



State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE SECRETARY

Re: Petition for Reconsideration of LDNR Decision on Greefield Terminal Project in St. John the Baptist Parish; Coastal use Permit Application No. 20211021

This matter originated as an application for a coastal use permit for construction of grain elevators adjacent to the Mississippi River pursuant to La. R.S. 49:214.30 by Greenfield Louisiana, LLC and Greenfield Exports, LLC. After being initially considered as a coastal use permit, the Office of Coastal Management, relying on materials submitted with the application as well as publicly available, determined that a coastal use permit was not necessary. It reached this conclusion because the vast majority of the tract acreage at issue was over 5 feet elevation and thus exempt under La. R.S. 49:214.34(A)(1), and the remaining acreage, slightly more than five acres, had historically been used for agriculture and thus exempt under La. R.S. 49:214.35(A)(3). The OCM further concluded that there was no direct and significant impact upon coastal waters, so rather than having a public hearing, it issued an NDSI determination on August 9, 2021, pursuant to La. R.S. 49:214.24(A)(10).

Applicants, Ms. Jocyntia Banner, Stop the Wallace Grain Terminal, Concerned Citizens of St. John, and the Louisiana Bucket Brigade (collectively "St. John residents), filed a petition for reconsideration by the Secretary. The gravamen of the petition was a complaint that the OCM should have held a public hearing and a request for such a hearing. The petition was filed on August 16, 2021, making the decision date August 31, 2021. This decision is being issued on September 7, 2021, the first working day for state offices after August 30.¹

Since the petition for reconsideration was submitted, the CUP applicant has advised the secretary that it has obtained additional information, consisting of a civil engineering survey, that shows that more than the originally designated area is lower than five feet. While the applicant believes that this should not affect OCM's original determination of no direct and significant impact upon coastal waters, the more prudent course is to remand the matter to the OCM for reception of additional evidence, re-determination of the propriety of holding a public hearing, and reconsideration of the permit decision in light of any additional information received.

¹ On August 27, 2021, the governor issued Proclamation 165 JBE 2021, State of Emergency – Tropical Storm Ida, as amended by Proclamation 166 JBE 2021, Amendment to State of Emergency – Hurricane Ida and Proclamation 170 JBE 2021, declaring a state of emergency associated with the landfall of Hurricane Ida. Pursuant to these Proclamations, the commissioner of administration ordered a state office closure that was eventually extended to the entire week of August 30 – September 3. Further pursuant to these Proclamations, all administrative time delays were suspended until September 24, 2021. Accordingly, the time within which the secretary could act was extended.

As per the foregoing, reconsideration is granted, and the application is remanded to the Office of Coastal Management.

Done in Baton Rouge, Louisiana, on the 7th day of September, 2021

A handwritten signature in blue ink, appearing to read 'T F H', is written above a horizontal line.

THOMAS F. HARRIS
SECRETARY, DEPARTMENT OF NATURAL RESOURCES