



REPLY TO
ATTENTION OF

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

May 16, 2022

Regulatory Division, RGE

Project Manager
Stephanie Castaing
Stephanie.L.Castaing@usace.army.mil
(504) 862-1564

SUBJECT: MVN-2014-0360-EPP

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).

TIME EXTENSION TO INSTALL AND MAINTAIN MOORING FOR BARGE FLEETING WITHIN THE MISSISSIPPI RIVER IN PLAQUEMINES PARISH

NAME OF APPLICANT: Cooper Consolidated, LLC, % Lanier & Associates Engineers,
Attn: John Maurin, 4101 Magazine Street, New Orleans, Louisiana 70115.

LOCATION OF WORK: Project site is located on the left descending bank of the Mississippi River, at about 72.5 miles above Head of Passes, located off of Louisiana Highway 39, in Braithwaite, Louisiana, in Plaquemines Parish, as shown on the enclosed drawings.

Latitude: 29.809403 Longitude: -90.000789

Hydrologic Unit Code 08090100 – Lower Mississippi-New Orleans.

CHARACTER OF WORK: Install and maintain mooring for additional 13 tiers of barge fleeting. The applicant maintains that no jurisdictional wetlands would be directly affected by this action, thus no compensatory mitigation is anticipated.

The comment period on the requested 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 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 Engineers project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION**, RGE, Stephanie Castaing.

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 Mary Plantation House, 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 proposed activity may affect, but not likely to adversely affect the threatened West Indian manatee (*Trichechus manatus*) and the endangered Pallid sturgeon (*Scaphirhynchus albus*) species based on the Information for Planning and Consultation (IPaC) system, between the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, Ecological Services Office with the inclusion of the standard manatee conditions for in-water activities.

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 result in the destruction or alteration of up to 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. 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.

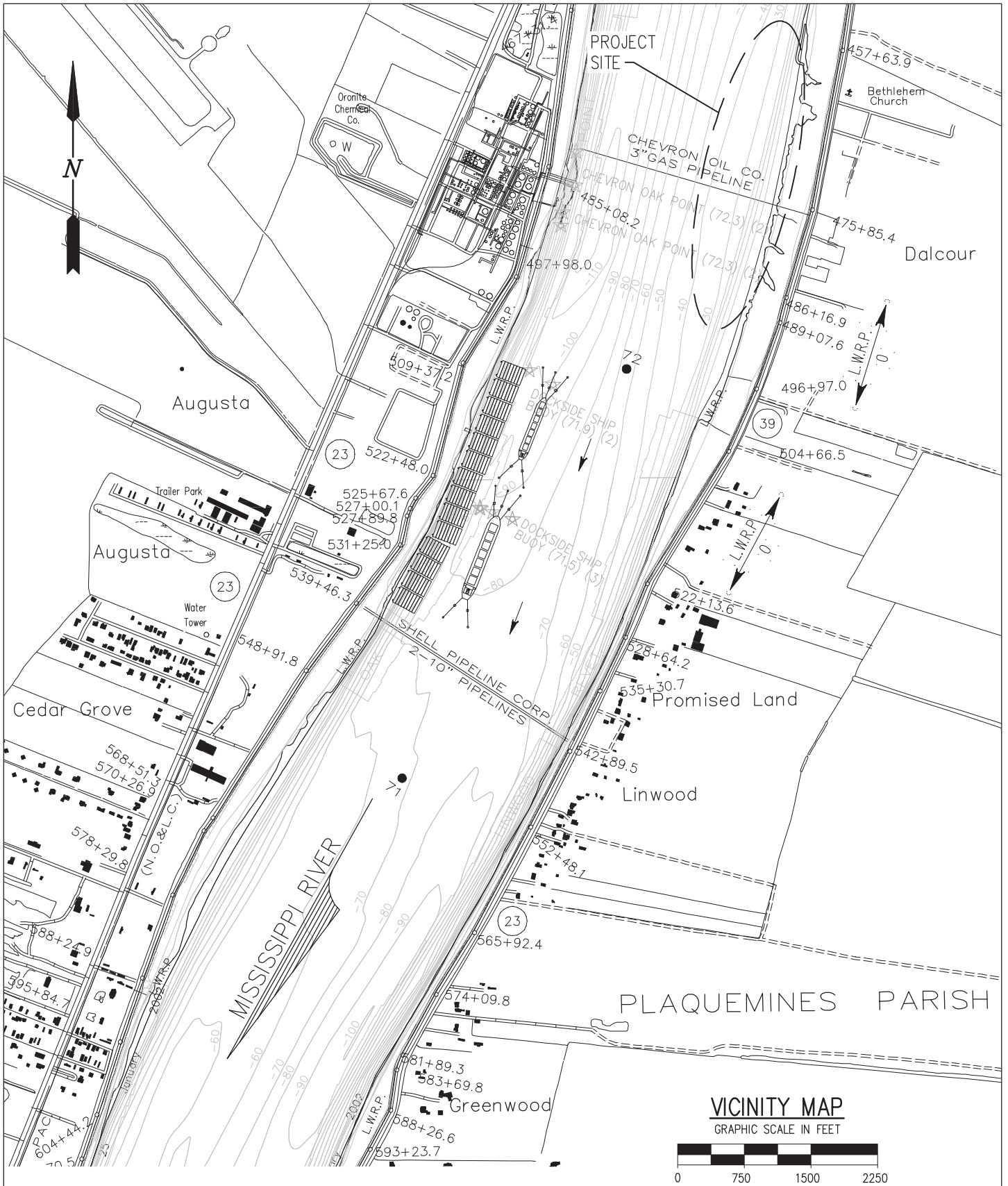
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

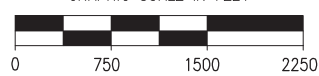
You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Michael V. Farabee
Chief, Eastern Evaluation Branch

Enclosure



VICINITY MAP
GRAPHIC SCALE IN FEET



LAT: 29°48'33.31"
LONG: 90°00'06.08"

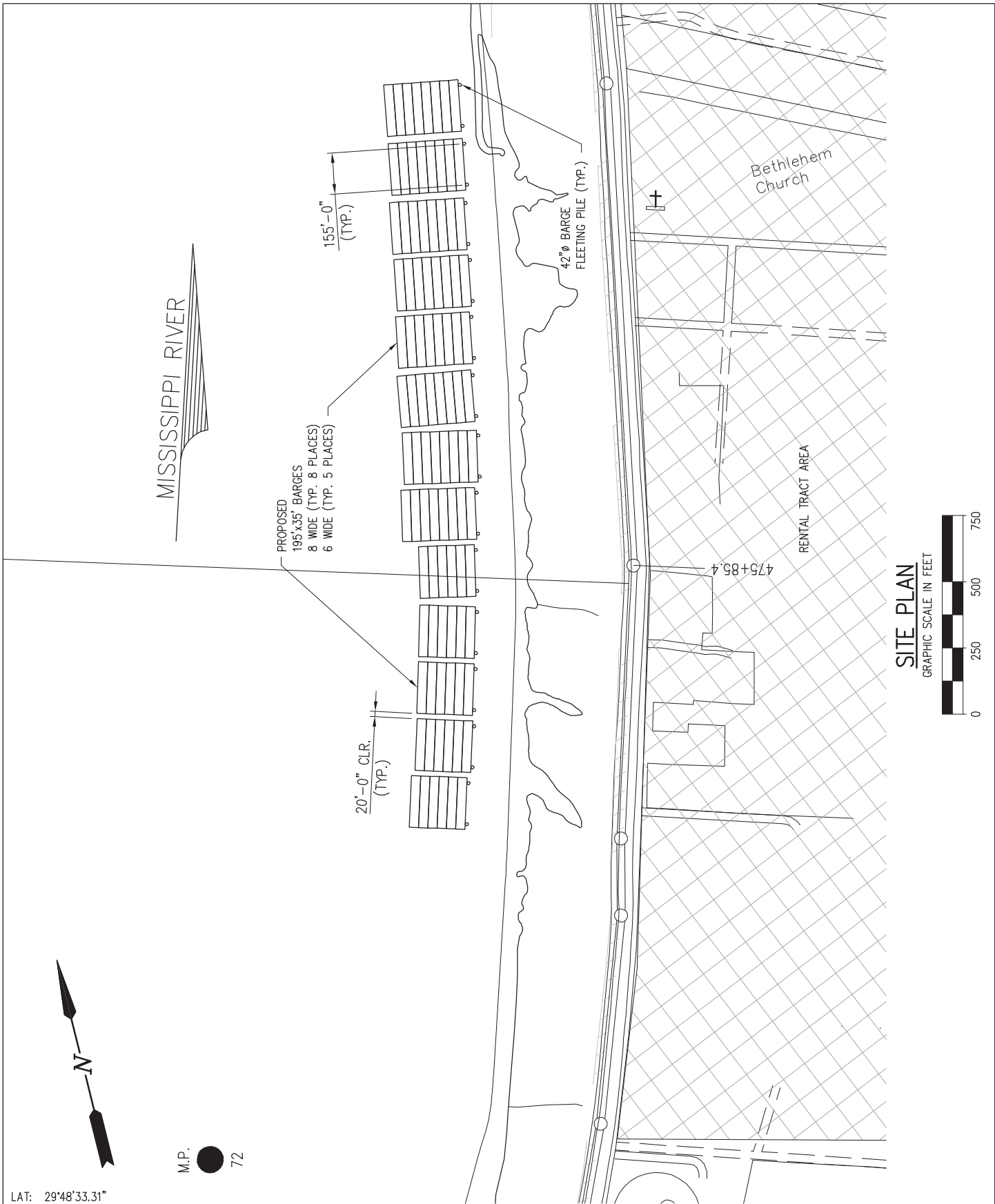
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LANIER & ASSOCIATES
CONSULTING ENGINEERS
INCORPORATED
NEW ORLEANS, LA · BEAUMONT, TX

COOPER/CONSOLIDATED 111, LLC
BELLE CHASSE LOUISIANA

MILEPOINT 72.5
PROPOSED NEW EAST BANK FLEETING
VICINITY MAP

DATE	SEPT. 2013
DESIGN	JDA
DRAWN	DMH
CHECK	EJ
CONTRACT	9161
SHEET No.	1 OF 3



LAT: 29°48'33.31"
LONG: 90°00'06.08"

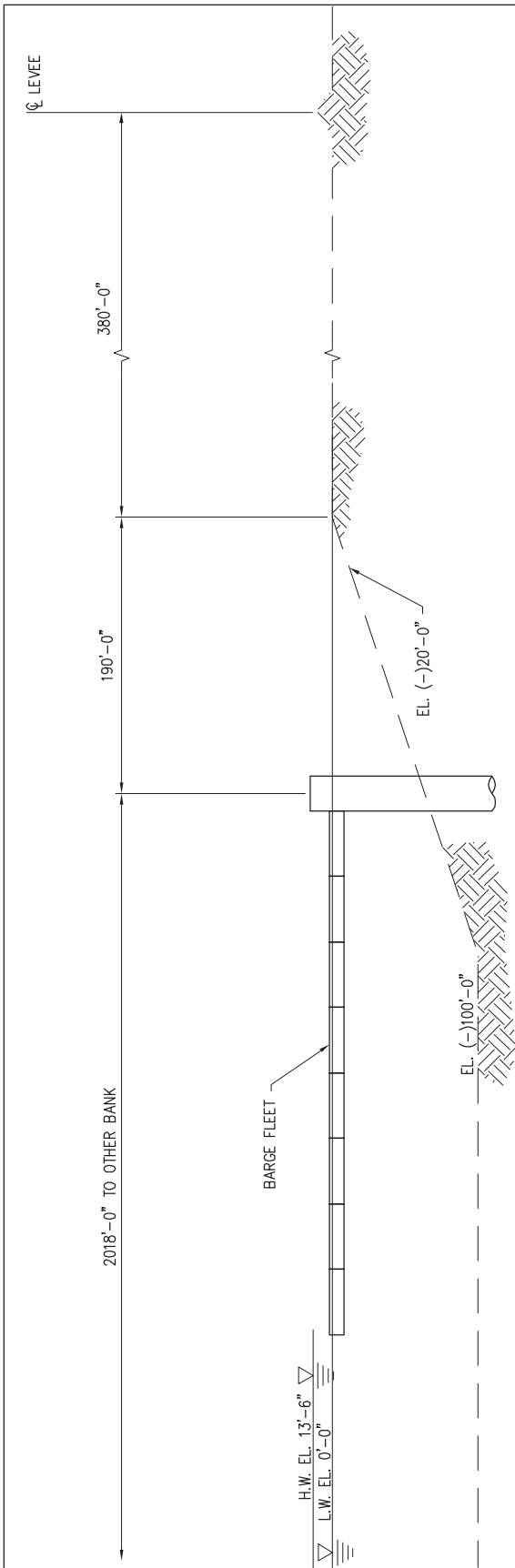
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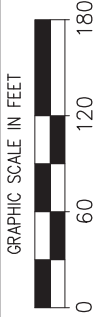
MILEPOINT 72.5
PROPOSED NEW EAST BANK FLEETING
SITE PLAN

DATE SEPT. 2013
DESIGN JDA
DRAWN DMH
CHECK JEJ
CONTRACT 9161
SHEET No.
2 OF 3



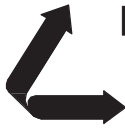
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 LONG: 90°00'06.08"

SECTION AT STATION 475+85.4



GENERAL NOTES

- 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.
- 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 OFFICE OF COASTAL MANAGEMENT. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED.
- STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U. S. COAST GUARD REGULATIONS.
- 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.
- THE PALLID STURGEON IS LISTED AS ENDANGERED UNDER THE THE ENDANGERED SPECIES ACT (16U.S.C. 1531-1544) AND IS CONFINED TO THE MISSISSIPPI AND ATCHAFALAYA RIVERS IN SOUTHERN LOUISIANA. THE PALLID STURGEON MAY OCCUR IN WATER BODIES NEAR THIS PROPOSED PROJECT. THE APPLICANT WILL TAKE THE NECESSARY MEASURES TO AVOID THE BREEDING SEASON AND ANY DEGRADATION OF WATER QUALITY IN THE MISSISSIPPI RIVER.
- THE LONG-TAILED WEASEL IS CONSIDERED RARE IN LOUISIANA. THE SPECIES IS FOUND IN HABITATS USUALLY NEAR WATER. RESEARCH INDICATES THAT THE WEASEL MAY BE SENSITIVE TO AGRICULTURALLY INDUCED FRAGMENTATION OF HABITAT SHOWING THE IMPORTANCE OF MAINTAINING LANDSCAPE CONNECTIVITY FOR THE CONSERVATION OF THIS SPECIES.
- THE AREA WHERE THE PROJECT IS LOCATED IS PART OF THE ABORIGINAL HOMELAND OF THE CHITMACHA TRIBE OF LOUISIANA. AS SUCH, VILLAGES, BURIAL SITES AND SACRED SITES WERE IN PLACE IN THAT ENTIRE AREA. IF DURING THE COURSE OF WORK ANY CULTURAL PROPERTIES ARE DISCOVERED, PERMITTEE SHALL IMMEDIATELY CONTACT KIMBERLY WALDEN OR MELANIE AYMOND AT 337-923-9923 OR 337-923-4395.



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9161-E-P3