01:29PM, philip.dempseyiii



PROPOSED LOUISIANA INTERNATIONAL
 TERMINAL AT VIOLET
 SECTIONS 8, 9, & 10
 T 13 S R 13 E
 X: 3737667.1945, Y: 508809.9688
 29°53'28.4164"N
 89°53'29.8323"E
 LOUISIANA SOUTH NAD 83



GEOTECHNICAL SURVEY VICINITY MAP

LEGEND:
 ACCESS ROUTE

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 1555 POYDRAS ST., SUITE 1200 NEW ORLEANS, LA., 70112



BOARD OF COMMISSIONERS – PORT OF NEW ORLEANS
 LOUISIANA INTERNATIONAL TERMINAL AT VIOLET

DATE	SCALE	JOB NO.	DRAWING NO.
12/22/22	AS NOTED	60637250	FIG 1 – SHT 1 OF 2
DESIGNED BY: JAMES HANCE, P.E. LA REGISTRATION NO: 0031270 STATE: LA			

PRELIMINARY - FOR PERMIT PURPOSES ONLY

GENERAL NOTES

1. 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.

2. 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.

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 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.

5. The applicant must submit for and receive a Levee Permit/Letter of No Objection from the CPRA, the United States Army Corps of States Army Corps ofEngineers and the Lake Borgne Basin Levee District prior to commencement of the activity.

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DATE	SCALE	JOB NO.	DRAWING NO.
12/22/22	AS NOTED	60637250	FIG 1 – SHT 2 OF 2

DESIGNED BY: JAMES HANCE, P.E. LA REGISTRATION NO: 0031270 STATE: LA

PRELIMINARY - FOR PERMIT PURPOSES ONLY

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LEGEND

- UPLANDS
- NON-JURISDICTIONAL DRAINAGE
- MISSISSIPPI RIVER
- NON-JURISDICTIONAL FORESTED WETLAND
- JURISDICTIONAL BATTURE WETLANDS
- SCRUB/SHRUB WETLANDS
- JURISDICTIONAL SCRUB/SHRUB WETLANDS
- FORESTED WETLAND
- IDENTIFIED DITCH (OTHER WATERS OF THE US)

NOTE:

1. SEE FIG 1 SHEET 2 OF 2 FOR GENERAL NOTES.

EXISTING WETLANDS PLAN

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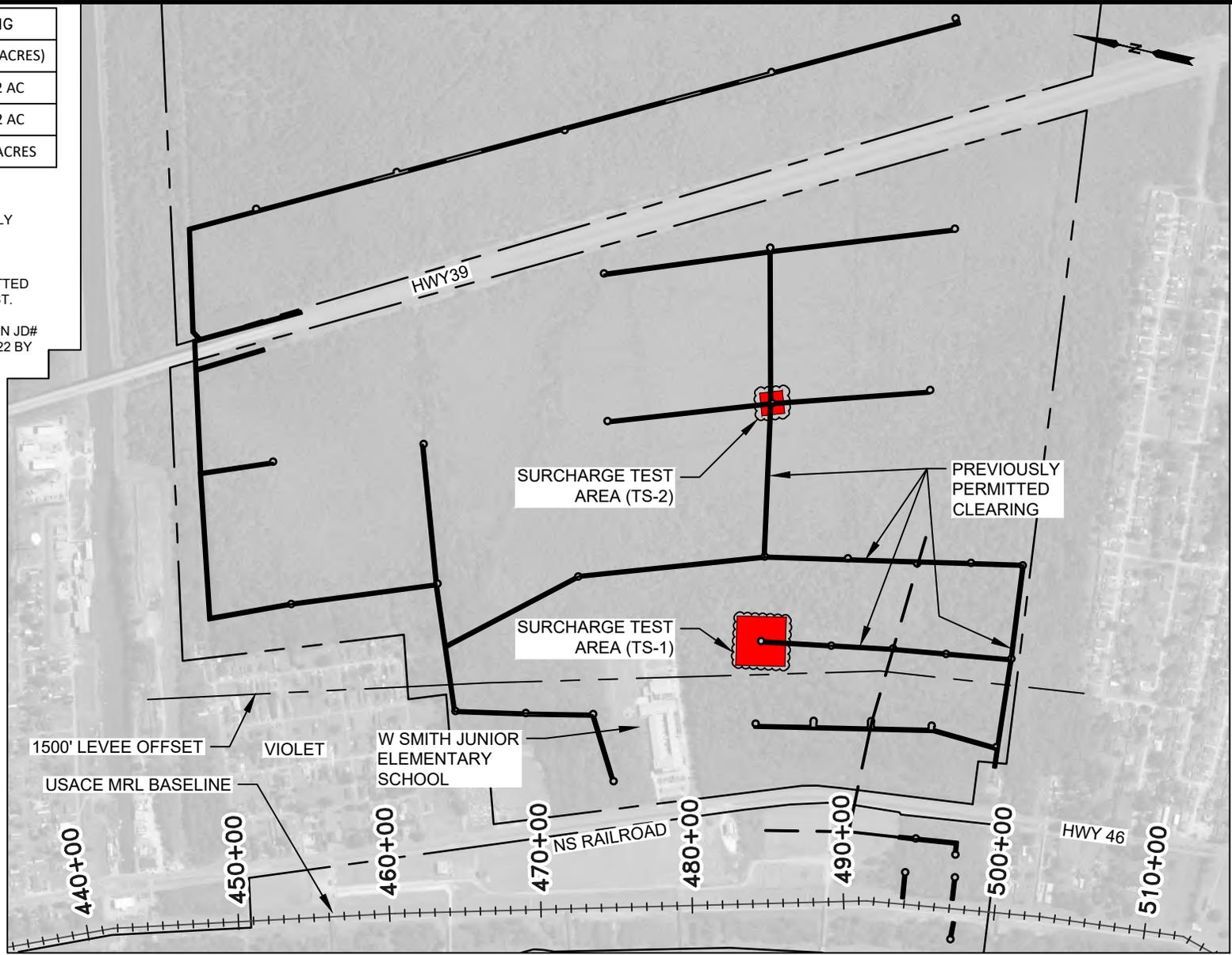
DATE	SCALE	JOB NO.	DRAWING NO.
12/22/22	AS NOTED	60637250	FIG 2 - SHT 1 OF 1
DESIGNED BY: JAMES HANCE, P.E. LA REGISTRATION NO: 0031270 STATE: LA			

PRELIMINARY - FOR PERMIT PURPOSES ONLY

TEST SURCHARGE CLEARING	
DESIGNATION	AREA (ACRES)
TS-1	2.42 AC
TS-2	0.52 AC
TOTAL	2.94 ACRES

NOTE:

1. ITEMS SHOWN IN GRAY PREVIOUSLY PERMITTED UNDER PERMIT NO. MVN-2021-00270-EG.
2. ITEMS SHOW IN RED TO BE PERMITTED UNDER THIS AMENDMENT REQUEST.
3. WETLANDS DELINEATION BASED ON JD# 2021-00070-1 DATED MARCH 14, 2022 BY TERACON.
4. SEE FIG 1 SHEET 2 OF 2 FOR GENERAL NOTES.



CLEARING PLAN

SCALE: 1" = 1000'



SCALE: 1" = 1000'

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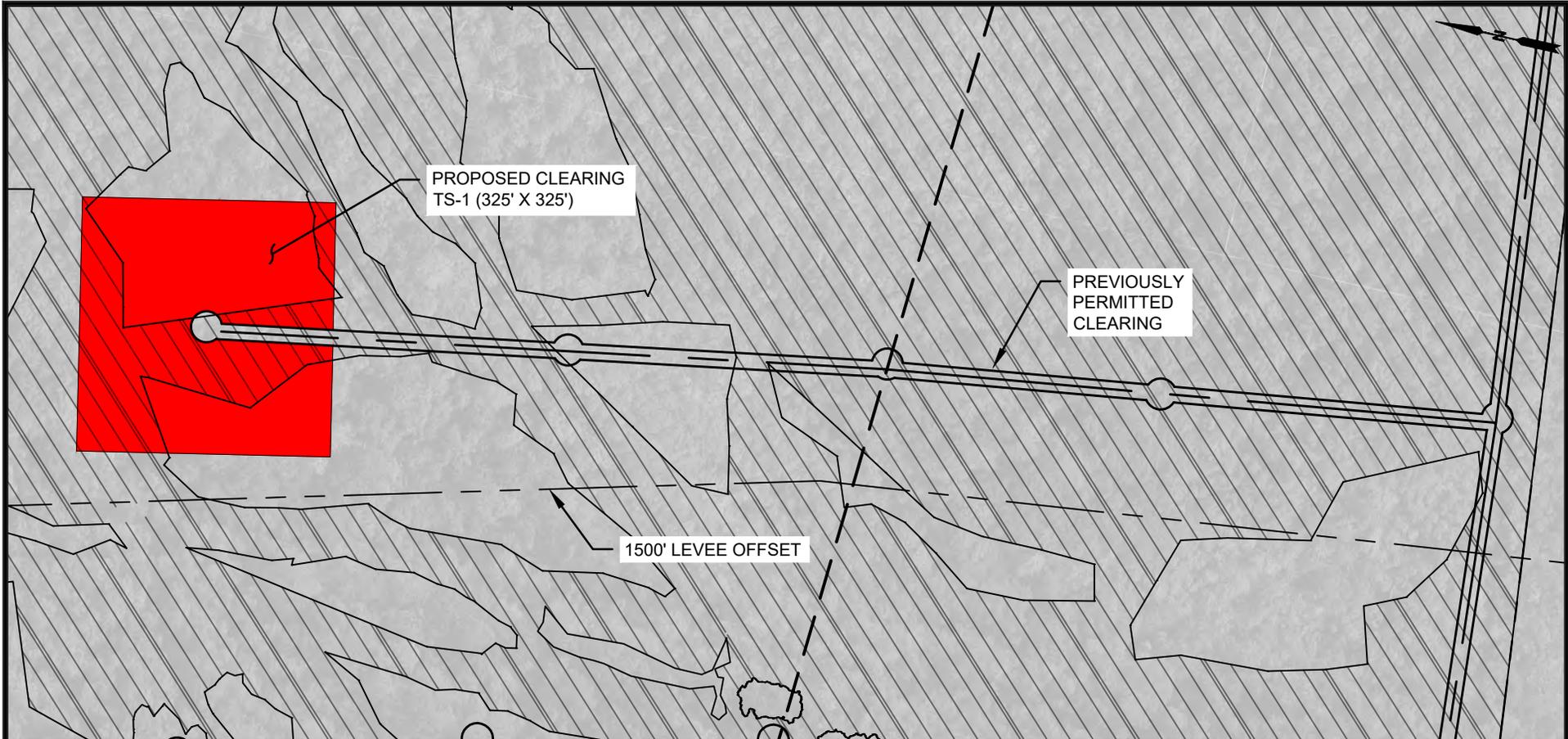
BOARD OF COMMISSIONERS - PORT OF NEW ORLEANS
LOUISIANA INTERNATIONAL TERMINAL AT VIOLET

DATE	SCALE	JOB NO.	DRAWING NO.
12/22/22	AS NOTED	60637250	FIG 3 - SHT 1 OF 1

DESIGNED BY: JAMES HANCE, P.E. LA REGISTRATION NO: 0031270 STATE: LA

PRELIMINARY - FOR PERMIT PURPOSES ONLY

C:\pwworking\aeacom_dsz1_na_2020\0256510\FIG 4.dwg, May 01, 2023 - 11:28:26AM, philip.dempseyjii



PROPOSED TEST SURCHARGES

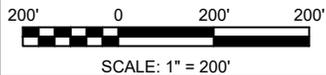
SCALE: 1" = 200'

LEGEND:

-  NON-JURISDICTIONAL FORESTED WETLAND
-  JURISDICTIONAL SCRUB/SHRUB WETLANDS
-  FORESTED WETLAND

NOTES:

1. LOCATION OF PROPOSED TEST SURCHARGES SHOWN HERE SHOULD BE CONSIDERED APPROXIMATE AND MAY BE MODIFIED IN THE FIELD BASED ON EXISTING UTILITIES, SITE ACCESS, AND/OR PROJECT REQUIREMENTS.
2. SEE FIG 1 SHEET 2 OF 2 FOR GENERAL NOTES.



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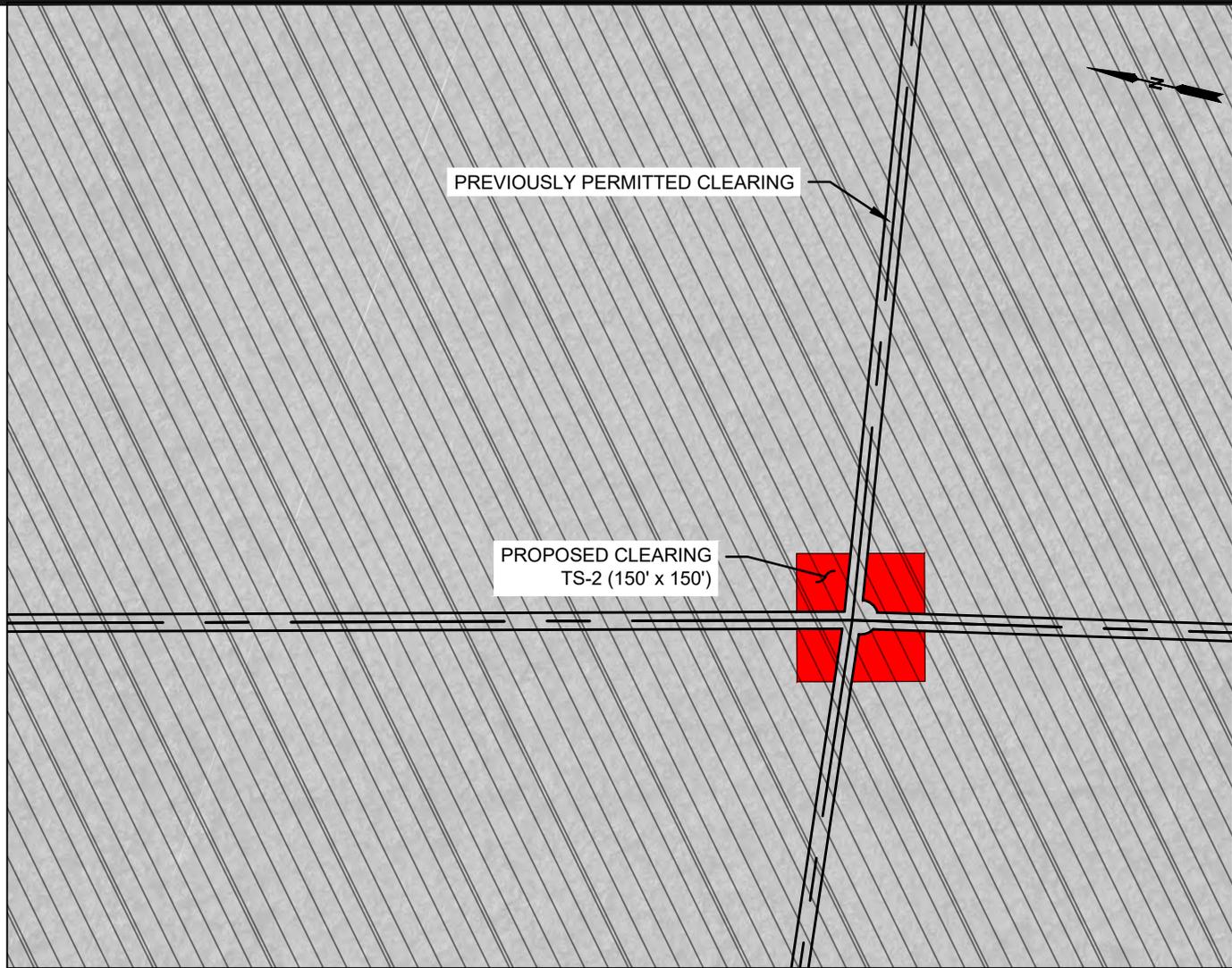


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LOUISIANA INTERNATIONAL TERMINAL AT VIOLET

DATE	SCALE	JOB NO.	DRAWING NO.
12/22/22	AS NOTED	60637250	FIG 4 - SHT 1 OF 1
DESIGNED BY: JAMES HANCE, P.E. LA REGISTRATION NO: 0031270 STATE: LA			

PRELIMINARY - FOR PERMIT PURPOSES ONLY

C:\pwworking\aecom_dsz1_na_2020\0256510\FIG 4.dwg, May 01, 2023 - 11:29:19AM, philip.dempseyjii



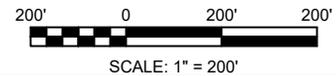
LEGEND:
 SCRUB/SHRUB WETLANDS
 FORESTED WETLAND

NOTES:

1. LOCATION OF PROPOSED TEST SURCHARGES SHOWN HERE SHOULD BE CONSIDERED APPROXIMATE AND MAY BE MODIFIED IN THE FIELD BASED ON EXISTING UTILITIES, SITE ACCESS, AND/OR PROJECT REQUIREMENTS.
2. SEE FIG 1 SHEET 2 OF 2 FOR GENERAL NOTES.

PROPOSED TEST SURCHARGES

SCALE: 1" = 200'



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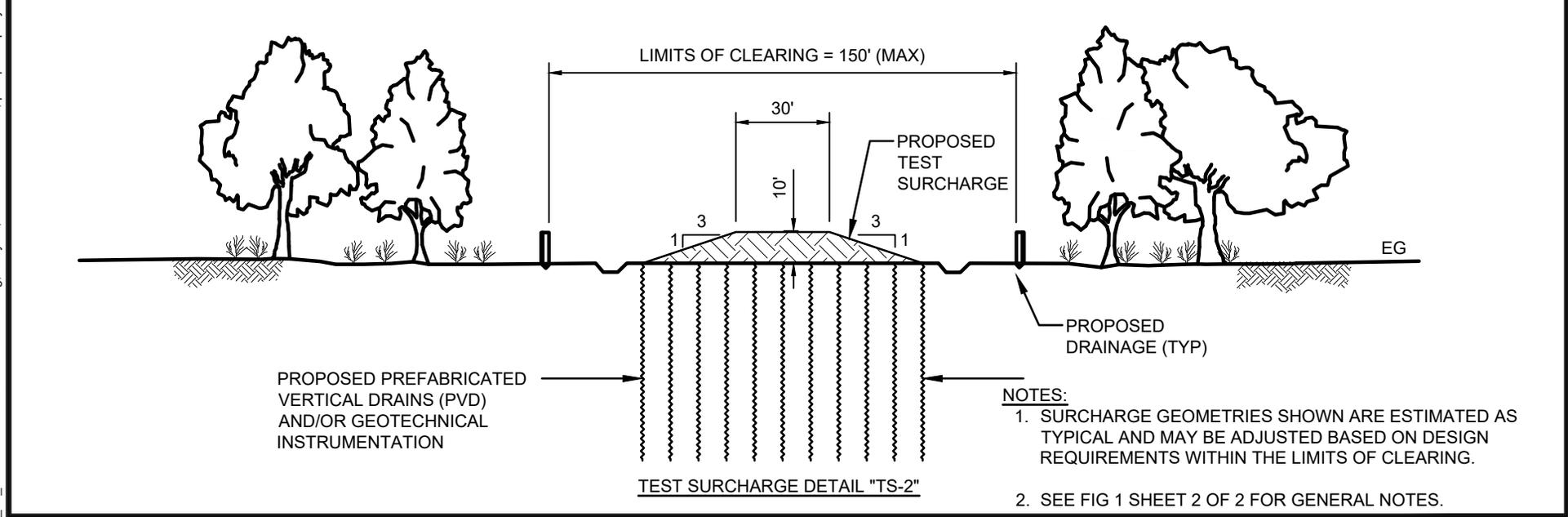
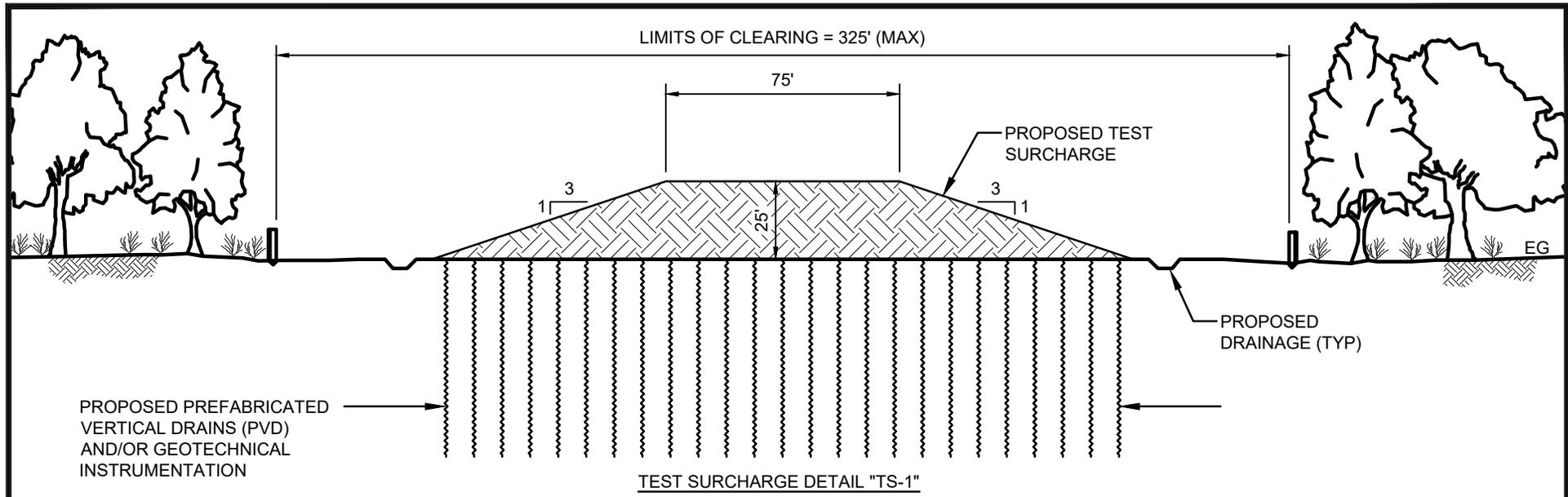


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 LOUISIANA INTERNATIONAL TERMINAL AT VIOLET

DATE	SCALE	JOB NO.	DRAWING NO.
12/22/22	AS NOTED	60637250	FIG 5 - SHT 1 OF 2
DESIGNED BY: JAMES HANCE, P.E. LA REGISTRATION NO: 0031270 STATE: LA			

PRELIMINARY - FOR PERMIT PURPOSES ONLY

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LOUISIANA INTERNATIONAL TERMINAL AT VIOLET			
DATE	SCALE	JOB NO.	DRAWING NO.
12/22/22	AS NOTED	60637250	FIG 5 - SHT 2 OF 2
DESIGNED BY: JAMES HANCE, P.E. LA REGISTRATION NO: 0031270 STATE: LA			

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