



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbp.org](http://www.sbp.org)

**#22**

**Fred Everhardt, Jr.**  
*Councilmember  
at Large*

**Gillis McCloskey**  
*Councilmember  
at Large*

**Patrice Cusimano**  
*Councilmember  
District A*

**Joshua "Josh" Moran**  
*Councilmember  
District B*

**Cindi Meyer**  
*Councilmember  
District C*

**Ryan Randall**  
*Councilmember  
District D*

**Amanda Mones**  
*Councilmember  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JUNE 17, 2024 AT THREE O'CLOCK P.M.

On motion of Mr. Everhardt, seconded by Mr. Moran, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #2466-06-25**

A RESOLUTION IN SUPPORT OF THE RESIDENTS' REQUESTS TO CONDUCT A HEALTH, PROPERTY, SAFETY, AND ENVIRONMENTAL STUDY OF THE PORT OF NEW ORLEANS' PROPOSED LOUISIANA INTERNATIONAL TERMINAL CONTAINER AND INTERMODAL RAIL TERMINAL DEVELOPMENT IN VIOLET, LA.

**WHEREAS**, concerned residents from St. Bernard Parish are calling attention to all surrounding parishes about the far-reaching harms caused by the Port Development in Violet and its associated truck traffic; and,

**WHEREAS**, according to Vickerman & Associates' Critical Development Overview Report, the Port of New Orleans neglected to conduct and/or share crucial project due diligence information and justification analysis to properly support this project, including, but not limited to, a detailed market cargo demand analysis which is fundamentally critical to evaluating the need for any modern successful marine terminal development project, and particularly required for citizens of Louisiana; and,

**WHEREAS**, the Report further notes that the truck trip volumes generated by the container terminal could reach 1,728 per day at full capacity. These tremendous daily truck trip volumes would negatively impact southeastern Louisiana traffic congestion, regional vehicular safety, and could deleteriously impact environmental air quality; and,

**WHEREAS**, property damage and flooding, ruined roads, and car damage increases from increased traffic accidents resulting from heavy concentrations of diverted traffic risk rising insurance premiums; and,

**WHEREAS**, air and noise pollution from diesel engines and nonstop traffic will debilitate communities with residences near any such traffic; and,

**WHEREAS**, the Report advises that a cohesive and compelling regional statewide strategy focused on conducting thorough proper terminal site selection evaluation is critically needed and failure to conduct such a comprehensive site selection analysis would be a strategic mistake for the state of Louisiana, and indeed the nation; and,



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June 17, 2025

**WHEREAS**, the governing body of St. Bernard Parish formally requests an Environmental Impact Study to be conducted in conjunction with the Louisiana International Terminal; and,

**WHEREAS**, Southern Louisiana residents in parishes that carry traffic on I-10 East and West have no education or input about the possible 1,728 heavy trucks that could pass through their communities each day, and it is essential that the community's voices are heard, and their concerns and recommendations are actively sought and integrated into the decision-making process; and,

**NOW THEREFORE BE IT RESOLVED**, that the St. Bernard Parish Council, the Governing Authority, does hereby express its unwavering support for the residents' requests for an impact study and halt to the proposed project and strongly urges the Port of New Orleans to conduct a comprehensive health and safety study regarding the proposed Louisiana International Terminal container and intermodal rail terminal development.

**BE IT FURTHER RESOLVED**, that the Clerk of Council shall transmit certified copies of this resolution to the Port of New Orleans and the entire legislature.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:**            Cusimano, Moran, Meyer, Randall, Mones, Everhardt

**NAYS:**            None

**ABSENT:**        None

The Council Chair, Mr. McCloskey, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of June, 2025.





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June 17, 2025

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 17, 2025.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of June, 2025.

ROXANNE ADAMS  
CLERK OF COUNCIL

January 14, 2025

U.S. Army Corps of Engineers  
Regulatory Division Eastern Evaluation Branch  
Project Manager: Shelby Barrett  
Via email to: shelby.barrett@usace.army.mil  
Application #: MVN-2021-00270-ESG

The St. Bernard Parish Government submits this comment in response to the recent notice concerning Application #: MVN-2021-00270-ESG for an Ultra Large Container Vessel (ULCV) terminal to be constructed in Violet, Louisiana, the Louisiana International Terminal (LIT), by the Board of Commissioners of the Port of New Orleans (PONO). For the myriad reasons stated in this comment, St. Bernard Parish is opposed to the construction of the proposed ULCV terminal. The location of the proposed terminal is entirely inappropriate and will have significant adverse impacts on the Parish's residents, businesses, visitors, economy, infrastructure, natural resources, and environmental integrity. St. Bernard Parish is of the strong opinion that a full Environmental Impact Statement (EIS) must be created with public input. *See* 33 U.S.C. § 230.6(a).

This comment is divided into separate topics, but the topics may involve multiple aspects that USACE is required to consider in its NEPA analysis. The titles should not be taken as limiting the scope of what follows each, and the comment should be considered as an integrated whole.

### **Introduction and Context**

St. Bernard Parish is a proud, tight-knit community that has worked tirelessly to rebuild and grow since Hurricane Katrina. Our industrial businesses play a vital role in our economy, providing well-paying jobs and significant tax revenue, all while respecting and supporting the fabric of our community. These businesses contribute to our success; they don't threaten our future.

The proposed Louisiana International Terminal would completely disrupt this balance. This project is in the wrong location, with grossly inadequate infrastructure to support it. It would overwhelm our roads, drive away residents, and hurt the small, locally owned businesses that are the heartbeat of St. Bernard. These mom-and-pop shops are more than businesses; they are what make our parish feel like home.

For many in our community, moving away is not an option. A project like this would leave the most vulnerable residents with nowhere to turn trapped in a parish where opportunities

have dried up and prosperity feels out of reach. This is not just a threat to our infrastructure. It is a threat to the very identity and future of St. Bernard Parish.

We have fought too hard and come too far to see our community dismantled by a project that does not belong here. This is about more than a port; this is about protecting the soul of St. Bernard Parish and the people who call it home

### **Inadequacy of Notice**

As an initial matter, St. Bernard Parish notes that the Notice provided by USACE lacks adequate information regarding the LIT to allow the public to comment meaningfully. The only information provided are a skeletal description and a set of engineering sketches. No information is provided about the scale of the operation, the size and number of vessels anticipated, whether vessels will be connected to shore power, the number and frequency of trucks and railcars, the timing of construction, the hours of operation (presumably 24/7), the potential third party businesses on site, and a host of other important information required to properly analyze the potential impacts of the terminal. There is no indication whether USACE is considering only Phase I of the proposed LIT development or the entire proposed development. Any attempt to piecemeal this project would clearly violate NEPA. The Notice does not even inform the public where in the NEPA process this application is. Since no draft Environmental Assessment has been published for public review, this comment assumes USACE is in the process of conducting an Environmental Assessment. To the extent this assumption is wrong, that is a further indication of the inadequacy of the Notice.

### **Economics**

There has been no detailed market demand analysis released for the proposed new ULCV port. It is impossible to analyze PONO's claims and adequately weigh potential economic benefits without determining the market demand for increased container and intermodal rail imports and exports.

It has been shown that unemployment and poverty rates increase within a 7.5 mile radius of shipping terminals, which area encompasses the entire economic heart of St. Bernard Parish. Property values near the facility will drop for all the reasons stated below, and blight will increase.

The adverse economic impacts would be certain and significant, while the beneficial economic impacts are entirely uncertain. An EIS is necessary to consider fully the economic costs and benefits.

## **Insurance Rate and Availability Concerns**

### ***Auto***

Insurance companies base rates on many factors. One of the main factors is claims frequency in a specific area, which causes the insurance models to change. Increased traffic on our roads would have a strong likelihood to increase claims in St. Bernard Parish.

Property damage claims – Even absent a collision, an increase in flying debris would cause windshield damage and physical damage to vehicles.

Collision - Studies show that an increase in road traffic directly increases the potential for collisions. Increase in traffic and weight/tonnage on the roads will also damage the infrastructure of our already deteriorating major highways. This will cause more collision claims due to potholes, uneven roads, tire blowouts, swerving, etc. This also creates an environment for heavy traffic and frustrated drivers, which historically lead to collisions. This will be exacerbated by the delay in first responders' response times, leading to longer periods of unsafe conditions, leading inevitably to even more accidents. Auto insurance rates will rise because of the LIT induced traffic.

### ***Homeowners / Commercial / Flood***

Any additional damage or erosion to our wetlands, which provide natural wind/storm surge protection, will result in more wind exposure and flooding, resulting in more and larger claims, and as a consequence higher premiums. Residents are already leaving St. Bernard Parish, due to insurance premiums. Any increase in premiums would directly impact the retention of homeowners, businesses, and residents. This would affect our census numbers and traffic studies. Larger businesses look at these studies to determine if they want to invest in St. Bernard Parish. There are some insurance companies that recently stopped writing business insurance policies in St. Bernard Parish, which makes it more difficult to attract quality retailers.

Louisiana is already struggling to attract new insurance companies to do business here. With the increase in claims and exposure, our state will most likely be taken off the radar for A rated companies. Many companies have restrictions on the amount of business they write in a certain area, (St. Bernard Parish being one), due to claims exposure. Any added concerns could cause the insurance companies to price themselves out of the market or pull out altogether.

These are significant economic impacts that must be studied and weighed in a full EIS.

### ***Aesthetics***

The proposed ULCV port will result in multiple, severe, adverse impacts to the quality of life of the people of St. Bernard Parish. The town of Violet is a quiet, largely residential neighborhood. If the port is approved there will around-the-clock impacts that will destroy the essential character of the town. Container ships, cranes, terminal tractors, forklifts used to move

containers, and bright lights will operate all day and all night. There will be increased noise, both from the port itself and the truck and rail traffic, increased light at night, and a visual eyesore directly adjacent to neighborhoods, parks, a national scenic byway, historic properties, a recreational walking path, and a historic cemetery. Container storage yards are havens for insects and rodents which spread into surrounding neighborhoods and cause disease and other unpleasant impacts. Blight is common around ports for all the reasons stated in this comment. The entire character of the surrounding neighborhoods, and potentially the entire Parish, will deteriorate.

No beneficial aesthetic impacts can be anticipated. Given these significant adverse impacts, a full EIS should be conducted to determine their severity and weigh them.

## **Environmental Concerns**

### *Air*

Air pollution is a significant impact of port facilities. Mobile sources at ports release pollutants including particulate matter (PM), nitrogen oxides (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), volatile organic compounds (VOCs) and air toxics. Mobile sources of air pollution at the port will include: trucks, marine vessels, locomotives, and cargo handling equipment, among others.

Air pollution of this nature is damaging to human health, particularly for at-risk populations such as children, the elderly, and those with pre-existing conditions. Air pollution also damages our environment. For example, ozone can damage vegetation, adversely impacting the growth of the plants and trees of our vital and fragile wetlands. These impacts can reduce the ability of plants to uptake carbon dioxide from the atmosphere and indirectly affect entire ecosystems. Further, emissions from the port and destruction of wetlands would exacerbate the climate change impacts that will be disproportionately born by St. Bernard Parish.

Because the vast majority of pollution will be from mobile sources, it is not anticipated that the port will be required to obtain a Clean Air Act permit. Neither LDEQ nor EPA will have any input or control over these emissions.

### *Trucks*

It has been conservatively calculated that the truck trip volumes generated by the container terminal could reach 1,728 per day at full capacity, moving up to 2,000,000 TEUs per year through upper St. Bernard Parish and the surrounding area. This will result in a large increase of diesel emissions that will degrade the air our residents and visitors breathe.

Diesel engines emit pollutants including fine particulate matter (PM), oxides of nitrogen (NO<sub>x</sub>) and volatile organic compounds (VOCs). In the presence of sunlight, NO<sub>x</sub> reacts with VOCs to form ozone (smog). Exposure to emissions from diesel engines can contribute to significant health problems and can include the following potential health effects.

Exposure to:	Potential Health Effects
Particulate Matter	<ul style="list-style-type: none"> <li>• Respiratory illness and asthma</li> <li>• Cardiovascular disease</li> <li>• Heart attacks</li> <li>• Strokes</li> <li>• Premature death</li> <li>• Birth defects, low birth weights and premature birth</li> <li>• Cancer</li> </ul>
Oxides of Nitrogen	<ul style="list-style-type: none"> <li>• Inflammation of the airways</li> <li>• Exacerbation of allergies</li> <li>• Asthma</li> </ul>
Ozone (smog)	<ul style="list-style-type: none"> <li>• Decreased lung function</li> <li>• Respiratory illness and asthma</li> <li>• Premature death</li> <li>• Chronic respiratory illnesses (e.g., emphysema and bronchitis)</li> </ul>

Diesel engines also contribute to the production of greenhouse gases, which are a factor in climate change, which, again, disproportionately impacts St. Bernard Parish.

#### *Marine vessels*

The vast majority of Category 3 vessels docking in U.S. ports are foreign flagged vessels whose emissions are not regulated by the EPA. Unregulated Category 3 marine diesel engines, like those that power the ULCVs PONO wants to bring to St. Bernard Parish, generally use heavy bunker fuel with high sulfur content and high ozone precursors (NOx) among other dangerous pollutants. St. Bernard Parish is already in nonattainment for the SO<sub>2</sub> NAAQS. Studies show that ports routinely cause an increase of SO<sub>2</sub> emissions of hundreds to thousands of tons per year. Allowing the siting of an ULCV port in St. Bernard Parish may violate the Louisiana State Implementation Plan (SIP) and the Clean Air Act. It would certainly cause a significant adverse impact to air quality and public health that should be thoroughly considered in a full EIS.



## *Rail*

Locomotives typically run with diesel engines that emit nitrogen oxides and particulate matter, both of which are known to harm human health—and even cause premature death. The problem is particularly severe for locomotives that operate within rail yards, making short transfers or assembling trains, because they stay in a small area and are commonly the oldest, dirtiest ones in service. It is unclear how exactly LIT will handle the loading of trains, but it seems likely that, once again, the communities of St. Bernard Parish will suffer a disproportionate adverse impact.

## *Water*

Port operations can have a significant impact on water quality and the health of marine life. Waste from ships and other port activities can result in loss or degradation of habitat areas and can also harm marine life. Known impacts of port operations include:

**Wastewater:** Ships periodically release sewage, wastewater and bilge water, which is wastewater that is often contaminated with oil.

**Ship paint:** Leaching of toxic paint additives, meant to prevent barnacles from clinging to ships, can result in health impacts on marine life.

**Stormwater runoff:** Stormwater runoff gathers pollutants from paved surfaces at the port and deposits them in the water, often bypassing wastewater treatment plants.

**Nitrogen:** Nitrogen is the leading cause of eutrophication in marine systems, where algae blooms use up oxygen in the water and cause fish and shellfish to die.

**Oil spills:** Oil contamination can include chronic pollution from runoff, bilge water, and the loading and unloading of oil tankers, as well as larger spills resulting from overfilling tanker ships or tears in a ship's hull.

**Dredge/dredging:** Removing sediment to deepen ship channels can increase the cloudiness of water and disturb contaminated bottom sediment, harm or permanently destroy critical wildlife habitats, and disturb or kill threatened and endangered species.

**Invasive species:** Marine animals can be taken into ships through ballast water that is used to help maintain ship balance and then transported across the world to new habitats where they may become invasive species that threaten the balance of natural ecosystems.

In addition, significant dredging of the Mississippi River may slow down flow, thereby increasing the extent of salt-water intrusion. This would directly impact the drinking water of St.

Bernard Parish, among others. These are all significant adverse impacts that the proposed ULCV port can be expected to bring, and they must be thoroughly considered and weighed in a full EIS.

### *Wetlands*

St. Bernard Parish's wetlands are critical for a host of reasons including drainage, flood protection, shoreline erosion control, wildlife habitat, recreational use, and natural beauty. Wetlands provide natural hurricane protection, storm surge protection, habitat to many birds, fish, and other wildlife, opportunities for fishing, recreation, and ecotourism, and act as a natural filter in keeping nutrients, sediments, and other materials from entering other water bodies. Importantly to the Louisiana coast, wetlands also provide natural floodwater storage and flood peak drainage. Louisiana's coastal wetlands provide protection from the strong wind and storm surges of hurricanes. It is estimated that every 2.7 miles of wetlands reduce a storm surge by one foot. Data from past hurricanes indicates that the loss of every one-mile strip of wetlands along the coast, results in an estimated \$5,752,816 average annual increase in property damage.

The value of coastal wetlands in the state was estimated by the State of Louisiana to be between \$86,040/acre/year - \$143,400/acre/year in 1998.<sup>1</sup> That represents \$166,533.85/acre/year - \$277,556.42/acre/year in today's dollars.

The proposed ULCV port would directly destroy, fill, and pave 428 acres of primarily bottomland hardwood wetlands.<sup>2</sup> In fact, a large portion of the site appears to be valuable wetlands. There is a suggestion that PONO will obtain credits from a wetland mitigation bank in the watershed, but no such bank exists. The only bank in the watershed, in Orleans Parish, not St. Bernard Parish, has no bottomland hardwood credits available. There has been no development of a Permittee Responsible Mitigation Plan for the public to evaluate. Allowing the filling of these wetlands in this circumstance would be contrary to law.

Further, developing the property as the port proposes would likely impact wetlands offsite as well by changing drainage, increasing and contaminating run-off, impacting fish and wildlife conduct and habitat, and generally degrading this critical resource. The proposed retention pond on site is nowhere near adequate to counteract these detrimental effects.

Taking the average estimated value of \$222,045 per acre per year, the 428 acres of wetlands directly filled by the proposed project would equate to \$95,035,260 per year, or \$2,851,057,800 over the projected 30-year life of the terminal; an order of magnitude more than the \$266,161,757.50 that PONO estimated the terminal would generate when applying for

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<sup>1</sup> <https://lucec.loyno.edu/how-do-we-place-value-wetlands>, citing Louisiana Coastal Wetlands Conservation and Restoration Task Force and the Wetlands Conservation and Restoration Authority. 1998. Coast 2050: Toward a Sustainable Coastal Louisiana. Louisiana Department of Natural Resources.

<sup>2</sup> It is unclear from the notice whether this 428 acres is related to Phase I of the proposed terminal or the entire proposed plan.

funding. These costs must be taken into account, and the result of that cost/benefit analysis is indisputable.

The impacts on our air, water, and wetlands will be very significant and permanently adverse. These impacts must be thoroughly considered and weighed in a full EIS.

### **Environmental Justice**

According to EPA's Office of Environmental Justice, "environmental justice [...] will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work."

Executive Order 12898 requires that federal agencies shall, to the greatest extent practicable, identify and address disproportionately high and adverse human health or environmental impacts from their programs, policies, and activities. This obligation extends to NEPA reviews and to activities such as permitting and rulemaking.

The ULCV port is proposed to be built directly in and adjacent to a predominantly African American community. It is proposed to be built adjacent to a historic African American cemetery and directly on top of a historic African American School. Our African American residents should not be forced to bear a disproportionate share of the impacts from a massive inappropriate facility and all the consequential impacts that it entails. This is particularly so when better alternative sites exist.

### **Historic Properties**

The Louisiana Historic Resource Inventory has identified 18 historic standing structures within two miles of the proposed terminal. Pursuant to Section 106 of the National Historic Preservation Act of 1966, the effects of the LIT on these properties must be considered and accounted for as part of the full EIS required for this project.

Further, the Sebastopol Plantation, the Louis A. Ducros Historic Museum and Research Library, the Kenilworth Plantation, and the Los Isleños Museum Complex would all suffer significant adverse impacts.

### **Land Use**

In land use regulation, a "nuisance" is considered an activity that disrupts an individual or community's "right to quiet enjoyment" of their space or property. Light and noise pollution created by port operations are a sample of the nuisances that will affect the daily quality of life of communities near the proposed port. Light and noise pollution have also been linked to health impacts such as hearing impairment, high blood pressure, and sleep deprivation.

In addition, light and noise pollution may impact wildlife. Noise from ship engines can disrupt important habitats, leading to impacts on bird feeding and nesting sites as well as marine

mammal hearing and behavior patterns. Light pollution can also disrupt biological rhythms, leading to high mortality in bird populations.

The proposed siting of the LIT in Violet is contrary to St. Bernard Parish zoning regulations and land use plans. It is only by fiat that PONO has transformed this residential and commercial area into heavy industrial.

These are significant adverse impacts that should be fully considered in an EIS.

### **Navigation**

The LOCUS navigation study indicates that it would be unsafe for 400-meter length ULCV's to disembark from the proposed port unless parts of the historic 9-mile anchorage across the river are destroyed. This is obviously a significant adverse impact, and it should be fully considered and weighed in an EIS.

### **Recreation**

The proposed terminal would directly, significantly, and adversely impact a local park, a walking trail the Parish is in the process of completing, as well as recreational fishing and hunting.

### **Traffic and Roads**

#### *Increase Traffic and Reconfiguration*

Because of St. Bernard Parish's limited railway capacity, the proposed port will depend heavily on trucks to move its containers from the port and through the Parish. Even if the amount of traffic maxes out at the two million twenty-foot equivalent units (TEUs) suggested in PONO's Joint Permit Application, which is potentially a significant underestimate, this would unleash thousands of additional semi-trucks on St. Bernard's roads **per day**. Exactly how many is unknown. Such a drastic increase would have potentially catastrophic consequences for our citizens, businesses, and visitors, including but not limited to, increase to already bad congestion, increased traffic accidents, deteriorating roads and other infrastructure, and increased strain on first responder resources.

Further, the increase in rail traffic would exacerbate the congestion at crossings. PONO conservatively estimates that the LIT would lead to a fifty percent increase in rail traffic and that the duration of crossings of and average length of trains will be impacted. This impact has been projected at trains that are three miles long traveling at four mph, which would result in both Judge Perez and St Bernard Hwy being blocked by a train for 45 minutes or more. This would effectively cut off access to emergency services like fire and police protection, as well as access to St. Bernard Parish Hospital for Ninth Ward residents. St. Bernard Parish does not have a level one trauma center, and emergency response trips to University Medical Center or Children's Hospital with victims of heart attacks, strokes, shootings, stabbings, and other serious injury will

be long delayed, with predictably severe impact on victims. In 2023 alone, Acadian Ambulance, St. Bernard's EMS provider, made more than 950 trips across the tracks to these two hospitals alone.

Any eventual traffic impact study conducted regarding the proposed port must adequately extend the impact area to include, at least, impacts all the way through Arabi and into the Lower Ninth Ward to the St. Claude Ave Bridge and the Claiborne Ave Bridge, if not beyond, and must address scheduled closures and openings of each bridge and the likelihood and frequency of unscheduled closures and openings.

Further, elevated roadways, like the one PONO now proposes to transform scenic St. Bernard Highway into, are well known to have numerous adverse impacts on the surrounding community. Overpasses displace communities and businesses. Much like ports themselves, overpasses contribute to economic downturn in the surrounding community. Elevated roadways increase noise pollution from traffic by as much as forty percent. Elevated roadways have been shown to slow the flow of traffic. Lastly, the St. Bernard highway overpass would put several historical districts in danger due to its proximity. The approach and ending would be within feet of areas that have won several historic awards.

The adverse impacts from increased traffic and roadway reconfiguration will be enormous and must be considered and weighed in a full EIS.

#### *Concurrent Projects / Cumulative Impacts*

The PBF Bio-Diesel project began operations in 2023. One result has been an unexpected, up to four-fold, increase in rail traffic on a rail spike that bisects the only two east and west corridors in and out of St. Bernard Parish. PONO projects the LIT would increase traffic by, conservatively, another fifty percent to six times pre-PBF Bio-Diesel on this rail spike.

The Bayou Bienvenue Bridge Restoration is currently expedited and scheduled to take place concurrently with the construction of the proposed LIT. The bridge restoration is scheduled for two years starting in 2025 or 2026. This project will limit North and South traffic to one lane in and out. Furthermore, load restrictions will not allow the passage of large trucks associated with current industrial activity nor any trucks associated with the construction of the LIT project.

The most significant and concerning project to consider is the Inner Harbor Navigation Canal Lock replacement. A required traffic study shows that the bridges would have to open simultaneously due to length of tows. Construction is set to break ground in 2029 with a duration of 11 years. The proposed permanent mitigation for the traffic impacts of the project is the erection of blinking signs at Paris Road notifying residents and business patrons that the bridges are up. The study additionally concedes that due to river level water being pushed back to Florida Ave., there would be a doubling of openings at Claiborne.



The development of the Alabo Wharf in the Lower 9th Ward is yet another concurrent project to take into consideration. Sunrise Food International will be operating the wharf sending multiple 10 car trains from the river to St. Claude Ave, and then east on St. Claude to exchange in the rail yard in Arabi. Each train will block the entire Historic and Cultural Arts District of Old Arabi from the rest of the world by cutting off the path east to the city in crossing the highway and west at the entry point to the rail yard. Residents will have no ingress or egress, and, more importantly, will not be accessible for emergency services. It has recently been revealed that there are two further phases of development that will increase rail traffic by an unknown amount.

The cumulation of these existing and planned projects already confronts St. Bernard Parish with a traffic and public safety nightmare. The LIT would exacerbate the problem substantially. These serious impacts must be thoroughly developed, considered, and weighed in a full EIS.

### **Public Safety**

The proposed ULCV port would be a potential public safety nightmare. Port terminals, freight transportation corridors, loading facilities, container inspection facilities, container storage yards, warehouses, marine fuel, oil, and gas storage terminals and toxic and hazardous cargo all pose significant risks of accident, both on-site and off. If there is a major incident, public service providers such as police, fire department, and paramedics will be diverted to the port and unavailable to the citizenry. Increased public hazard risk factors are numerous, including, but not limited to: ship breakdowns or loss of power that could lead to collisions, allisions, and spills; train wrecks or derailments with the possibilities of explosions and toxic chemical spills; truck accidents, breakdowns, spills, and fires; petroleum fuel storage and pipeline fires, explosions, and spills; an attractive target for terrorist attacks in the middle of a residential area; and increased impacts from hurricanes and flooding.

The Parish is concerned that the fire department, to take one example, would need, at a minimum, a hazmat team and equipment, marine firefighting equipment, specialized training and increased staffing, updated fire stations or new ones located near the port for rapid response, environmental monitoring tools to detect and manage air and water pollution during emergencies, and more fire hydrants. The Sheriff's office would also require more manpower to deal with the effects of the increased traffic. The fact that the port will not pay property taxes makes these increased public costs a significant burden on the remaining residents and businesses that do.

All of these significant adverse impacts must be developed, considered, and weighed in a full EIS.

## **Property Ownership**

PONO states in the Joint Application that it is the sole owner of the property to be developed.<sup>3</sup> That is patently false as the application also states: “The project also anticipates local relocation of the W. Smith Jr Elementary School and Violet Number 2 Park.”<sup>4</sup> The St. Bernard School District does not agree to move the W. Smith Jr. Elementary School and sell the land it currently occupies. In fact, it is prohibited by law from doing so. The District has sued PONO to enjoin any attempt to exercise eminent domain against the property of a co-equal political subdivision or develop the site according to the current plans. It would be unlawful to issue a permit for a project on land that PONO does not and cannot own. PONO also does not own St. Bernard Highway, the railway, the Boardwalk Pipeline Company’s servitude on site, or the five residences currently located on the proposed site.

The issue of lack of ownership is particularly glaring in this application. The St. Bernard Parish Government adopts and incorporates the comment of the St. Bernard School District into its own. The proposed terminal cannot be legally permitted as currently configured.

## **Alternative Siting**

Given all the significant adverse impacts the proposed terminal would have on St. Bernard Parish, serious consideration must be given to alternative siting. Consideration should not be limited to sites within PONO’s jurisdiction; rather it should analyze all potential sites that could accomplish the goals of the LIT as well as or better than Violet, with less destructive impact. For example, a deep-water port in the Gulf of Mexico, Port Fourchon, and the Plaquemines Port Harbor and Terminal District being developed by the Plaquemines Port and APM Terminals would all be preferable to the Violet location for an ULCV terminal for a host of reasons. Whether as part of an EA, a 404 permit, or a full EIS, the availability of alternative, more appropriate sites must be given serious consideration. These alternatives weigh heavily against approving this project.

## **Request for Extension and Public Hearing**

Because the Public Notice was released in the heart of the holiday season, the effective ability of the community to take notice, investigate the proposal, and comment has been impaired. The proposal is complex and the notice provides little detail to alert the public of that complexity. Further, the Notice only provides 29 days from publication to submit comments, which is contrary to regulation. St. Bernard Parish Government requests that the comment period be extended 60 days to March 15, 2025 to give the people a fair chance to provide information and make their opinions known. Further, due to the widespread public interest in this project, as evidenced by the volume of comments in opposition already submitted, St. Bernard Parish

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<sup>3</sup> See step 12 of 15 of Joint Application.

<sup>4</sup> See Step 5 of 15 of Joint Application.

Government requests that a public hearing be held to allow the public to express their concerns and opinions for the benefit of the USACE, PONO, and each other.

Respectfully Submitted,

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