



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

September 18, 2017

REPLY TO  
ATTENTION OF

Operations Division  
Eastern Evaluation Section

Project Manager  
Benjamin Sherman  
[Benjamin.C.Sherman@usace.army.mil](mailto:Benjamin.C.Sherman@usace.army.mil)  
(504) 862-2041

SUBJECT: MVN 2009-3266-ES

**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).

**Barge Fleeting in the Mississippi River, in Orleans Parish, Louisiana**

**NAME OF APPLICANT:** Dawn Fleeting, % Lanier & Associates, Attn: Price Lainer, 4101 Magazine Street, New Orleans, Louisiana 70115.

**LOCATION OF WORK:** Located on the right descending bank of the Mississippi River, at about mile 85 above Head of Passes, New Orleans, in Orleans Parish, Louisiana, as shown on the enclosed drawings.

Latitude: 29.914861/Longitude: -89.921833, Hydrologic Unit Code 08090100 – Lower Mississippi-New Orleans

**CHARACTER OF WORK:** Install and maintain 28 monopoles to facilitate a barge fleeting operation (14 barges long, 7 barges wide). No dredging and/or fill activities are proposed. The applicant maintains that no jurisdictional wetlands would be directly affected by this action, thus no compensatory mitigation is anticipated.

The comment period will close **30 days** from the date of this public notice advertisement. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons therefore, are being solicited from anyone having interest in this permit request. Letters must reference the applicant's name and the subject number, be addressed and mailed to the above address, ATTENTION:

REGULATORY BRANCH, or e-mailed to the Project Manager listed.

### **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. 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 project is located in waters known to be utilized by the pallid sturgeon (*Scaphirhynchus albus*) and determined that the proposed activity is not likely to adversely affect the species based on the Standard Local Operating Procedure for Endangered Species of Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, Ecological Services Office.

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.

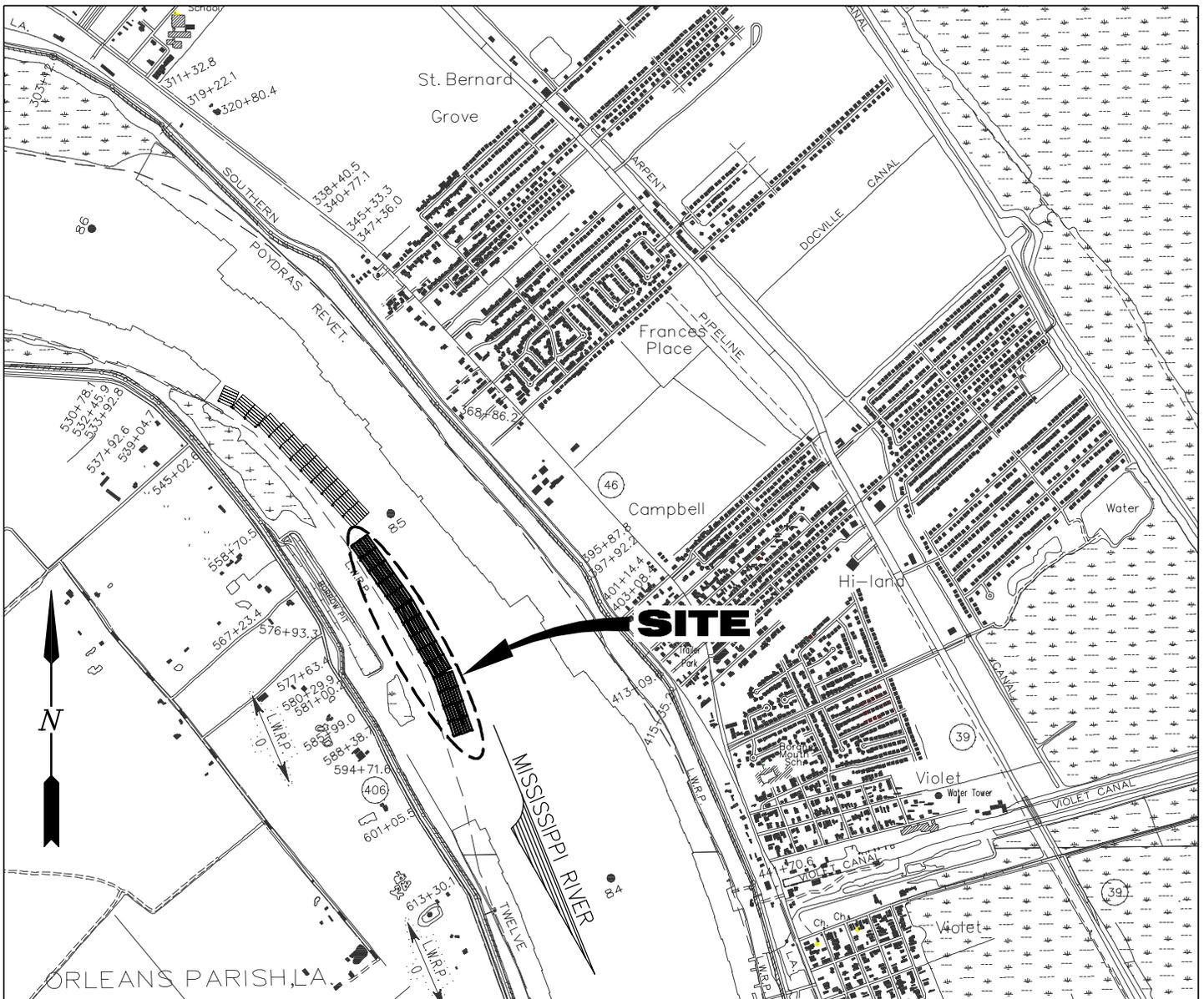
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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.

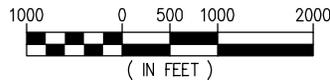
Michael V. Farabee  
Chief, Eastern Evaluation Section

Enclosures



**VICINITY MAP**

SCALE: 1" = 2000'



**GENERAL NOTES**

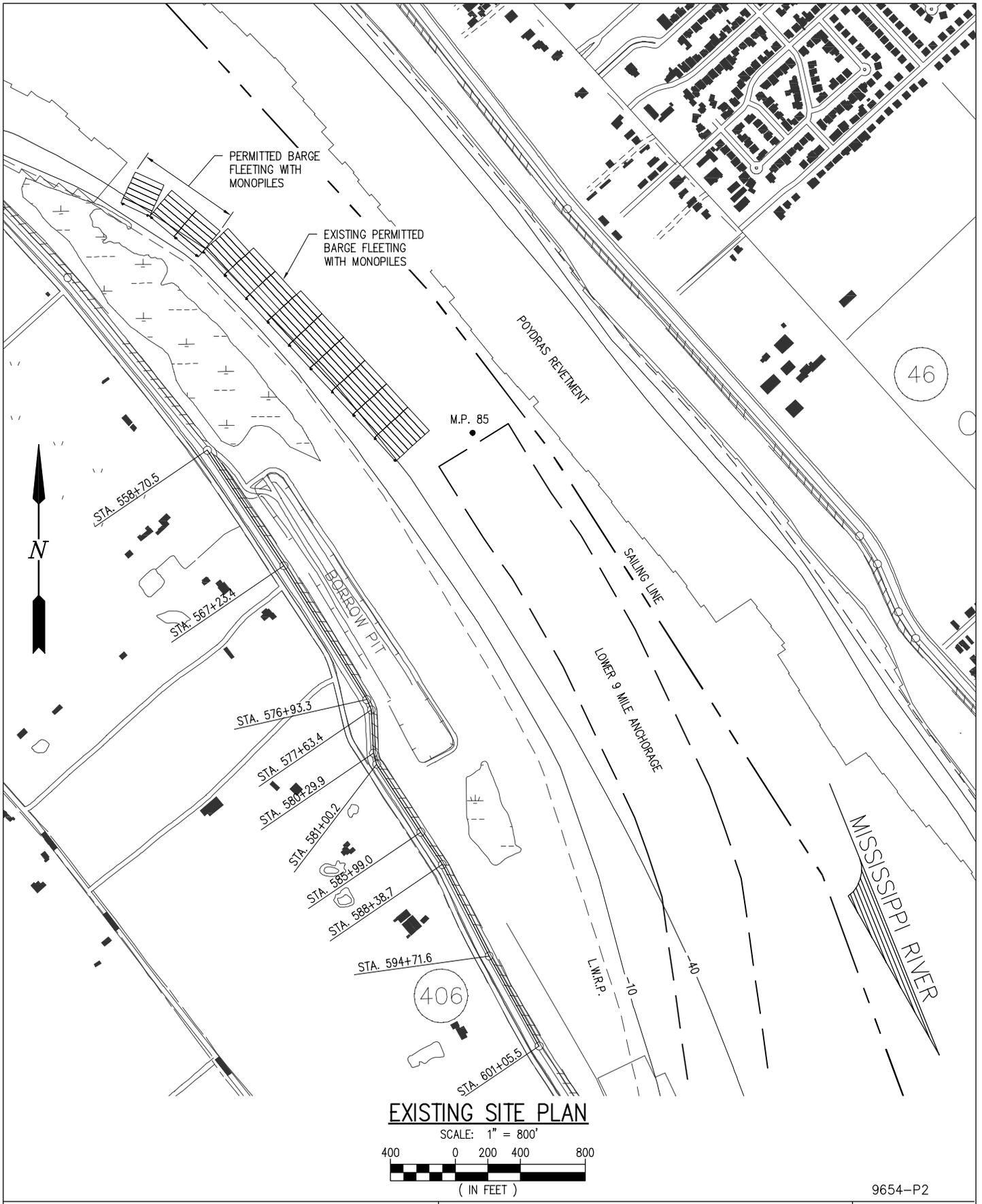
1. AS-BUILT DRAWINGS AND/OR PLANS SHALL HAVE WRITTEN ON THEM THE DATE OF COMPLETION OF SAID ACTIVITIES AND SHALL BE SUBMITTED TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, P.O. BOX 44487, BATON ROUGE, LA 70804-4487 WITHIN 30 DAYS FOLLOWING PROJECT COMPLETION.
2. ALL 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 NGVD 29 UNLESS NOTED OTHERWISE.

9654-P1

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 CONSULTING ENGINEERS  
 INCORPORATED  
 NEW ORLEANS, LA · BEAUMONT, TX

**DAWN MARINE**  
 NEW ORLEANS LOUISIANA  
**PROPOSED NEW BARGE FLEET EXTENTION**  
**VICINITY MAP**

DATE	JULY '17
DESIGN	NPL
DRAWN	SJA
CHECK	JEJ
CONTRACT	9654
SHEET No.	1 OF 6



**EXISTING SITE PLAN**

SCALE: 1" = 800'

400 0 200 400 800

( IN FEET )

9654-P2

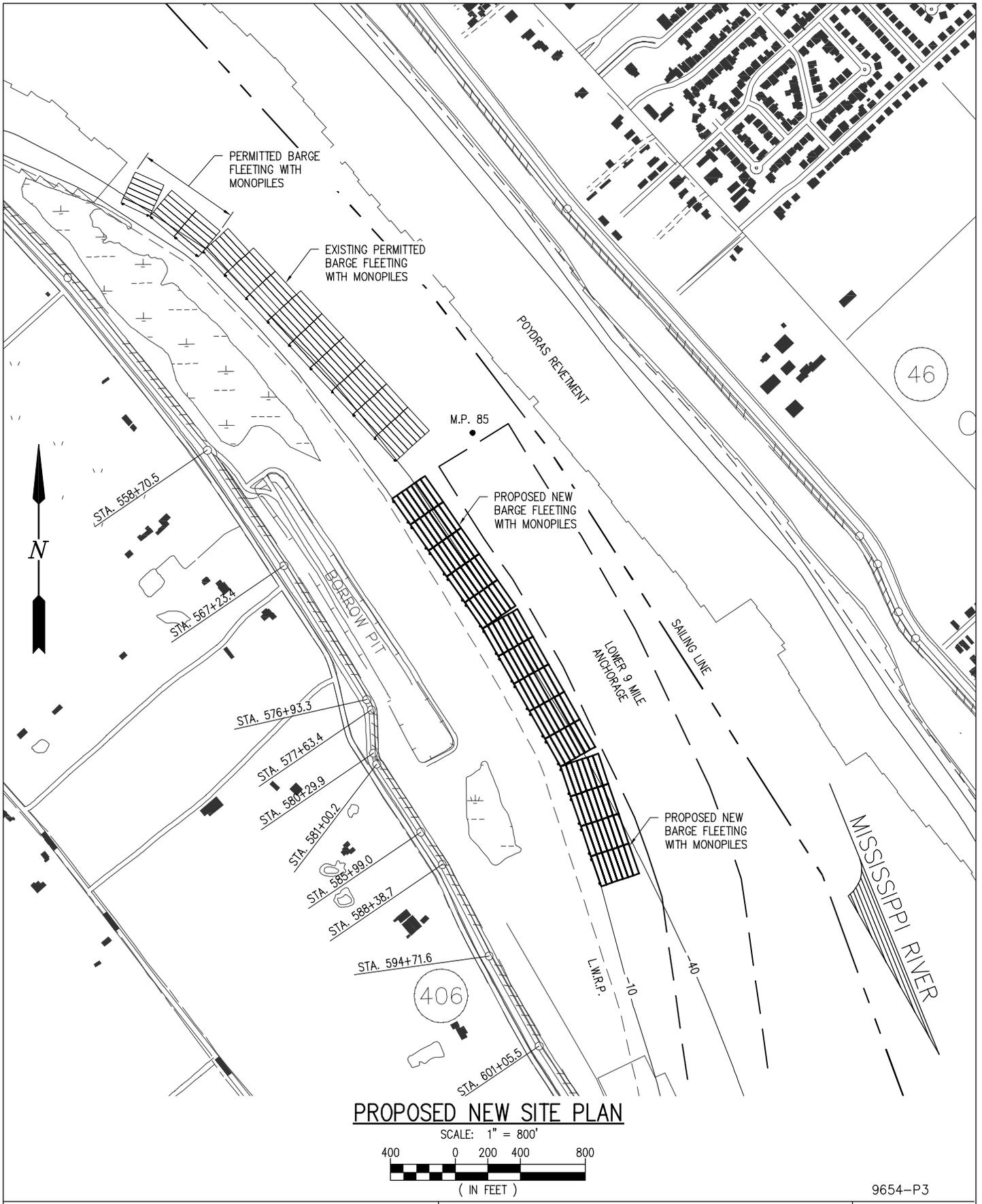
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**DAWN MARINE**  
 NEW ORLEANS LOUISIANA

**PROPOSED NEW BARGE FLEET EXTENTION**

**EXISTING SITE PLAN**

DATE	JULY '17
DESIGN	NPL
DRAWN	SJA
CHECK	J.E.J.
CONTRACT	9654
SHEET No.	
	<b>2 OF 6</b>



**PROPOSED NEW SITE PLAN**

SCALE: 1" = 800'

400 0 200 400 800

( IN FEET )

9654-P3



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NEW ORLEANS, LA · BEAUMONT, TX

NEW ORLEANS

**DAWN MARINE**

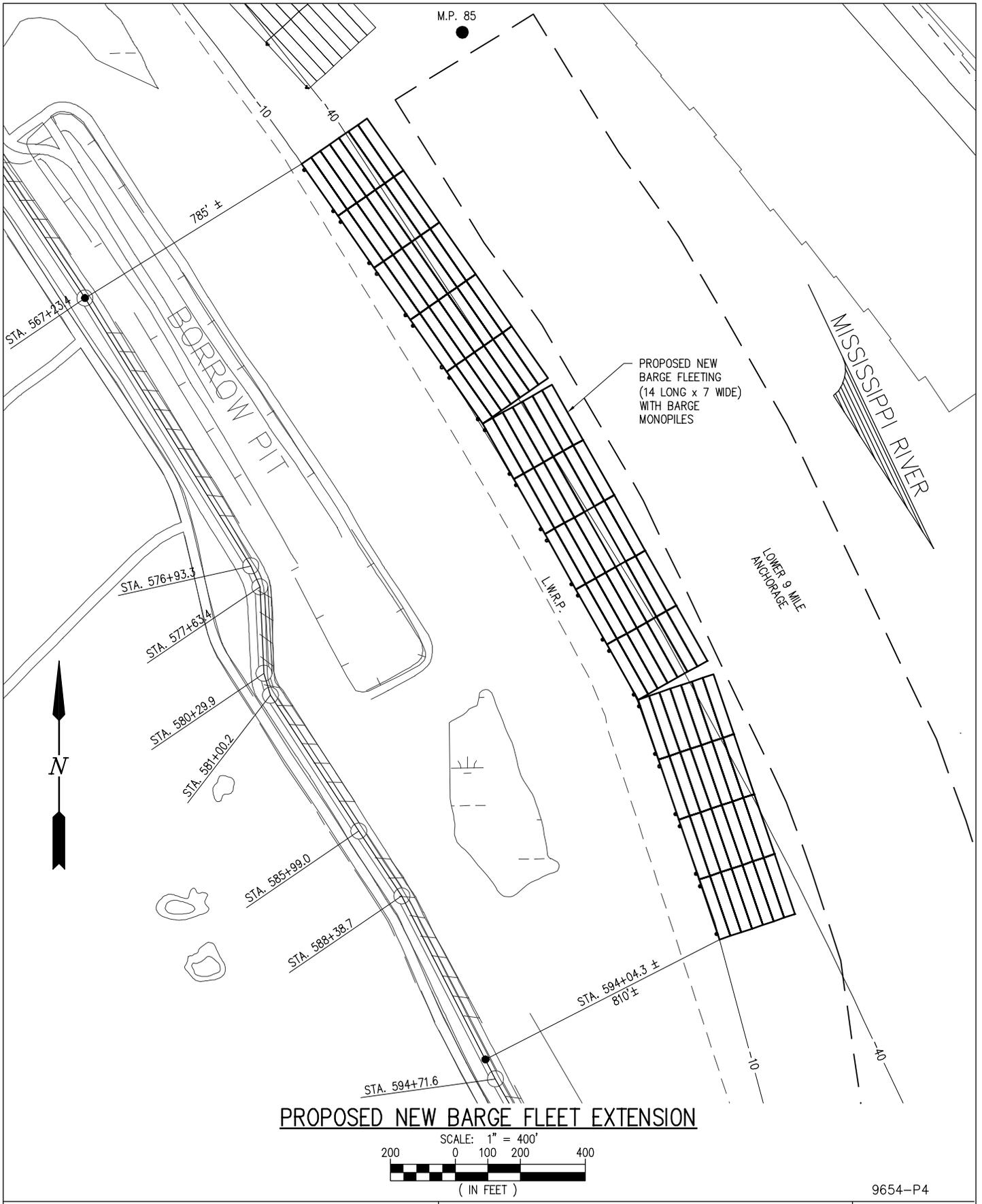
LOUISIANA

**PROPOSED NEW BARGE FLEET EXTENTION**

**PROPOSED NEW SITE PLAN**

DATE JULY '17  
DESIGN NPL  
DRAWN SJA  
CHECK JEJ  
CONTRACT 9654  
SHEET No.

**3** OF **6**



9654-P4

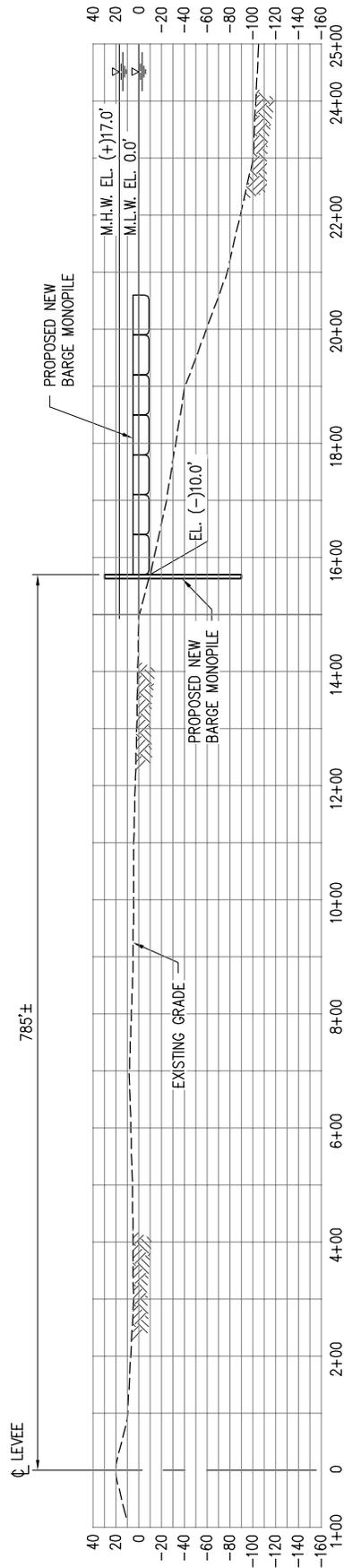
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**DAWN MARINE**  
 NEW ORLEANS LOUISIANA

**PROPOSED NEW BARGE FLEET EXTENSION**

**ENLARGED SITE PLAN**

DATE	JULY '17
DESIGN	NPL
DRAWN	SJA
CHECK	J.E.J.
CONTRACT	9654
SHEET No.	
<b>4</b>	<b>OF 6</b>



**SECTION AT STA. 567+23.4**

SCALE: 1" = 150'



9654-P5



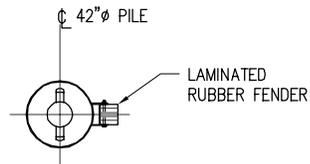
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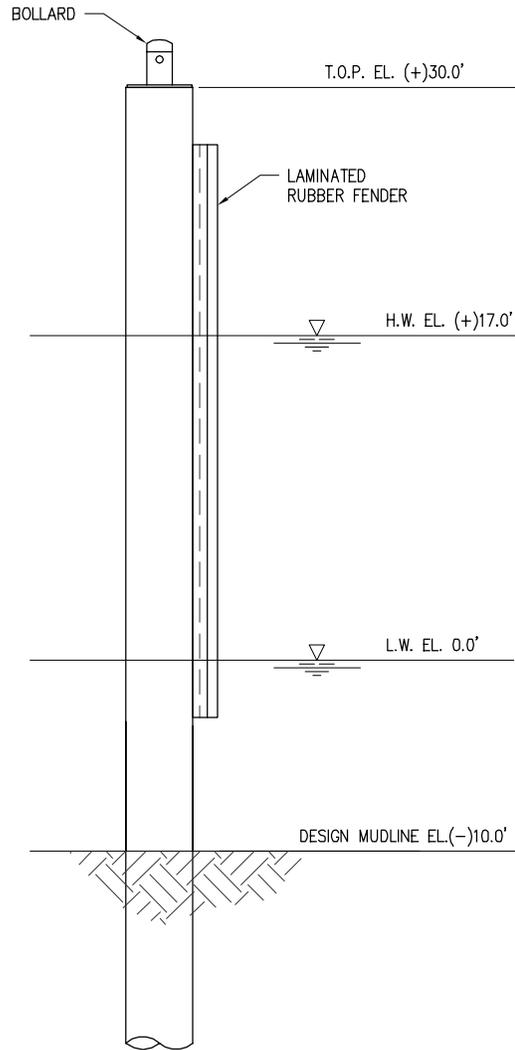
**DAWN MARINE**  
NEW ORLEANS LOUISIANA  
**PROPOSED NEW BARGE FLEET EXTENTION**  
**CROSS SECTION**

DATE JULY '17  
DESIGN NPL  
DRAWN SJA  
CHECK JEJ  
CONTRACT 9654  
SHEET No.

**5** OF **6**



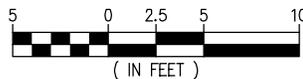
PLAN



ELEVATION

**PROPOSED NEW MONOPILE**

SCALE: 1" = 10'



9654-P6



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**DAWN MARINE**  
NEW ORLEANS LOUISIANA

**PROPOSED NEW BARGE FLEET EXTENTION**

**PROPOSED NEW MONOPILE DOLPHIN**

DATE JULY '17  
DESIGN NPL  
DRAWN SJA  
CHECK JEJ  
CONTRACT 9654  
SHEET No.

6 OF 6