

# PUBLIC NOTICE

August 23, 2021

United States Army  
Corps of Engineers  
New Orleans District  
Attn: Regulatory Division  
7400 Leake Avenue  
New Orleans, Louisiana 70118

Project Manager:  
Johnny Duplantis  
(504) 862-2548  
Johnny.J.Duplantis@usace.army.mil  
Application #: MVN-2004-00959-WPP

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).

## **PROPOSED TIME EXTENSION FOR MAINTENANCE DREDGING IN THE CALCASIEU RIVER IN CALCASIEU PARISH**

**NAME OF APPLICANT:** Citgo Petroleum Corporation, c/o: EDI Environmental Services, Attn: Ben Summerlin, 206 Easy Street, Lafayette, Louisiana 70506.

**LOCATION OF WORK:** Located on the Calcasieu River, right descending bank, approximately 29 miles above the mouth of the waterway, in Lake Charles, Louisiana, in Calcasieu Parish (lat. 30.173046°, long. -93.319579°), as shown within the attached drawings. (Hydrologic Unit Code 08080206, Calcasieu Basin)

**CHARACTER OF WORK:** The applicant has requested permit reissuance to perform maintenance dredging of accumulated sediments at the existing barge and ship dock "D". Multiple permit authorizations and time extensions have been granted for modifications and dredging at the dock since September 30, 1996. The most recent permit authorization was granted on March 24, 2016, to dredge an existing dock and barge slip to remove accumulated sediments and place the dredged material in approved disposal areas, all as necessary to maintain navigation depths to support mooring of vessels at "D" Dock of the CITGO Lake Charles Refinery Complex. This permit expired on March 31, 2021, and the applicant has requested permit reissuance to continue to maintain vessel access to the dock. Dredged spoil material will be placed at 2 existing disposal areas, as shown on the permit drawings. Approximately 1.8 acres of Waters of the US will be temporarily impacted by the project, and no permanent wetland impacts are proposed in disposal areas.

The comment period on the requested Department of the Army Permit will close **20 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 requested permit 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 e-mailed to the Corps of Engineers project manager listed above, or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION**. Individuals or parties may also request an extension of time in which to comment on the proposed work, by mail or by e-mailing 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 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.

### **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, prehistorical, historical sites, or data. As 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, it has been determined that the project would have no effect to the Red-cockaded Woodpecker (*Picoides borealis*) and is not likely to adversely affect the West Indian Manatee (*Trichechus manatus*) with the addition of special permit conditions for in-water activities.

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 approximately **1.8 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.

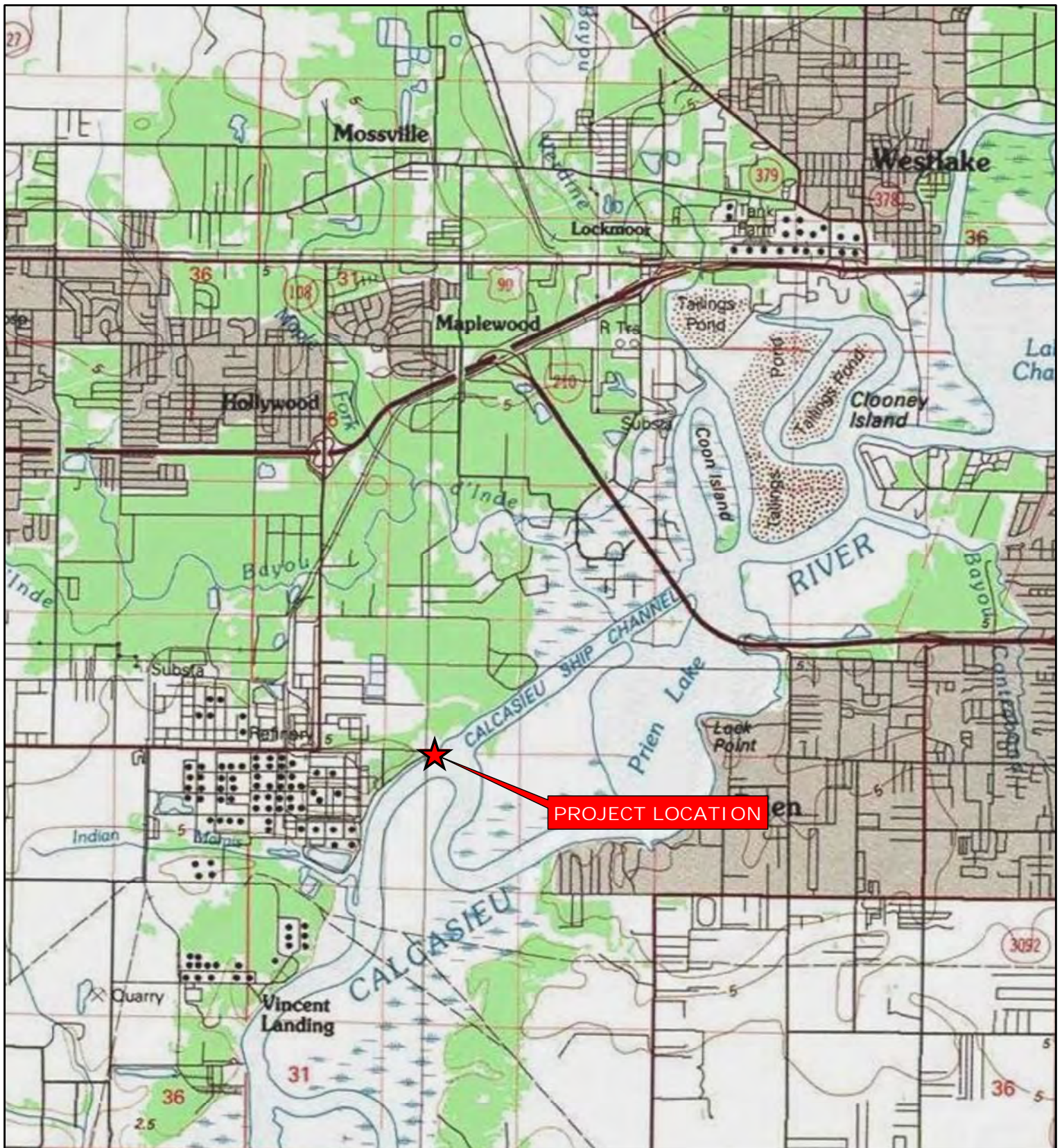
If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, before a Department of the Army 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.

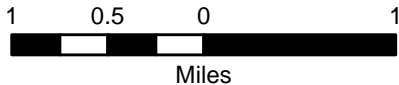
You are invited to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Darrell S. Barbara  
Chief, Western Evaluation Branch  
Regulatory Division

Enclosures



**PROJECT LOCATION**



CITGO PETROLEUM CORPORATION

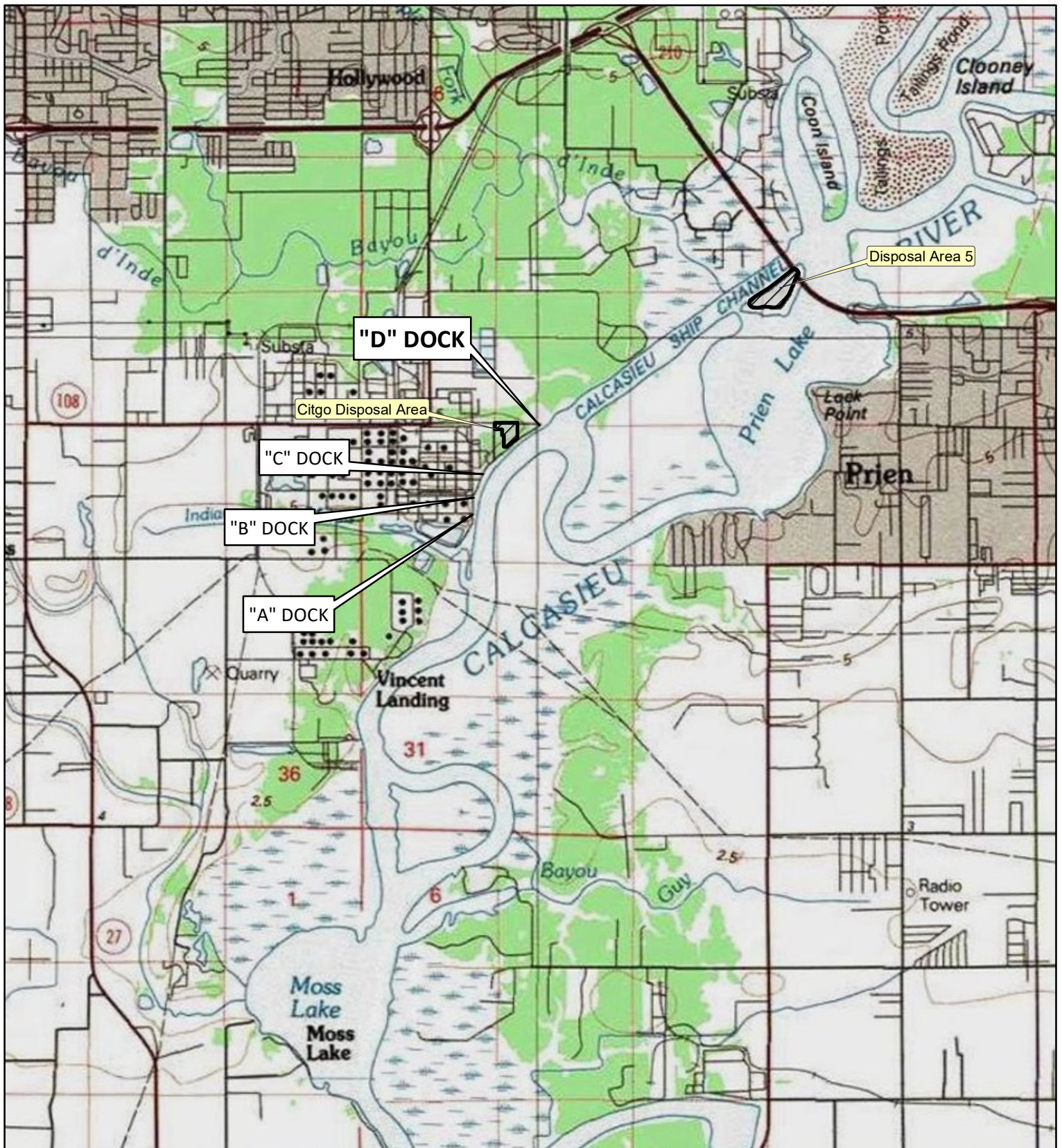
MAINTENANCE DREDGING MODIFICATION

Vicinity Map "D" Dock

Calcasieu Parish, Louisiana



Created:	KFM
Approved:	BS
Date:	06/10/2021
Dwg No.	



CITGO PETROLEUM CORPORATION

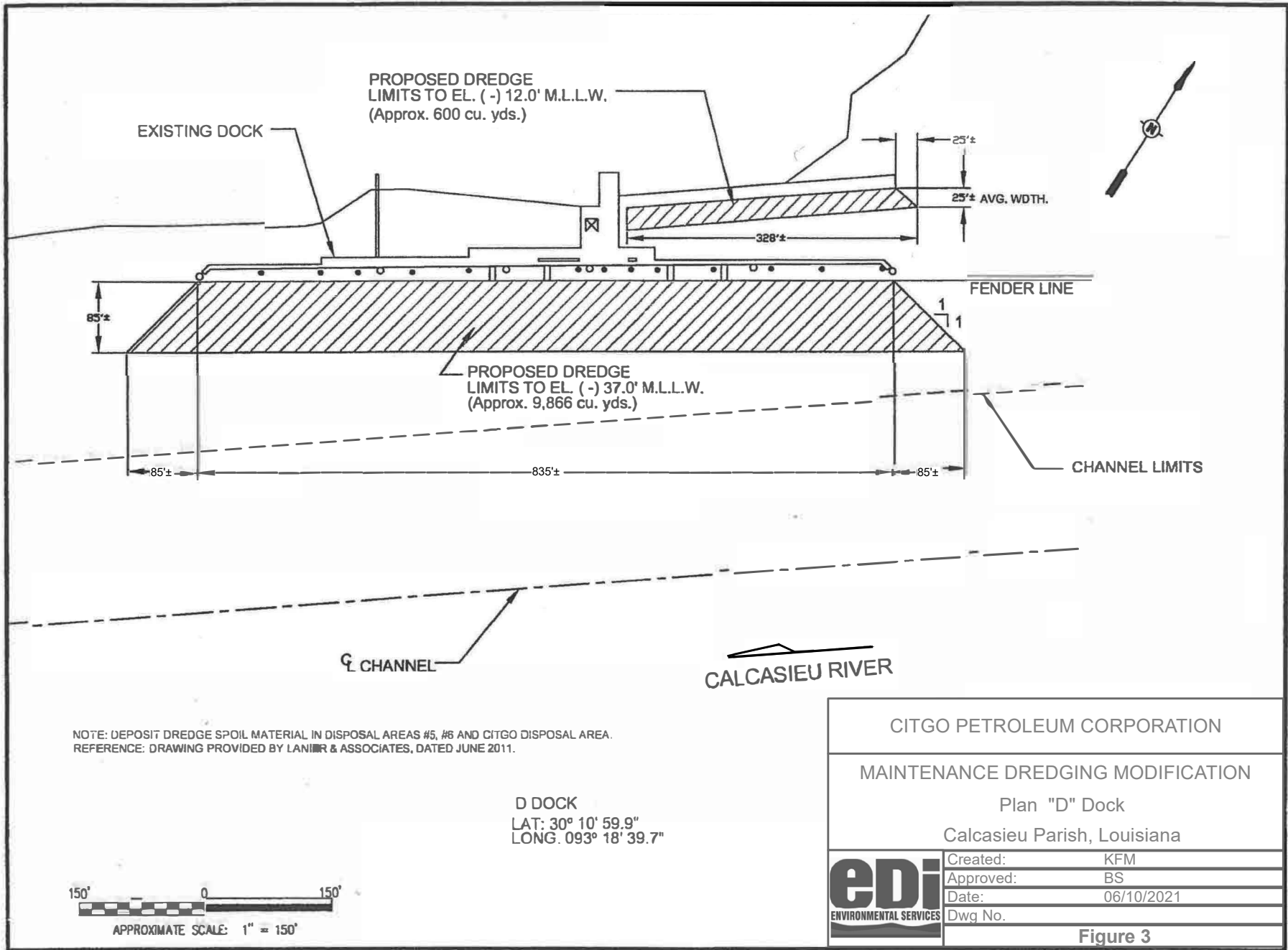
MAINTENANCE DREDGING MODIFICATION

Spoil Disposal Areas "D" Dock

Calcasieu Parish, Louisiana



Created:	KFM
Approved:	BS
Date:	06/10/2021
Dwg No.	



NOTE: DEPOSIT DREDGE SPOIL MATERIAL IN DISPOSAL AREAS #5, #6 AND CITGO DISPOSAL AREA.  
 REFERENCE: DRAWING PROVIDED BY LANIIR & ASSOCIATES, DATED JUNE 2011.

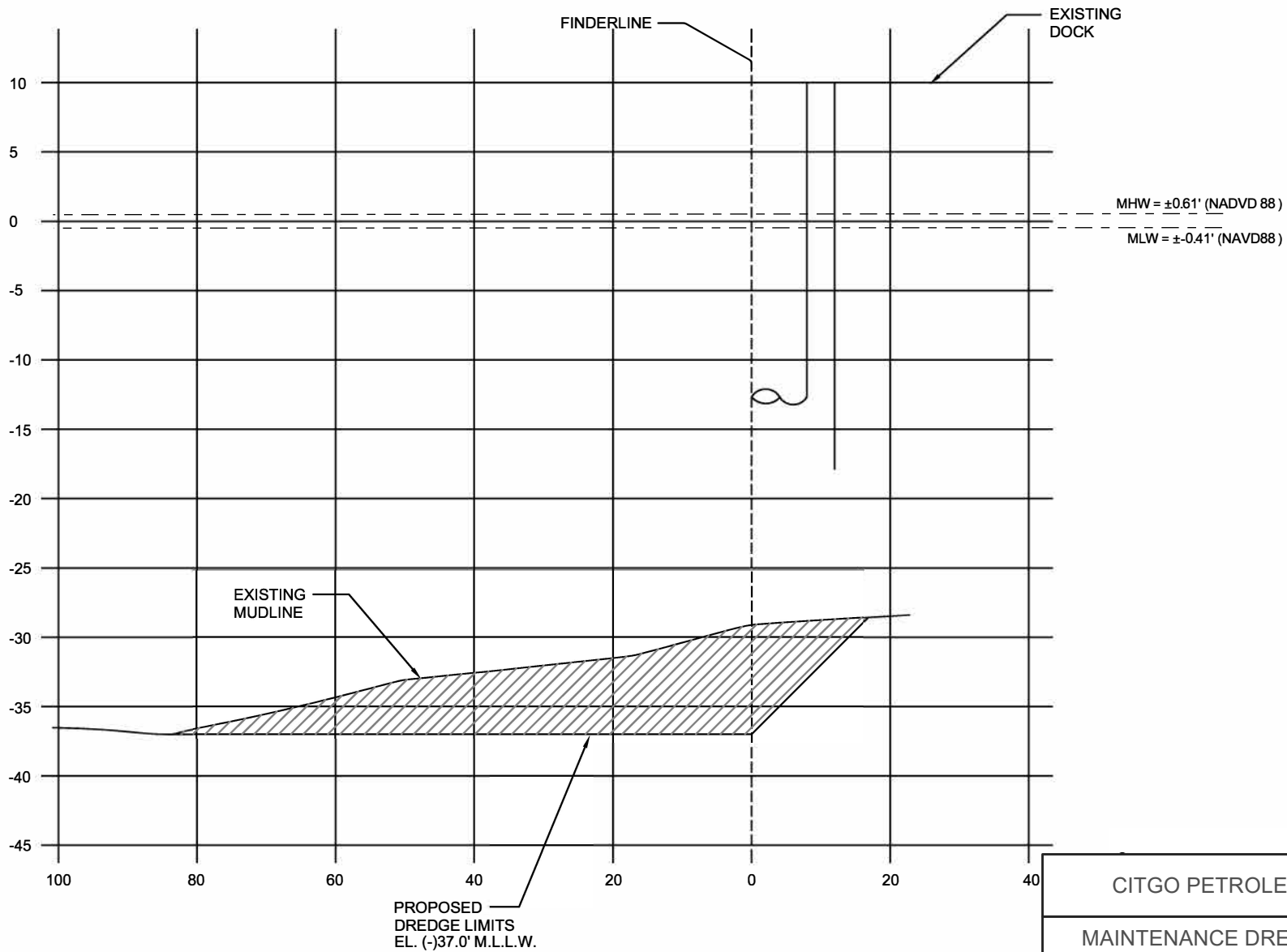
D DOCK  
 LAT: 30° 10' 59.9"  
 LONG. 093° 18' 39.7"




APPROXIMATE SCALE: 1" = 150'

CITGO PETROLEUM CORPORATION	
MAINTENANCE DREDGING MODIFICATION	
Plan "D" Dock	
Calcasieu Parish, Louisiana	
Created:	KFM
Approved:	BS
Date:	06/10/2021
Dwg No.	
<b>Figure 3</b>	



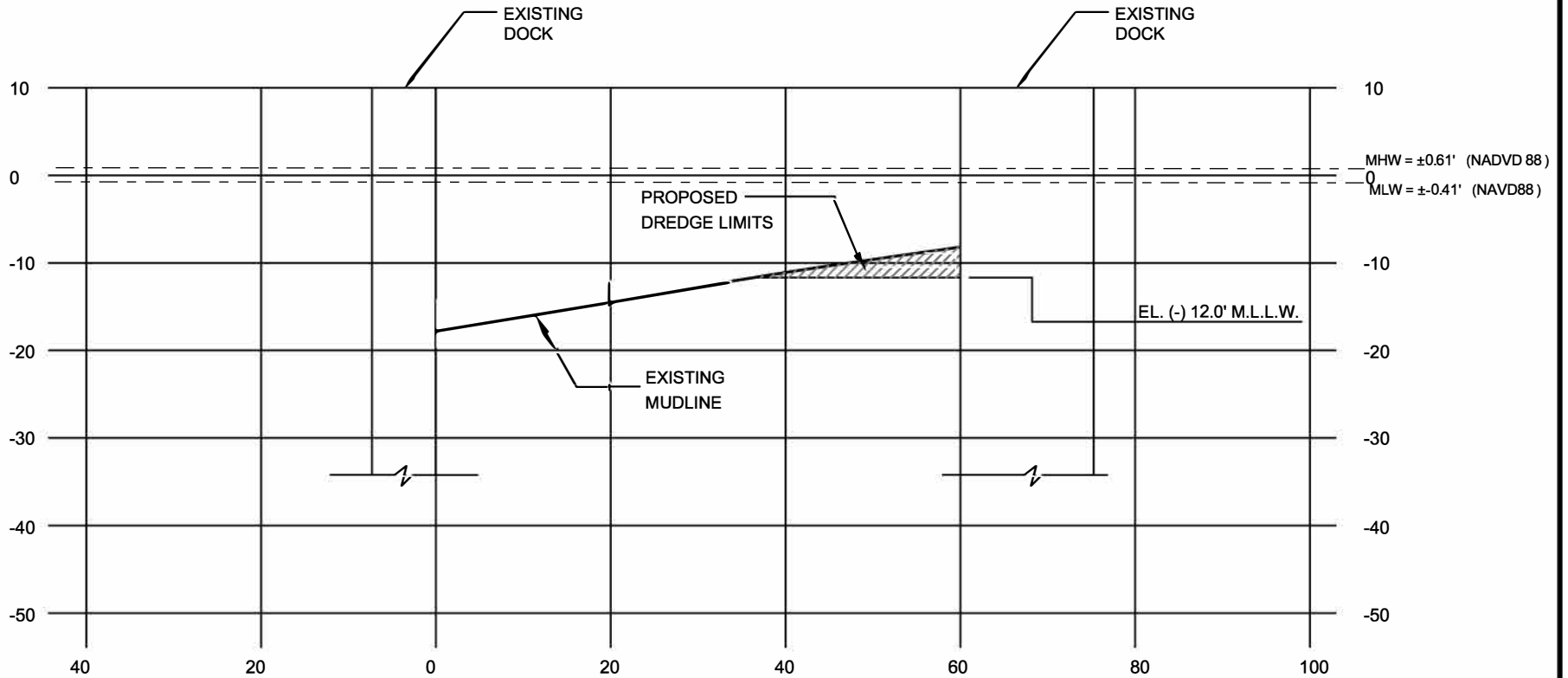


NOTE: DEPOSIT DREDGE SPOIL MATERIAL IN DISPOSAL AREAS #5, #6 AND CITGO DISPOSAL AREA.  
 REFERENCE: DRAWING PROVIDED BY LANIER & ASSOCIATES, DATED JUNE 2011.


CITGO PETROLEUM CORPORATION	
MAINTENANCE DREDGING MODIFICATION	
Typical Section at "D" Dock - Riverside Berth	
Calcasieu Parish, Louisiana	
	Created: KFM
	Approved: BS
	Date: 06/10/2021
	Dwg No.
<b>Figure 4</b>	

RIVERSIDE

LANDSIDE



NOTE: DEPOSIT DREDGE SPOIL MATERIAL IN DISPOSAL AREAS #5, #6 AND CITGO DISPOSAL AREA.  
 REFERENCE: DRAWING PROVIDED BY LANIER & ASSOCIATES, DATED OCT. 2003.

CITGO PETROLEUM CORPORATION	
MAINTENANCE DREDGING MODIFICATION	
Typical Section at "D" Dock - Barge Slip	
Calcasieu Parish, Louisiana	
	Created: KFM
	Approved: BS
	Date: 06/10/2021
	Dwg No.
<b>Figure 5</b>	