



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

February 6, 2023

Regulatory Division  
Eastern Evaluation Branch

Project Manager:  
Damon Morse  
(504) 862-2041  
Damon.morse@usace.army.mil

Application #: MVN-2023-00093-EDM

## **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 [ ] 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)

### **New Barge Fleet in the Intercoastal Waterway and the Inner Harbor Navigational Canal, Orleans Parish**

**NAME OF APPLICANT:** Turn Services, LLC, c/o: Lanier and Associates Engineers, attn.: Mr. John Maurin, 4101 Magazine Street, New Orleans, Louisiana 70117.

**LOCATION OF WORK:** Located at the northern corner at the intersection of the Inner Harbor Navigational Canal and the Intercoastal Waterway, in New Orleans, Orleans Parish Louisiana, (lat. 29.994167, long. -90.019722), as shown within the attached drawings. (Hydrologic Unit Code 08090100 Lower Mississippi – New Orleans).

**CHARACTER OF WORK:** The proposed project is to install a new barge fleet location. The proposed work will be accomplished by installing twelve 48-inch piles, in which two will be used for each of the six barge tiers. Each barge tier will contain four barges with one tier on the Inner Harbor Navigational Canal (36,000 square feet) and five tiers on the Intercoastal Waterway (150,000 square feet), for a total of 4.27 acres. One spudded deck barge will be installed on the east side of the five-tier area for personnel access.

**MITIGATION:** The applicant proposes to avoid direct impacts and minimize secondary impacts to the maximum extent practicable. No permanent adverse impacts to special aquatic sites are proposed; no compensatory mitigation is anticipated at this time.

The comment period on the requested Department of the Army Permit will close 15 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 the Corps of Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGE, Damon Morse**. 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 requester 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 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 at or near the proposed work but is pending further review in accordance with the National Historic Preservation Act. 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 have no effect on 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 such 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, it has been determined that the project is not likely to adversely affect the West Indian Manatee (*Trichechus manatus*), determined as threatened by the U.S. Fish and Wildlife Service, nor affect any habitat designated as critical to the survival and recovery of any such 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, alteration, and/or disturbance 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.

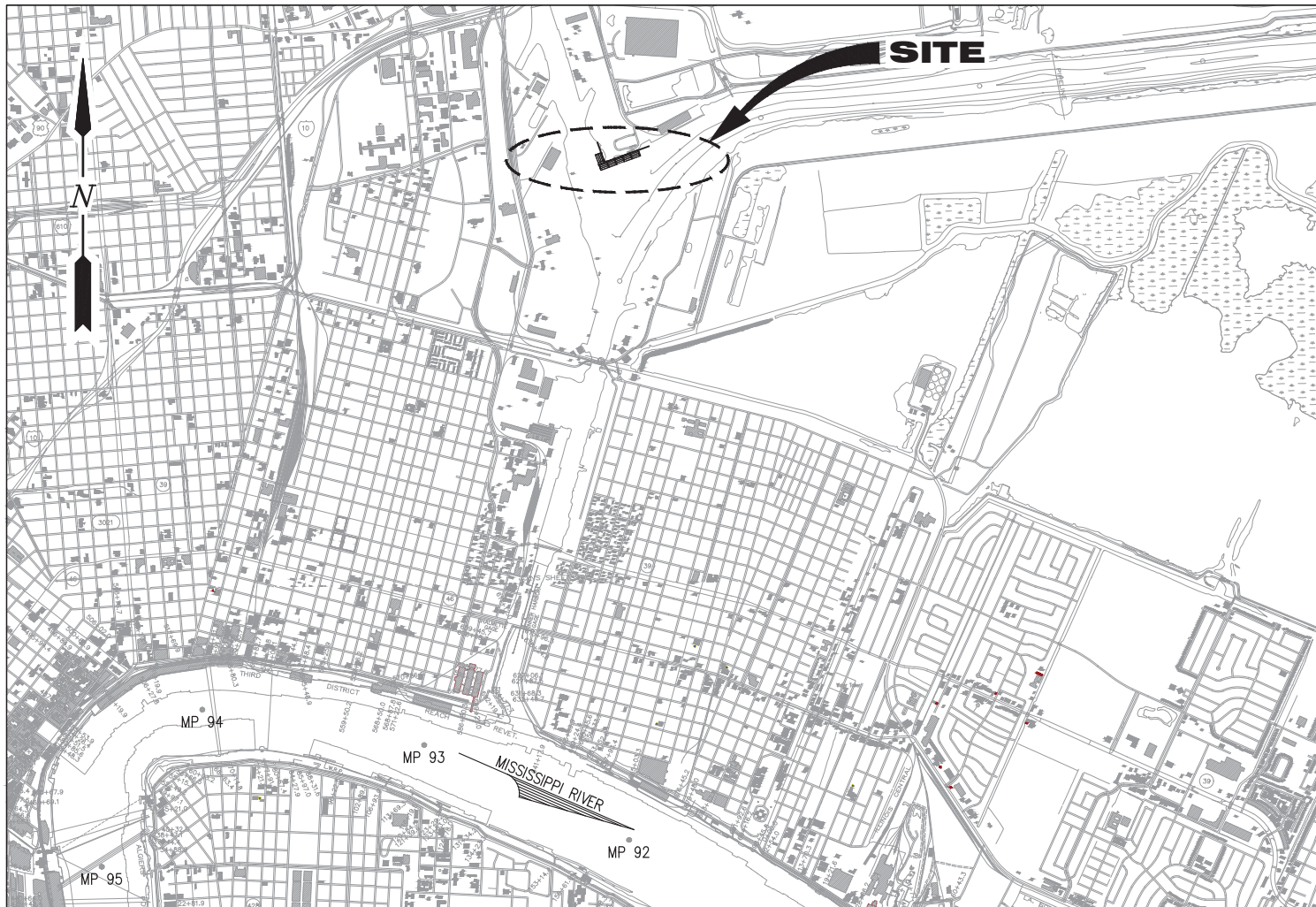
Any person may request, (preferably by email to the project manager, or in writing), within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 (Louisiana Coastal Zone Application P20221089). 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.

Brad P. LaBorde  
Chief, Eastern Evaluation Branch  
Regulatory Division

Enclosures



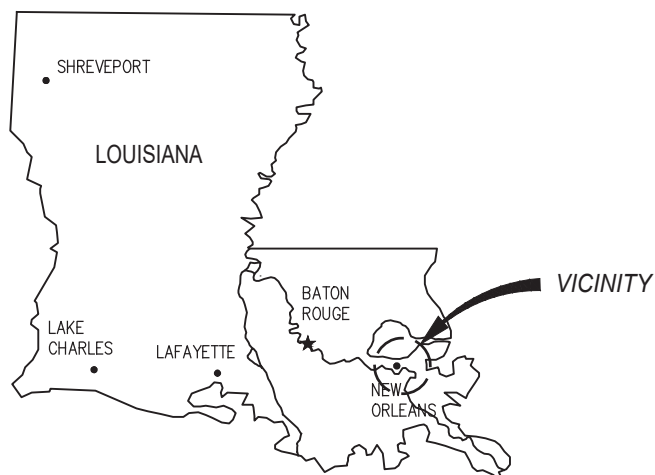
### VICINITY MAP

SCALE: 1" = 4000'

2000 0 1000 2000 4000

( IN FEET )

ORLEANS PARISH  
LAT. 29° 59' 39" N  
LONG. 90° 01' 11" W



### AREA MAP

### 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 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. ALL ELEVATIONS REFER TO NAVD 88 UNLESS NOTED OTHERWISE.
6. THE APPLICANT SHALL ADHERE TO ALL STATE STATUTES (R.S. 56:2011 ET SEQ.) AND DEPARTMENT REGULATIONS (LAC 76:XIII.101 ET SEQ.) CONCERNING DREDGING OF FILL SAND AND FILL MATERIAL FROM WATER BOTTOMS OF THE STATE OF LOUISIANA AND SEVERANCE ROYALTIES. FOR MORE INFORMATION, CONTACT MR. DAVE BUTLER AT 504-286-4173.
7. THE APPLICANT MUST SUBMIT FOR AND RECEIVE A LEEVE PERMIT/LETTER OF NO OBJECTION FROM THE CPRA, THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE ALGIERS LEEVE DISTRICT PRIOR TO COMMENCEMENT OF ACTIVITY.

JOSEPH E. JACQUAT P.E.  
LA PE #21953

PRELIMINARY-FOR PERMIT PURPOSES ONLY, NOT FOR CONSTRUCTION

REV  
A

**LANIER & ASSOCIATES**  
CONSULTING ENGINEERS  
INCORPORATED

LA: EF-1120 TX: F-2981  
NEW ORLEANS • BEAUMONT • CORPUS CHRISTI • HOUSTON

### TURN SERVICES

NEW ORLEANS

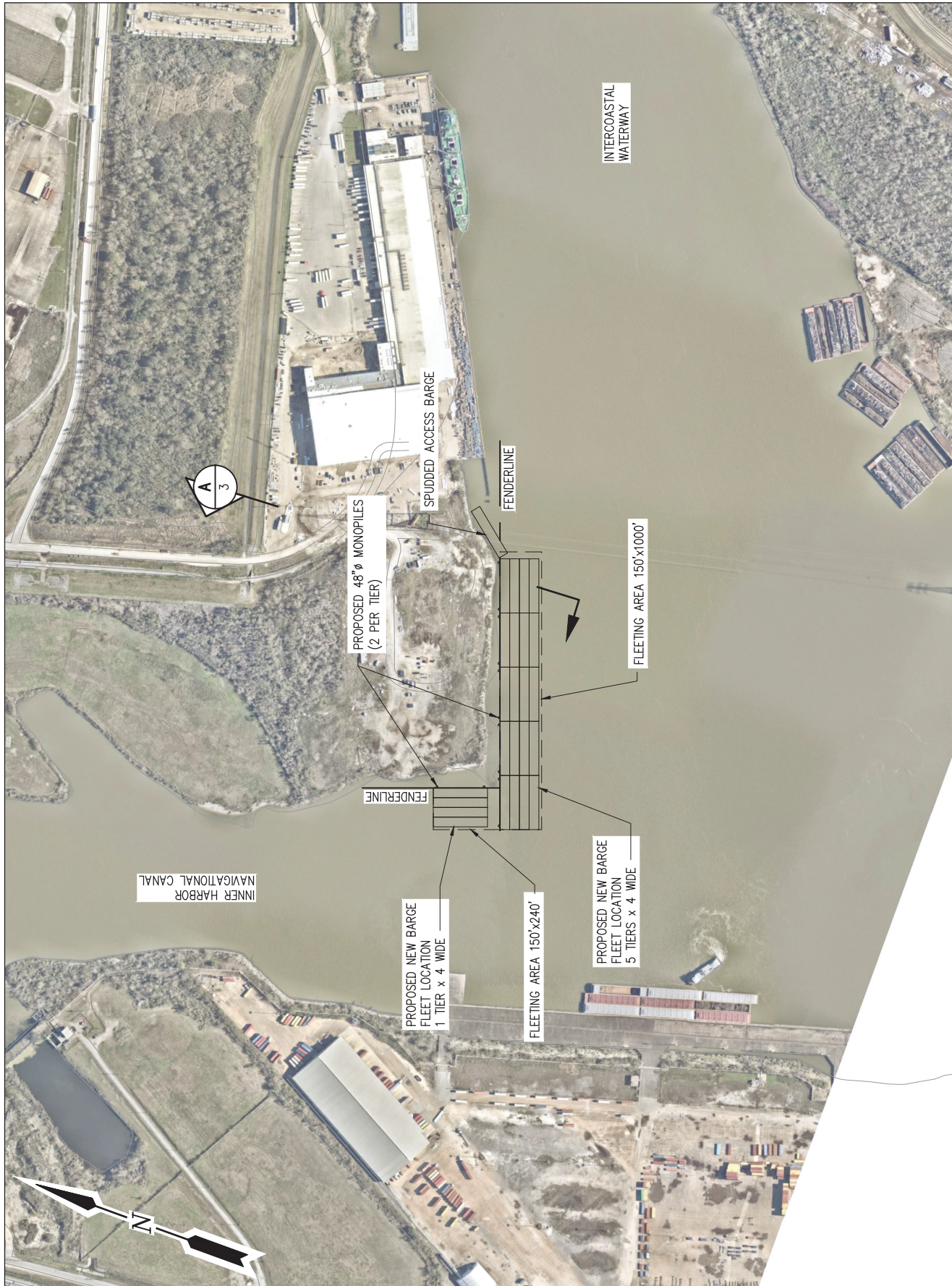
LOUISIANA

**PROPOSED NEW BARGE FLEET  
VICINITY MAP, AREA MAP & NOTES**

DATE JUN. '22  
DESIGN JDM  
DRAWN ADG  
CHECK JDM  
JOB NO 12187  
SHEET No.

1 OF 4





JOSEPH E. JACQUAT P.E.  
LA PE #21953

PRELIMINARY-FOR PERMIT PURPOSES ONLY, NOT FOR CONSTRUCTION

REV  
A

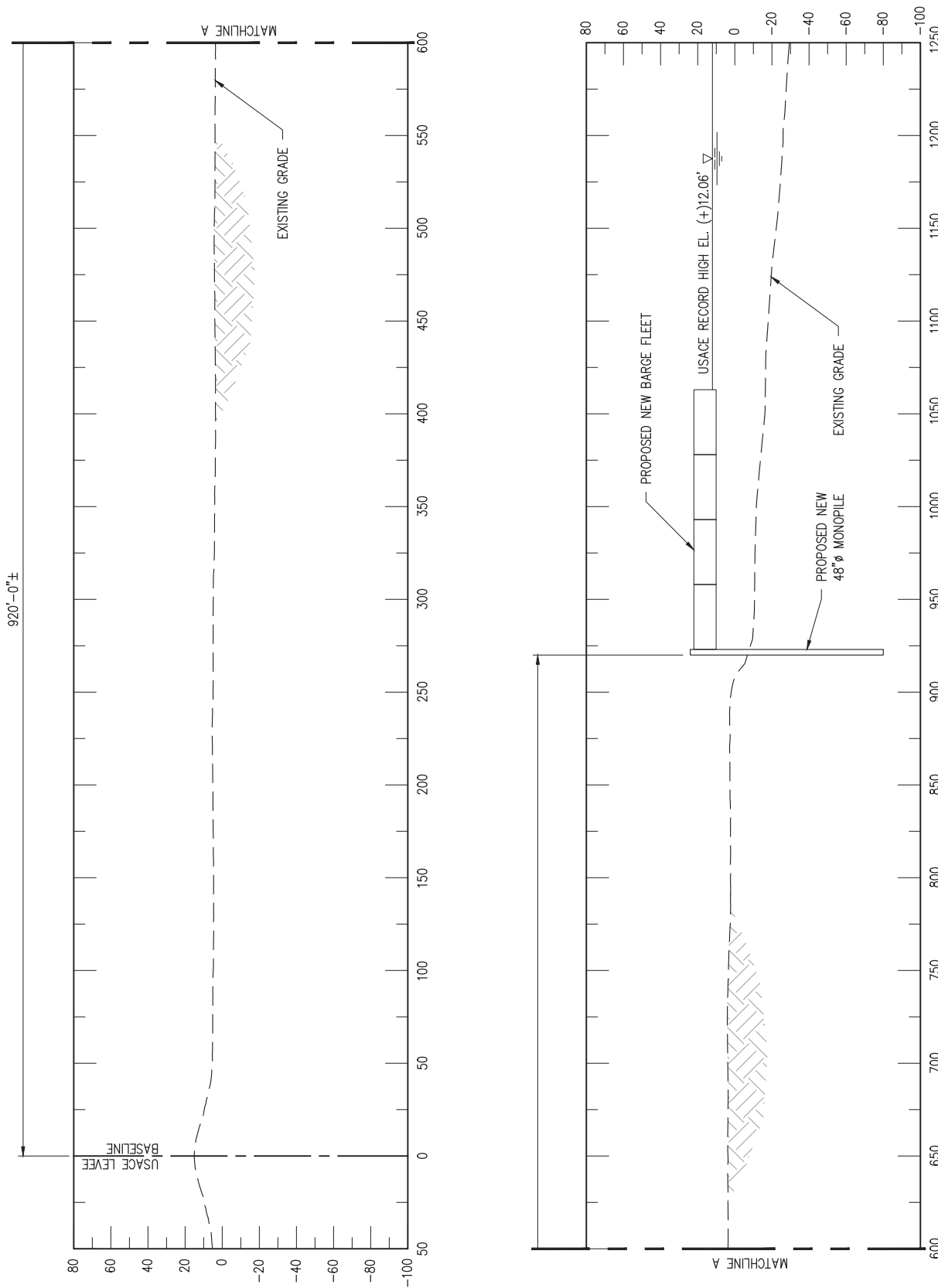


**LANIER & ASSOCIATES**  
CONSULTING ENGINEERS  
INCORPORATED  
LA: EF-1120 TX: F-2981  
NEW ORLEANS • BEAUMONT • CORPUS CHRISTI • HOUSTON

NEW ORLEANS **TURN SERVICES** LOUISIANA

**PROPOSED NEW BARGE FLEET  
SITE PLAN**

DATE JUN. '22  
DESIGN JDM  
DRAWN ADG  
CHECK JDM  
JOB NO 12187  
SHEET No.  
2 OF 4



JOSEPH E. JACQUAT P.E.  
LA PE #21953

PRELIMINARY-FOR PERMIT PURPOSES ONLY, NOT FOR CONSTRUCTION

REV  
A



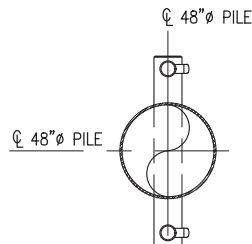
**LANIER & ASSOCIATES**  
CONSULTING ENGINEERS  
INCORPORATED

LA: EF-1120 TX: F-2981  
NEW ORLEANS • BEAUMONT • CORPUS CHRISTI • HOUSTON

NEW ORLEANS **TURN SERVICES** LOUISIANA

**PROPOSED NEW BARGE FLEET  
TYPICAL CROSS SECTION**

DATE JUN. '22  
DESIGN JDM  
DRAWN ADG  
CHECK JDM  
JOB NO 12187  
SHEET No.  
**3 OF 4**



### BARGE MONOPILE PLAN

SCALE: 1/8" = 1'-0"  
(12 REQUIRED)

T.O. PILE EL. (+)24.0'

USACE PROJECT  
FLOWLINE EL. (+)12.06'

48"Ø STEEL PIPE PILE W/16  
MILS COAL TAR EPOXY

MUDLINE EL. (-)10.0'

TIP EL. (-)80'-0"

### BARGE MONOPILE ELEVATION

SCALE: 1/8" = 1'-0"  
(12 REQUIRED)

JOSEPH E. JACQUAT P.E.  
LA PE #21953

PRELIMINARY-FOR PERMIT PURPOSES ONLY, NOT FOR CONSTRUCTION

REV  
A



**LANIER & ASSOCIATES**  
CONSULTING ENGINEERS  
INCORPORATED

LA: EF-1120 TX: F-2981  
NEW ORLEANS • BEAUMONT • CORPUS CHRISTI • HOUSTON

NEW ORLEANS

**TURN SERVICES**

LOUISIANA

**PROPOSED NEW BARGE FLEET  
MONOPILE DETAIL**

DATE JUN. '22  
DESIGN JDM  
DRAWN ADG  
CHECK JDM  
JOB NO 12187  
SHEET No.

4 OF 4