



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

February 13, 2023

Regulatory Division  
Eastern Evaluation Branch

Project Manager:  
Carrie Schott  
(504) 862-1153  
Carrie.G.Schott@usace.army.mil

Application #: MVN-1998-00904-ECS

## **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).

### **BARGE FLEET IMPROVEMENTS IN THE MISSISSIPPI RIVER, ST. CHARLES PARISH**

**NAME OF APPLICANT:** ADM, c/o: Lanier & Associates Engineers, Attn.: Mr. John Maurin, 4101 Magazine St., New Orleans, LA 70115.

**LOCATION OF WORK:** Located on left descending bank of the Mississippi River at approximately river mile 120.6 AHP, in Destrehan, St. Charles Parish, Louisiana, (lat. 29.941111, long. -90.359167), as shown on the attached drawings. (Hydrologic Unit Code: 08090100; Lower Mississippi River – New Orleans).

**CHARACTER OF WORK:** The proposed project is a modification to an existing barge fleet, which will involve the installation of three 48-inch monopiles to permanently moor a deck barge within the existing fleet. The purpose of the project is to help moor the fleet in place more securely. No excavation or fill required.

**MITIGATION:** Compensatory mitigation is not required because the project scope is related to Section 10 structures only.

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 Engineer's project manager listed above or forwarded to the Corps of Engineers at the address above, **ATTENTION: REGULATORY DIVISION, RGE, Carrie Schott**. 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 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.

The New Orleans District has determined that the work is located in waters known to be utilized by the endangered Pallid Sturgeon and the threatened West Indian Manatee and provided the determination that the activity is not likely to adversely affect these 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 may result in the destruction, alteration, and/or disturbance of 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.

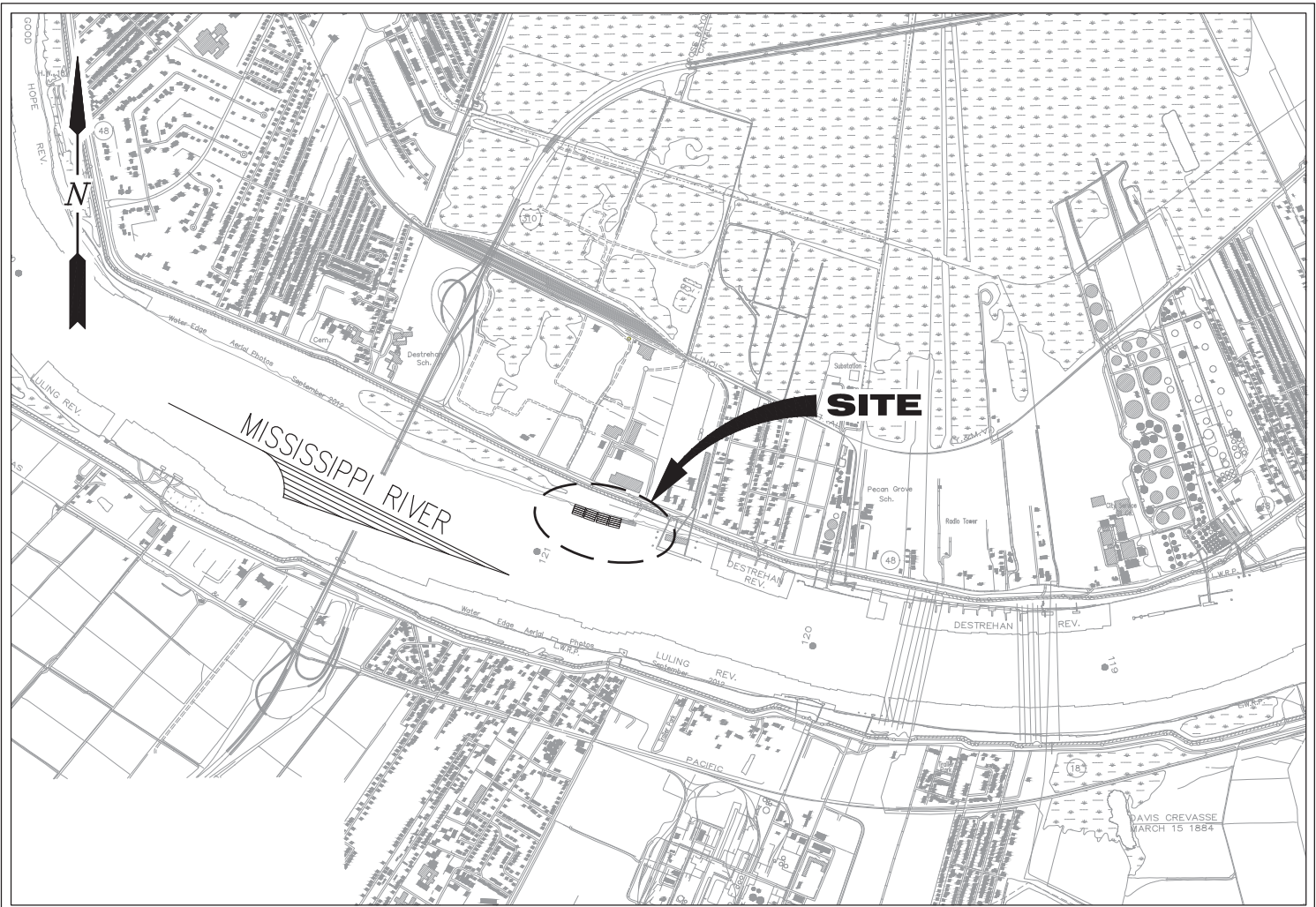
Any person may request, (preferably by email to the project manager, or in writing), within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 P20221075). 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.

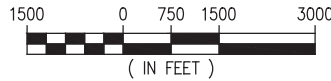
Brad P. LaBorde  
Chief, Eastern Evaluation Branch  
Regulatory Division

Enclosures

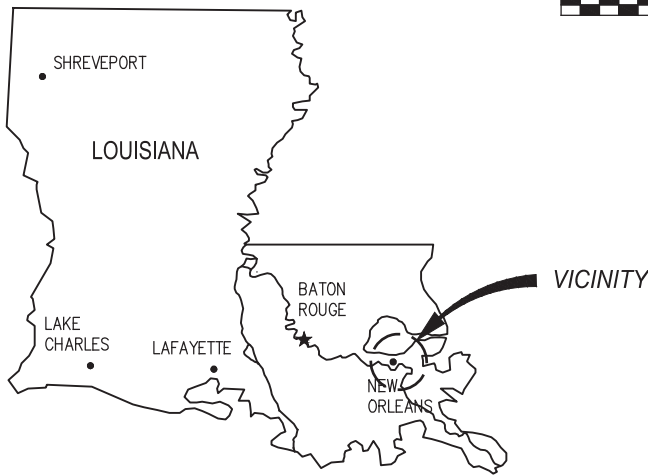


**VICINITY MAP**

SCALE: 1" = 3000'



ST. CHARLES PARISH  
 LAT. 29° 56' 28" N  
 LONG. 90° 21' 33" 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 PERMITEE 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.

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

**PRELIMINARY - FOR PERMIT PURPOSES ONLY**

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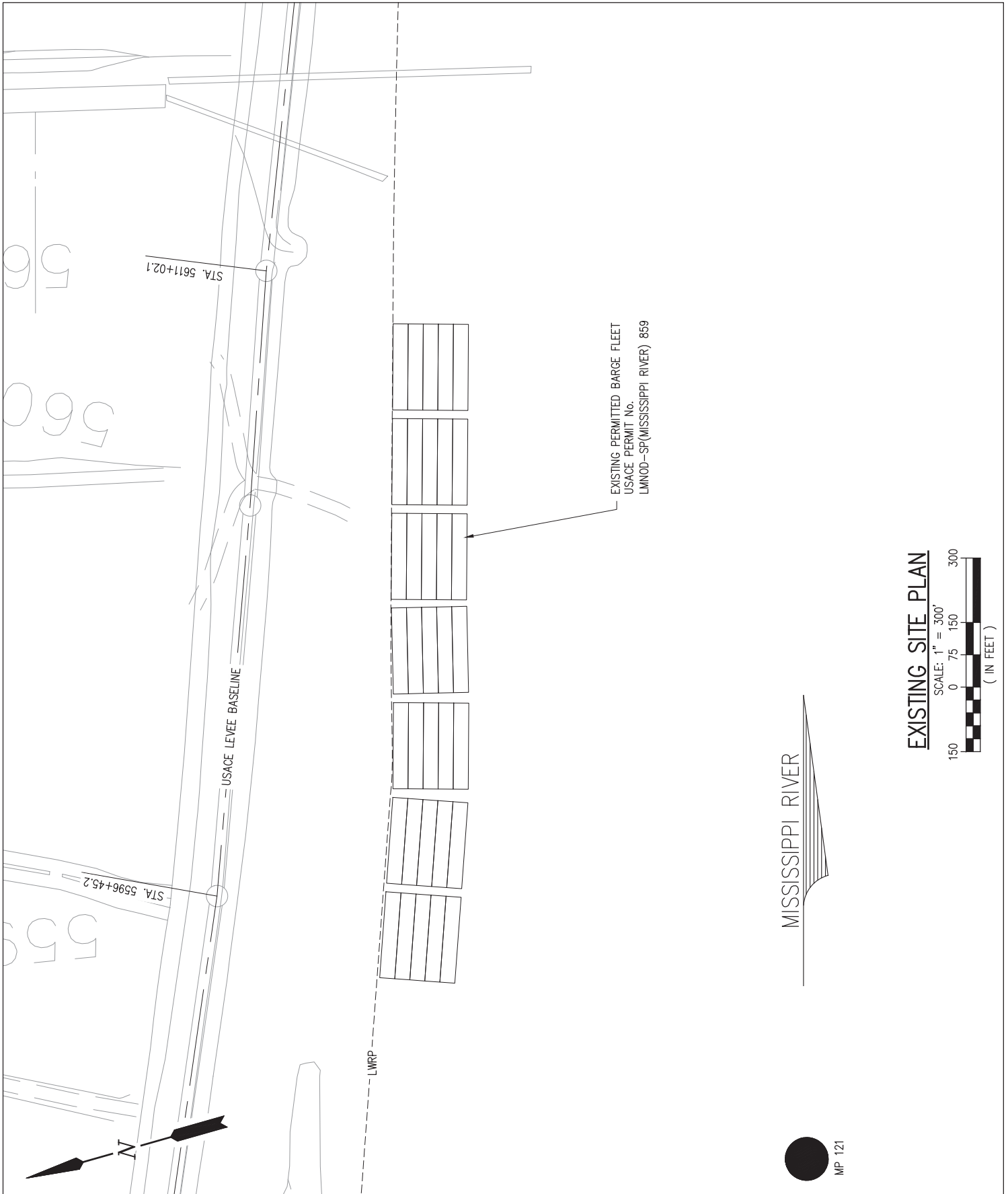
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 CONSULTING ENGINEERS  
 INCORPORATED

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DESTREHAN ADM LOUISIANA

**BARGE FLEET MODIFICATIONS  
 VICINITY MAP, AREA MAP & NOTES**

DATE JUL '22  
 DESIGN JDM  
 DRAWN ADG  
 CHECK JDM  
 JOB NO 12219  
 SHEET No.



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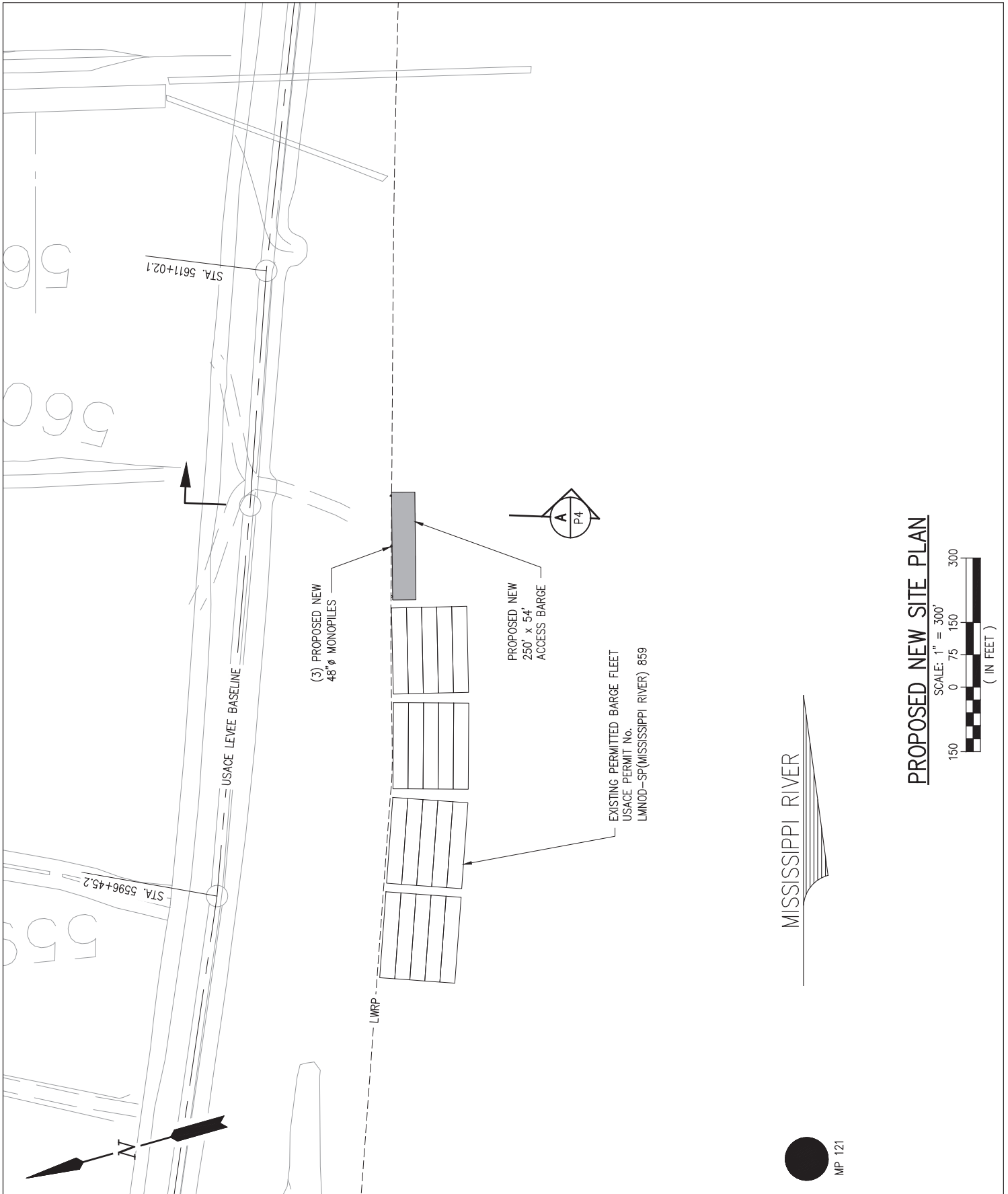
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DESTREHAN ADM LOUISIANA

### BARGE FLEET MODIFICATIONS EXISTING SITE PLAN

DATE	JUL '22
DESIGN	JDM
DRAWN	ADG
CHECK	JDM
JOB NO	12219
SHEET No.	

2 OF 5



**PROPOSED NEW SITE PLAN**



MISSISSIPPI RIVER



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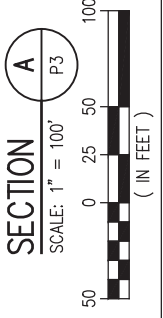
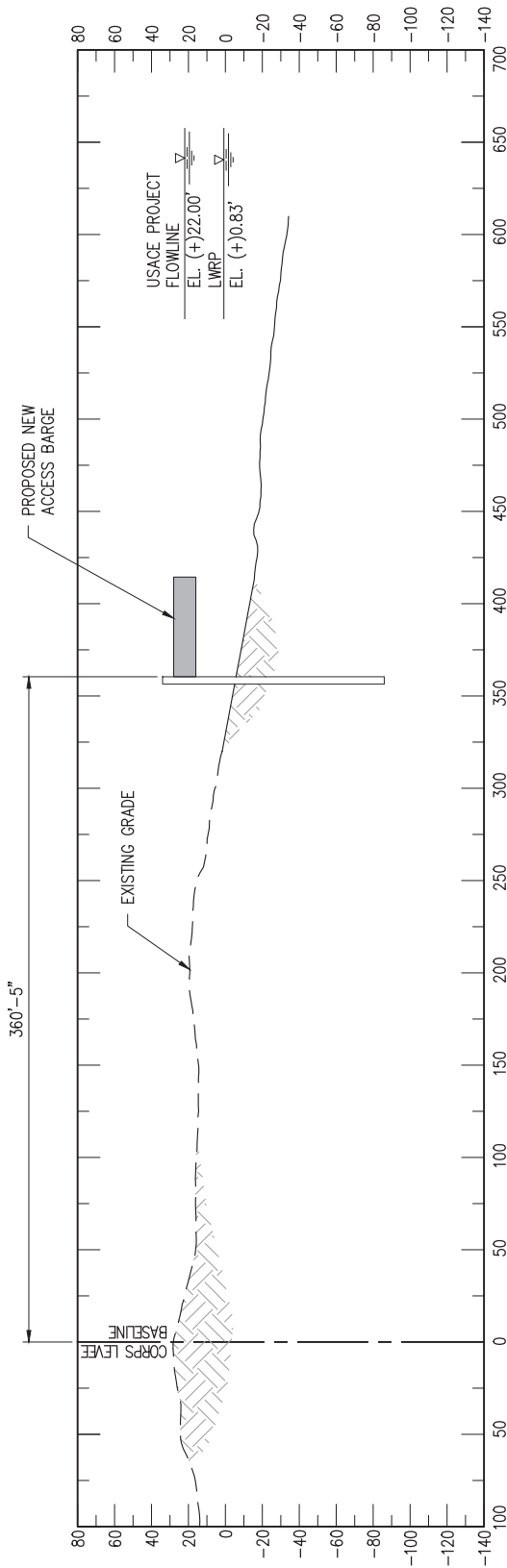


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DESTREHAN **ADM** LOUISIANA

**BARGE FLEET MODIFICATIONS**  
**PROPOSED NEW SITE PLAN**

DATE	AUG. '22
DESIGN	JDM
DRAWN	ADG
CHECK	JDM
JOB NO	12219
SHEET No.	
<b>3</b>	<b>OF 5</b>



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DESTREHAN

**ADM**

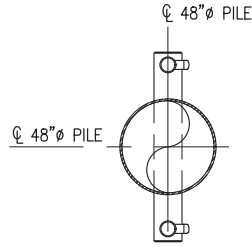
LOUISIANA

**BARGE FLEET MODIFICATIONS  
CROSS SECTION**

DATE AUG. '22  
DESIGN JDM  
DRAWN ADG  
CHECK JDM  
JOB NO 12186  
SHEET No.

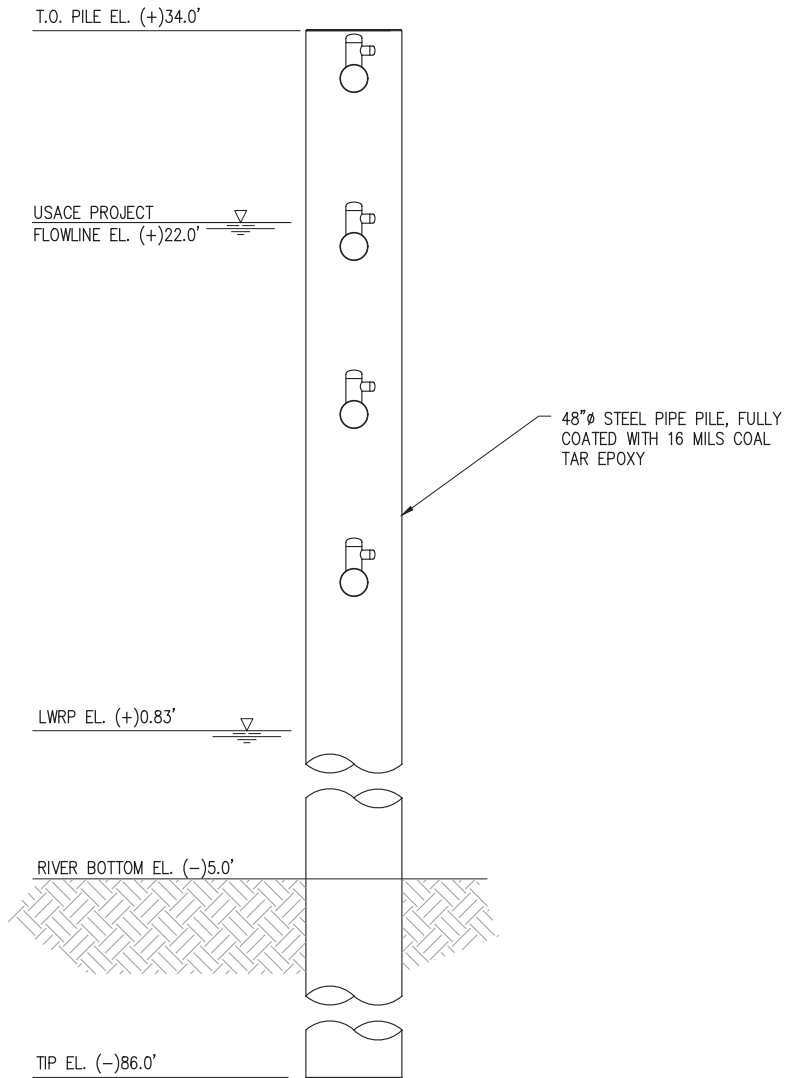
4 OF 5





**BARGE MONOPILE PLAN**

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



**BARGE MONOPILE ELEVATION**

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

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**BARGE FLEET MODIFICATIONS**  
**BARGE MONOPILE PLAN AND ELEVATION**

DATE AUG. '22  
DESIGN JDM  
DRAWN ADG  
CHECK JDM  
JOB NO 12219  
SHEET No.  
**5 OF 5**