



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

October 3, 2022

Regulatory Division
Central Evaluation Branch

Project Manager:
Dirreen Arnold
(504) 862-2301
dirreen.s.arnold@usace.army.mil

Application #: MVN-2022-00867-CA

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/or [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344), and/or [X] Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408).

PROPOSED DOCK FACILITY, MISSISSIPPI RIVER **ST. JAMES PARISH**

NAME OF APPLICANT: AMERICAN CRUISE LINES, c/o Waldemar S. Nelson and Company, Incorporated, Attn: William Rushing, 1200 St. Charles Avenue, New Orleans, Louisiana, 70130.

LOCATION OF WORK: Mississippi River, right descending bank, Mile Marker 148, located at 1215 Louisiana Highway 18, Vacherie, Louisiana, (30.028152, -90.694086), in St. James Parish, as shown on the enclosed drawings, within Hydrologic Unit Code 08070100, Lower Mississippi – Baton Rouge Watershed.

CHARACTER OF WORK: The applicant has requested Department of the Army authorization to install and maintain a 120-ft long landing barge, eight (8) 48-inch diameter mooring dolphin piles, and an elevated walkway measuring 117-feet long by 6-feet wide, along the right descending bank of the Mississippi River, utilizing an old ferry landing, all to provide a docking facility for a river cruise line stopping in Vacherie, Louisiana. Approximately 134 cubic yards of fill material will be deposited. No permanent impacts to vegetated wetlands are expected, and no mitigation is anticipated.

The comment period for the Department of the Army Permit will close **30 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 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 preferably emailed to the Corps of Engineers project manager listed above or mailed to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGC, Dirreen Arnold**. 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 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.

This request will also be reviewed pursuant to Section 408 and USACE Engineering Circular (EC) 1165-2-220, which provides policy and procedural guidance for processing requests to alter USACE civil works projects.

The decision whether to grant permission for the requested alteration will be based on several factors. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. Review of the requests for modification will be reviewed by a USACE technical review team considering the following factors:

1) Potential to Impair the Usefulness of the Project. Proposed alterations will be reviewed to determine whether the alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs. If USACE determines that the usefulness of the authorized project would be impaired, the request will be denied.

2) Potential to be Injurious to the Public Interest. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest depend upon the type of USACE

project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

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. Further, all factors that may be relevant to the proposal will be considered, including the potential cumulative effects associated with the proposed project. The Section 408 review will consider the potential impact to the usefulness of the Federal project and whether the proposed alteration would be injurious to the public interest. Policy and legal compliance will also be considered.

The New Orleans District is presently 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. 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 not affect any species listed as endangered by the U.S. Department of Interior, nor affect any habitat designated as critical to the survival and recovery of any endangered species. Based on the Information and Planning 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 U.S. Fish and Wildlife Service, the Corps has determined that the proposed project is located within waters known to be occupied by the endangered Pallid Sturgeon (*Scaphirhynchus albus*) and the threatened West Indian Manatee (*Trichechus manatus*) and determined with the inclusion of the Standard Manatee Conditions for In-Water Activities, the proposed activity is not likely to adversely affect the species.

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 0.0 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 Louisiana Department of Environmental Quality, Office of Environmental Services, before a permit is issued.

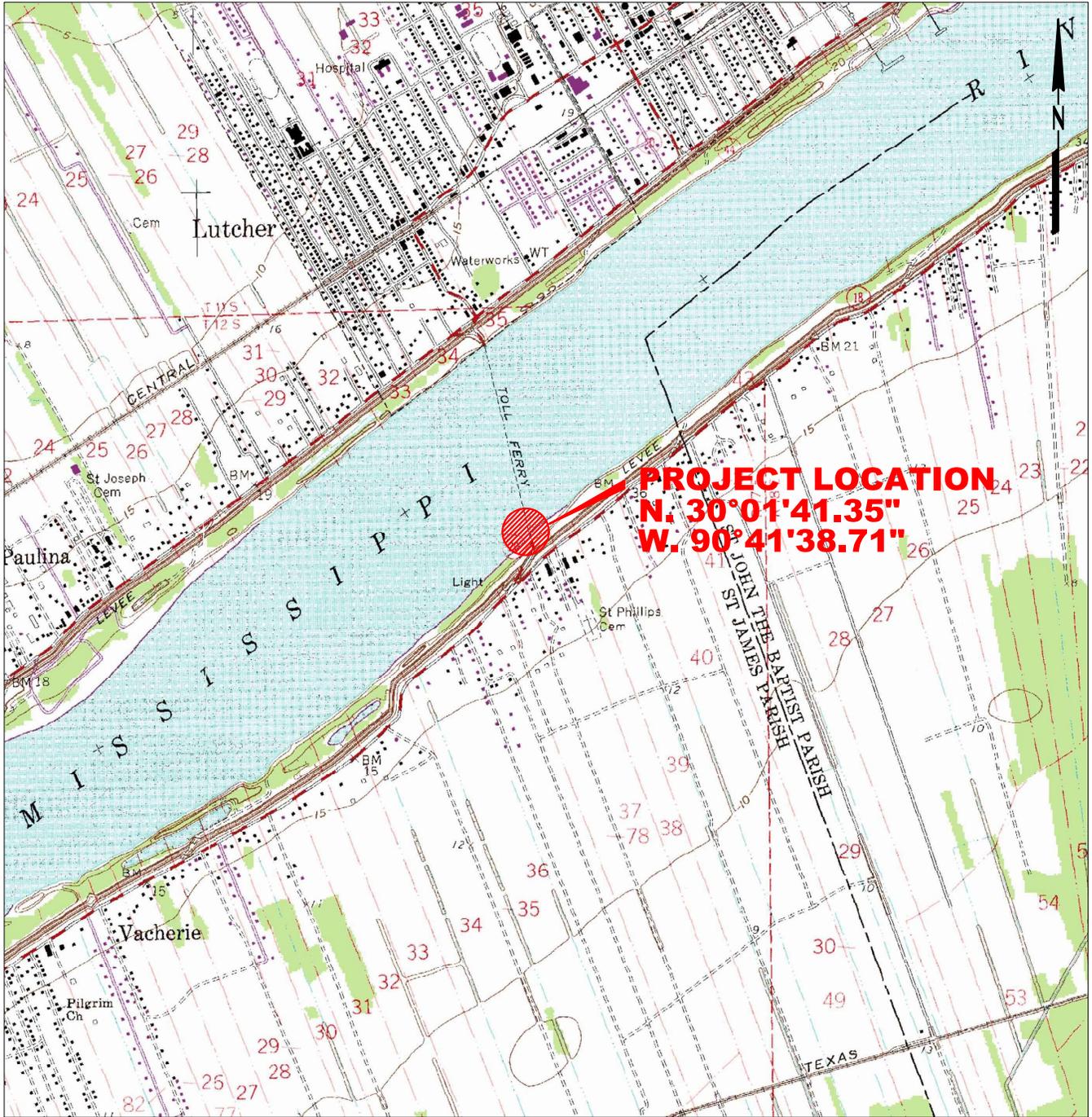
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

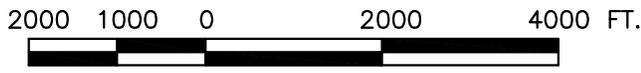
You are invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

John M. Herman
Chief, Central Evaluation Branch

**ST. JAMES PARISH, LA.
T 12 S - R 17 E
SECTION 37**



VICINITY MAP



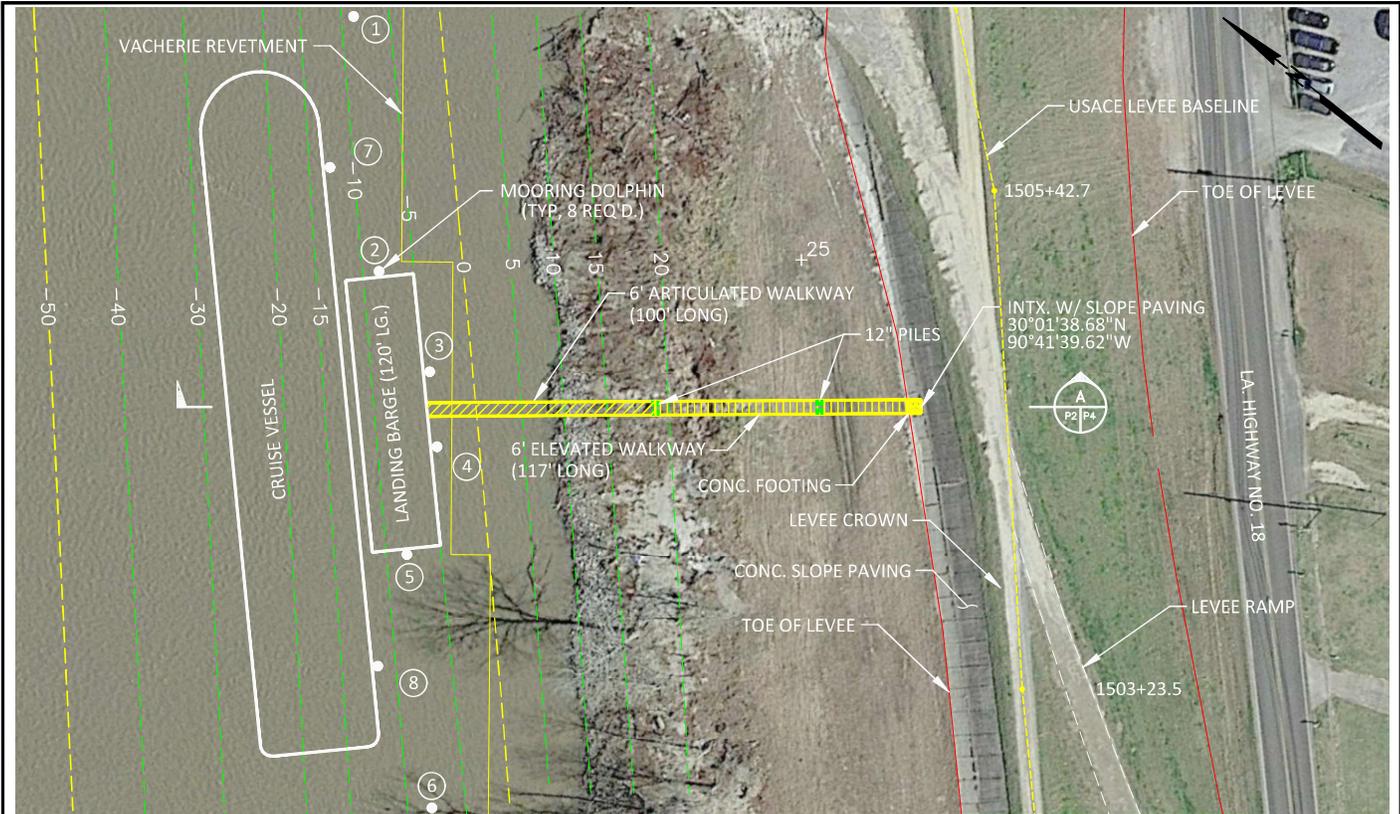
BASE MAP PREPARED FROM
U.S.G.S. QUADRANGLE
LUTCHER, LA.



WALDEMAR S. NELSON AND COMPANY
INCORPORATED
ENGINEERS AND ARCHITECTS
1200 ST. CHARLES AVE. NEW ORLEANS, LA.

**AMERICAN CRUISE LINES
VACHERIE, LA. FACILITY
VICINITY MAP**

DATE	SCALE	JOB NO.	DRAWING NO.
7/29/22	SHOWN	20200108	P1



PLAN

MATCH LINE SEE DWG P3

SCALE: 1"=60'

MOORING DOLPHIN TABLE

NO.	TYPE	LAT.	LONG.	TIP EL.	NO.	TYPE	LAT.	LONG.	TIP EL.
①	48"Ø STEEL PILE	30°01'41.62"N	90°41'39.88"W	-70'	⑤	48"Ø STEEL PILE	30°01'40.03"N	90°41'41.85"W	-70'
②	48"Ø STEEL PILE	30°01'40.90"N	90°41'40.79"W	-70'	⑥	48"Ø STEEL PILE	30°01'39.31"N	90°41'42.73"W	-70'
③	48"Ø STEEL PILE	30°01'40.44"N	90°41'41.06"W	-70'	⑦	48"Ø STEEL PILE	30°01'41.33"N	90°41'40.50"W	-70'
④	48"Ø STEEL PILE	30°01'40.23"N	90°41'41.26"W	-70'	⑧	48"Ø STEEL PILE	30°01'39.87"N	90°41'42.42"W	-70'



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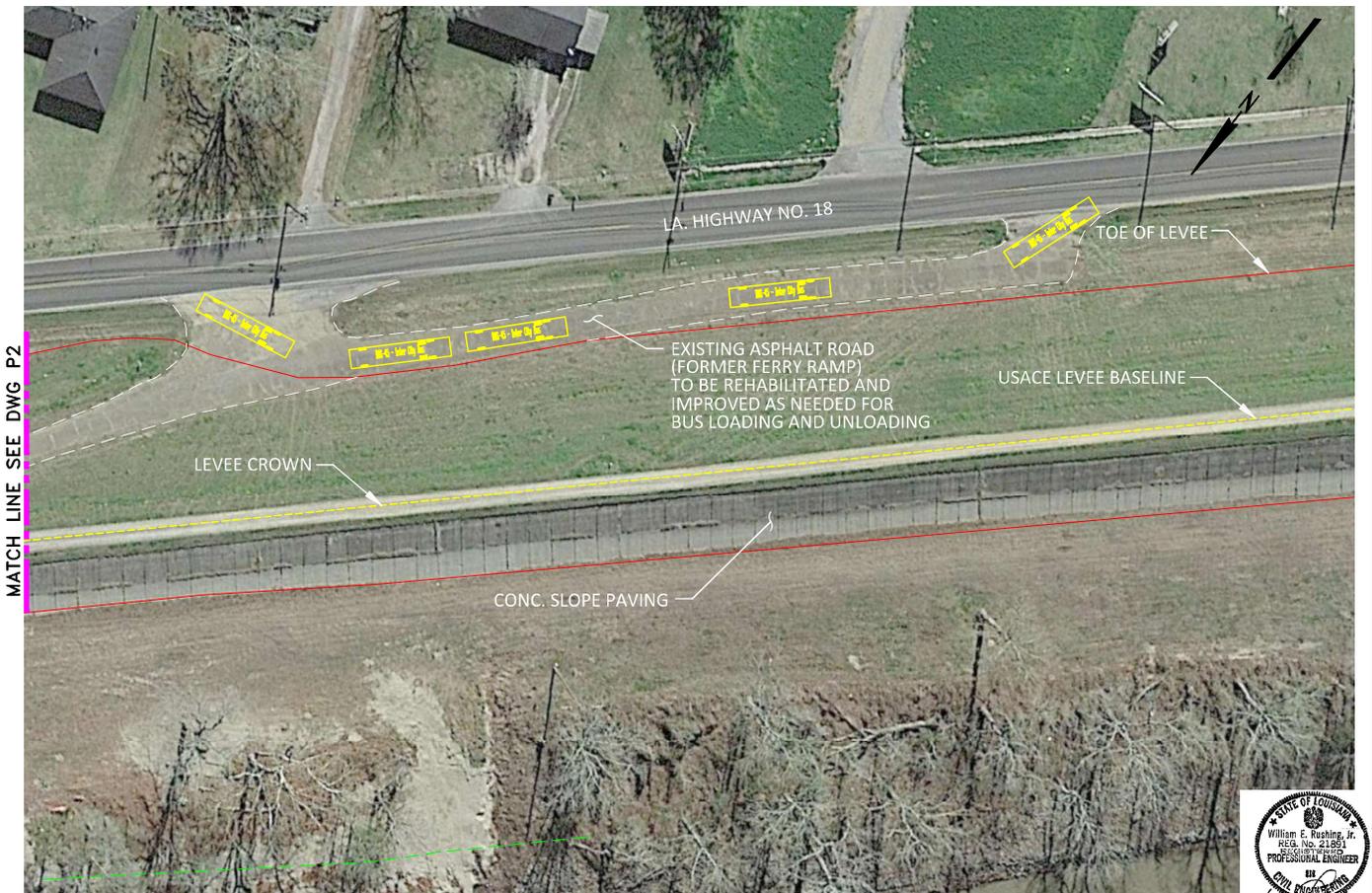
AMERICAN CRUISE LINES

VACHERIE, LA. FACILITY
LANDING AREA PLAN - 1 OF 2

DATE	SCALE	JOB NO.	DRAWING NO.
8/18/22	SHOWN	20200108	P2

PLOT DATE: 8/18/22 4:20 P.M.

ACAD FILE: 20200108_VACH_P2.DWG



PLAN

SCALE: 1"=60'



William E. Rushing, Jr.
8-25-22



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AMERICAN CRUISE LINES

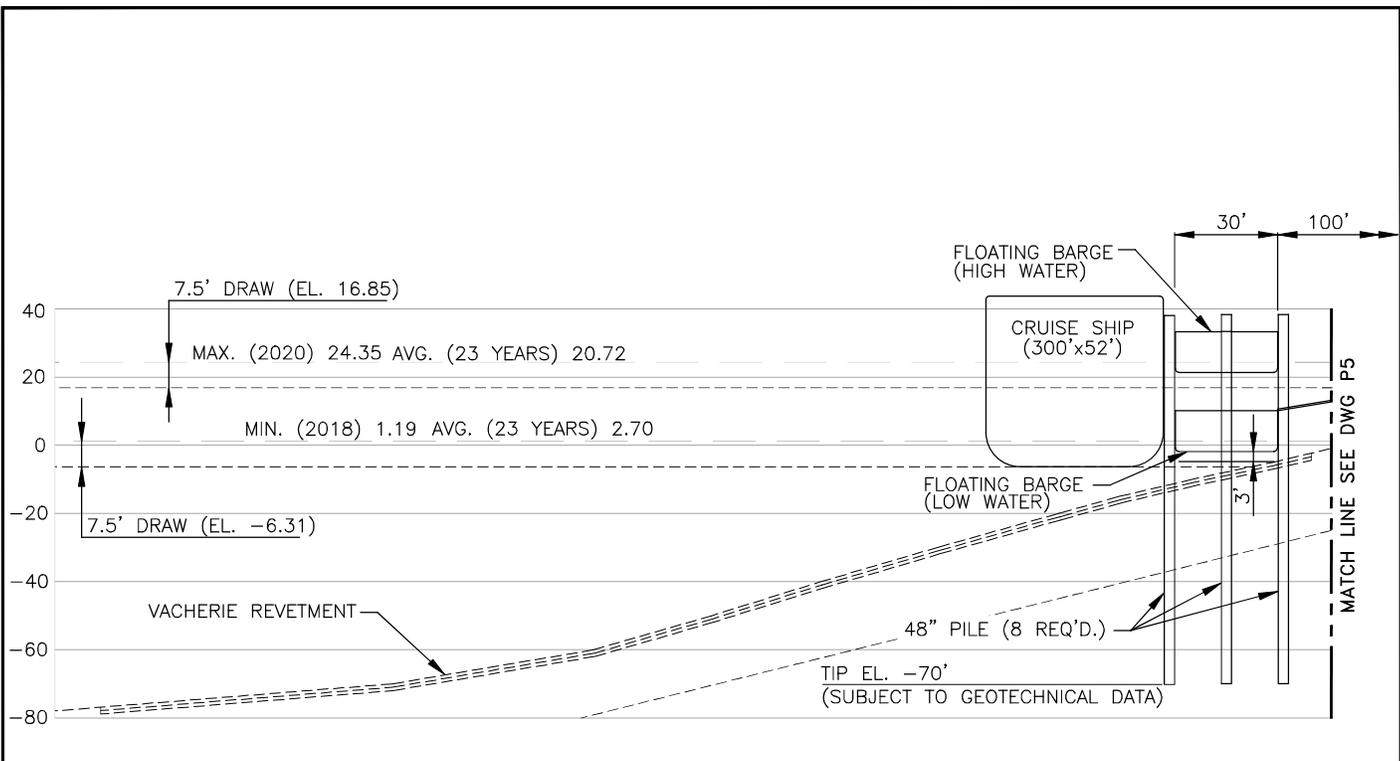
VACHERIE, LA. FACILITY

LANDING AREA PLAN - 2 OF 2

DATE	SCALE	JOB NO.	DRAWING NO.
8/18/22	SHOWN	20200108	P3

PLOT DATE: 8/18/22 4:20 P.M.

ACAD FILE: 20200108_VACH_P3.DWG



A
SECTION
P2 P5
SCALE: 1" = 40'



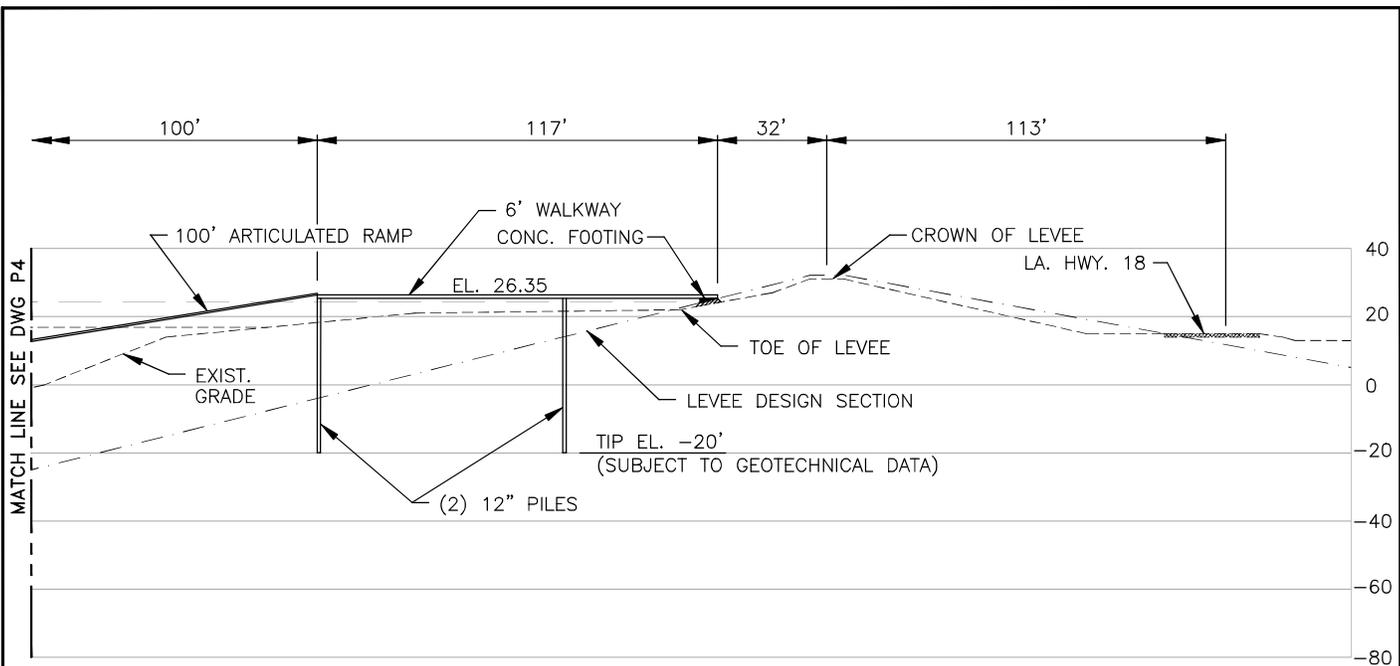
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AMERICAN CRUISE LINES
 VACHERIE, LA. FACILITY
LANDING AREA PLAN - 2 OF 2

DATE	SCALE	JOB NO.	DRAWING NO.
8/18/22	SHOWN	20200108	P4

PLOT DATE: 8/18/22 4:20 P.M.

ACAD FILE: 20200108_VACH_P4.DWG



A
P2 | P5
SECTION
SCALE: 1" = 40'



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AMERICAN CRUISE LINES

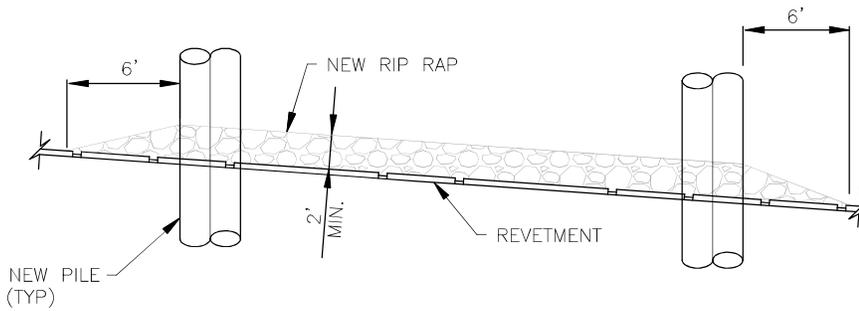
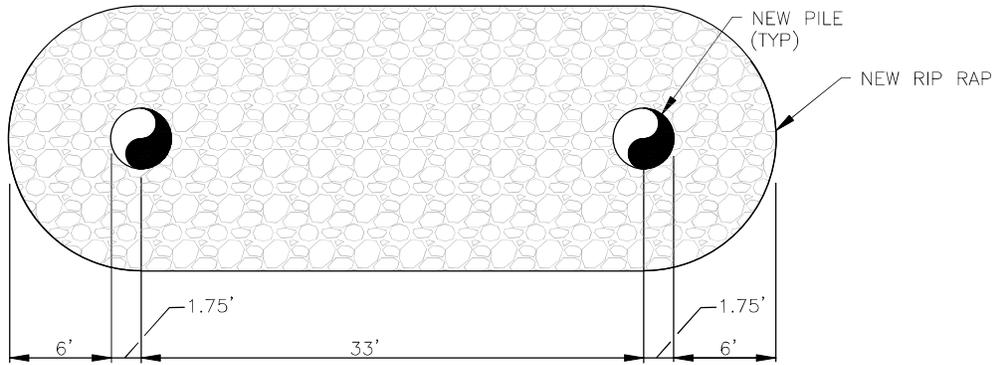
VACHERIE, LA. FACILITY

LANDING AREA PLAN - 2 OF 2

DATE	SCALE	JOB NO.	DRAWING NO.
8/18/22	SHOWN	20200108	P5

PLOT DATE: 8/18/22 4:20 P.M.

ACAD FILE: 20200108_VACH_P5.DWG



CONCRETE FOOTING DETAIL

SCALE: 1/2" = 1'-0"

REVETMENT REPAIR DETAIL
 (TO CONFORM TO U.S.A.C.E. STANDARDS)
 INDIVIDUAL PILE REPAIR SIMILAR
 N.T.S.



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AMERICAN CRUISE LINES
 VACHERIE, LA. FACILITY
 DETAILS

DATE	SCALE	JOB NO.	DRAWING NO.
8/18/22	SHOWN	20200108	P6

PLOT DATE: 8/18/22 4:20 P.M.

ACAD FILE: 20200108_VACH_P6.DWG