#### APPENDIX D: PERMITS



SCOTT A. ANGELLE SECRETARY

#### State of Louisiana

#### DEPARTMENT OF NATURAL RESOURCES OFFICE OF COASTAL MANAGEMENT

December 28, 2011

Richard Hartman National Marine Fisheries Service c/o LSU, Military Science Bldg, Rm 266 Baton Rouge, LA 70803

JAN - 3 2011 M/man

RE:

C20110518, Coastal Zone Consistency

**National Marine Fisheries Service** 

Grand Liard Marsh and Ridge Restoration CWPPRA Project BA-68: Ridge and marsh restoration via dedicated dredging and sheet piling, Plaquemines Parish, Louisiana.

Dear Mr. Hartman:

The above referenced project has been reviewed for consistency with the approved Louisiana Coastal Resource Program (LCRP) as required by Section 307 of the Coastal Zone Management Act of 1972, as amended. The project, as proposed in the application, is consistent with the LCRP. If you have any questions concerning this information request, please contact Jeff Harris of the Consistency Section at (225) 342-7949 or 1-800-267-4019.

Sincerely,

Keith Lovell Administrator

Interagency Affairs/Field Services Division

KOL/jdh

cc:

Tye Fitzgerald, CPRA

Dave Butler, LDWF

Ly full

Albertine Kimble, Plaquemines Parish

#### DEPARTMENT OF THE ARMY PERMIT

Permittee: National Marine Fisheries Service

Permit No. MVN-2011-3319-EOO

Issuing Office: New Orleans District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Hydraulically dredge, transport, deposit, and maintain approximately 3,134,000 cubic yards of material to create a 432 acre marsh area and a 18,000 linear foot ridge as part of the Grand Liard Marsh and Ridge Restoration Project (CWPPRA BA-68), in accordance with the drawings attached in thirty sheets dated November 2011.

Project Location: A 1,161 acre project area that includes the remnant ridge on the east bank of Bayou Grand Liard, within Bastain Bay and the Gulf of Mexico near Triumph, in Plaquemines Parish, Louisiana.

Permit Conditions:

General Conditions:

- 1. The time limit for completing the work authorized ends on <u>MAY 31, 2017</u>. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal

(33 CFR 325 (Appendix A))

- 4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

#### Special Conditions: See Attached.

#### Further Information:

- 1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal project.
- 3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
  - a. You fail to comply with the terms and conditions of this permit.

for Edward R. Fleming, District Commander

- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
  - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept permit.  For Nation of Marian Frakuria Suvice	x 5/30/2012
(PERMITTEE)	(DATE)
This permit becomes effective when the Federal official, designated	I to act for the Secretary of the Army, has signed below.
Michael V Farabee, Chief Eastern Evaluation Section	(DATE)

associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the

#### SPECIAL CONDITIONS: MVN-2011-3319-EOO

- 7. The permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
- 8. The permittee must install and maintain, at the permittee's expense, any safety lights, signs, and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on the permittee's authorized facilities.
- 9. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- 10. If the proposed project, or future maintenance work, involves the use of floating construction equipment (barge mounted cranes, barge mounted pile driving equipment, floating dredge equipment, dredge discharge pipelines, etc.,) in the waterway, you are advised to notify the US Coast Guard so that a Notice to Mariners, if required, may be prepared. Notification, with a copy of your permit approval and drawings, should be mailed to the US Coast Guard, Sector New Orleans Command Center, 200 Hendee Street, New Orleans, Louisiana 70114, about 1 month before you plan to start work. Telephone inquiries can be directed to (504) 365-2281.
- 11. The Chitimacha Tribe of Louisiana has stated that the project area is part of the aboriginal Chitimacha homelands. If during the course of work at the site, prehistoric and/or historic aboriginal cultural materials are discovered, the applicant will contact the Chitimacha Tribe of Louisiana at P.O. Box 661, Charenton, LA 70523, and the US Army Corps of Engineers, New Orleans District, Regulatory Branch (CEMVN). CEMVN will initiate the required Federal, State, and Tribal coordination to determine the significance of the cultural materials and the need, if applicable, for additional cultural resource investigations.
- 12. Prior to commencing work on the project, the permittee must obtain all necessary state and parish approvals.
- 13. If the proposed project requires any additional work not expressly permitted herein, the permittee must apply for an amendment to this authorization.
- 14. Field personnel/dredging crew should periodically inspect both the dredging and disposal sites for the presence of oil during daylight hours. Periodic inspections may coincide with shift changes, repositioning of equipment or other activities related to dredging and disposal operations. Time conducted and results of these inspections should be recorded. If oil in any form is observed, dredging should cease and the U.S. Coast Guard (USCG) National Spill Response Center should immediately be contacted (1-800-424-8802). The USCG New Orleans Sector (504-365-2200) and CEMVN, Regulatory Branch (504-862-2766) should be notified of the incident. Field personnel should document the incident (take photographs, mark location and time observed, record color and size of sheen, etc.) to assist the USCG's investigation and response. Dredging should not resume until approved by USCG and CEMVN.
- 15. All contract personnel associated with the project shall be informed of the potential presence of five species of sea turtles: green, hawksbill, Kemp's ridley, leatherback, and loggerhead. The

permittee must adhere to National Marine Fisheries Service's (NMFS) 2006 Sea Turtle and Smalltooth Sawfish Construction Conditions, which are as follows: (1) All construction personnel shall be deemed responsible for observing water related activities and the presence of sea turtles. (2) The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles, which are protected under the Endangered Species Act of 1973. (3) If needed, any siltation barriers utilized during construction activities shall be made of material in which sea turtles could not become entangled, and should be properly secured and monitored. (4) All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the waterbottom. (5) If a sea turtle is sighted within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection, including, no operating of moving equipment within 50 feet of a sea turtle, discontinuing the use of any mechanical construction equipment if a sea turtle is observed within a 50 foot radius of the equipment, and any siltation barriers used shall be re-secured in the sighting areas. Activities may not resume until the identified sea turtle(s) have left the work area on their own accord. (6) Any collision with and/or injury to a sea turtle shall be reported immediately to NMFS' Protected Resources Division (727-824-5312), the Louisiana Department of Wildlife and Fisheries (LDWF), Louisiana field office (337-291-3100), and CEMVN (504-862-2766).

16. Prior to construction, the permittee is required to have a qualified biologist inspect the project area for the presence of undocumented bird nesting colonies during their respective nesting season. Once complete, the surveys including rookery and nest locations must be reported to Patti Holland (337) 291-3121, with U.S. Fish and Wildlife Service (FWS) and Mike Seymour (225) 765-2281, with the LDWF, Natural Heritage Program. For areas containing the nesting wading birds listed below, all activity occurring within 1,000 feet of the nesting colony should be restricted to the project activity window. If the project is long-term or time sensitive, and the time of year restrictions are not practicable, an abatement plan must be developed and approved through consultation with FWS.

Project Activity Window	Species		
July to March 1	Anhinga, Cormorant		
August 1 to February 15	Great Blue Heron, Great Egret		
August 1 to March 1	Snowy Egret, Little Blue Heron, Tricolored		
	Heron, Reddish Egret		
September 1 to April 1	Cattle Egret, White and White-faced Ibis		
September 1 to March 15	Green-backed Heron, Yellow-crowned Night		
L. K.	Heron		
September 1 to March 1	Black-crowned Night Heron		
August 1 to April 1	Roseate Spoonbill		

STEPHEN CHUSTZ INTERIM SECRETARY

#### State of Louisiana

#### DEPARTMENT OF NATURAL RESOURCES OFFICE OF COASTAL MANAGEMENT

March 19, 2013

Tye Fitzgerald Coastal Protection and Restoration Authority P.O. Box 44027 Baton Rouge, LA 70804-4027

RE: C20110518 modification 2, Coastal Zone Consistency

**Coastal Protection and Restoration Authority** 

Grand Liard Marsh and Ridge Restoration CWPPRA Project BA-68; modification to Equipment Access Route, Access Channel and Sand Fill amounts, and removal of timber pilings and abandoned flowlines, Plaquemines Parish, Louisiana.

Dear Mr. Fitzgerald:

The above referenced project modification has been reviewed for consistency with the approved Louisiana Coastal Resource Program (LCRP) as required by Section 307 of the Coastal Zone Management Act of 1972, as amended. The modification, as proposed in the application, is consistent with the LCRP. If you have any questions concerning this information request, please contact Jeff Harris of the Consistency Section at (225) 342-7949 or 1-800-267-4019.

Sincerely,

Keith Lovell

Acting Administrator

Interagency Affairs/Field Services Division

KOL/jdh

Rachel Sweeny, NMFS cc:

Vist Lul

Brad Laborde, COE-NOD

Dave Butler, LDWF

Albertine Kimble, Plaquemines Parish

Frank Cole, OCM/FI

#### DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT, CORPS OF ENGINEERS

P. O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO ATTENTION OF:

Operations Division
Eastern Evaluation Section

APR 2 3 2013

SUBJECT: MVN-2011-3319-EOO

National Marine Fisheries Service
% Tye Fitzgerald
Coastal Protection and Restoration Authority
Post Office Box 44027
Baton Rouge, Louisiana 70804

APR 25 P 2 02

she copy

Gentlemen:

The attached drawings, furnished with your February 26, 2013 permit modification request to include: relocating the equipment access route, realigning the access channel and disposal area, increasing the sand fill cubic yardage within the closure structures, removing timber piles for construction access, and removing an existing abandoned flowline as part of the Grand Liard Marsh and Ridge Restoration project, within Bastian Bay and the Gulf of Mexico, near Triumph, in Plaquemines Parish, Louisiana, are approved and will be included in your plans for the work authorized by the Secretary of the Army in a permit dated June 6, 2012, from the District Engineer at New Orleans, Louisiana.

The conditions to which the work is made subject remain in full force and effect.

A copy of the first page of this permit approval letter must be conspicuously displayed at the project site. Also, you must keep a copy of this signed letter, with attached drawings, at the project site until the work is completed.

Should you have any further questions concerning this matter, please call Brad LaBorde at (504) 862-2225.

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BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Martin S. Mayer

Chief, Regulatory Branch

Martin & Mayer

For

Edward R. Fleming

Colonel, U.S. Army

District Commander

Enclosure

## I. EX TO SHEETS

### DESCRIPTION SH. NO.

COASTAL PROTECTION AND RESTORATION AUTHORITY

STATE OF LOUISIANA

RIDGE RESTORATION

PLAQUEMINES PARISH

BA-68

GRAND LIARD MARSH

- TITLE SHEET PLAN MEW
- BORROW AREA LAYOUT
- MARSH CREATION AREA LAYOUT
- MARSH CREATION AREA A LAYOUT
- MARSH CREATION AREA B LAYOUT
- MARSH CREATION AREA C & D LAYOUT
  - POTENTIAL ACESS DREDGING TYPICAL SECTION
- BORROW AREA TYPICAL SECTIONS
  - MARSH CREATION AREA A TYPICAL SECTION D-D"
    - MARSH CREATION AREA B IYPICAL SECTION E-E"
      - MARSH CREATION AREA C MARSH CREATION AREA D TYPICAL SECTION F-F"
- EARTHEN CONTAINMENT DIKE DETAILS LYPICAL SECTION G-G
  - B-11 SHEET PILE CLOSURE DETAIL EARTHEN RIDGE DIKE DETAILS
- 8-12 SHEET PILE CLOSURE PLAN VIEW B-12 SHEET PILE CLOSURE DETAIL

38

B-13 SHEET PILE CLOSURE PLAN VIEW 8-14 SHEET PILE CLOSURE PLAN VIEW 8-14 SHEET PILE CLOSURE DETAIL 8-13 SHEET PILE CLOSURE DETAIL

GULF OF MEXICO

- 8-15 SHEET PILE CLOSURE PLAN VIEW 8-15 SHEET PILE CLOSURE DETAIL
- B-17 SHEET PILE CLOSURE PLAN VIEW B-16 SHEET PILE CLOSURE PLAN VIEW 8-16 SHEET PILE CLOSURE DETAIL 8-17 SHEET PILE CLOSURE DETAIL 19 21 22 23 24 25 26 26 27 30

B-18 SHEET PILE CLOSURE PLAN VIEW

B-18 SHEET PILE CLOSURE DETAIL



MISSISSIPPI RIVER

BOOTHVILLE

VENICE

# NOT FOR CONSTRUCTION

CONSTRUCTION, BIDDING, RECORDATION, DOCUMENTS ARE NOT TO BE USED FOR CONVEYANCE, OR SALES.

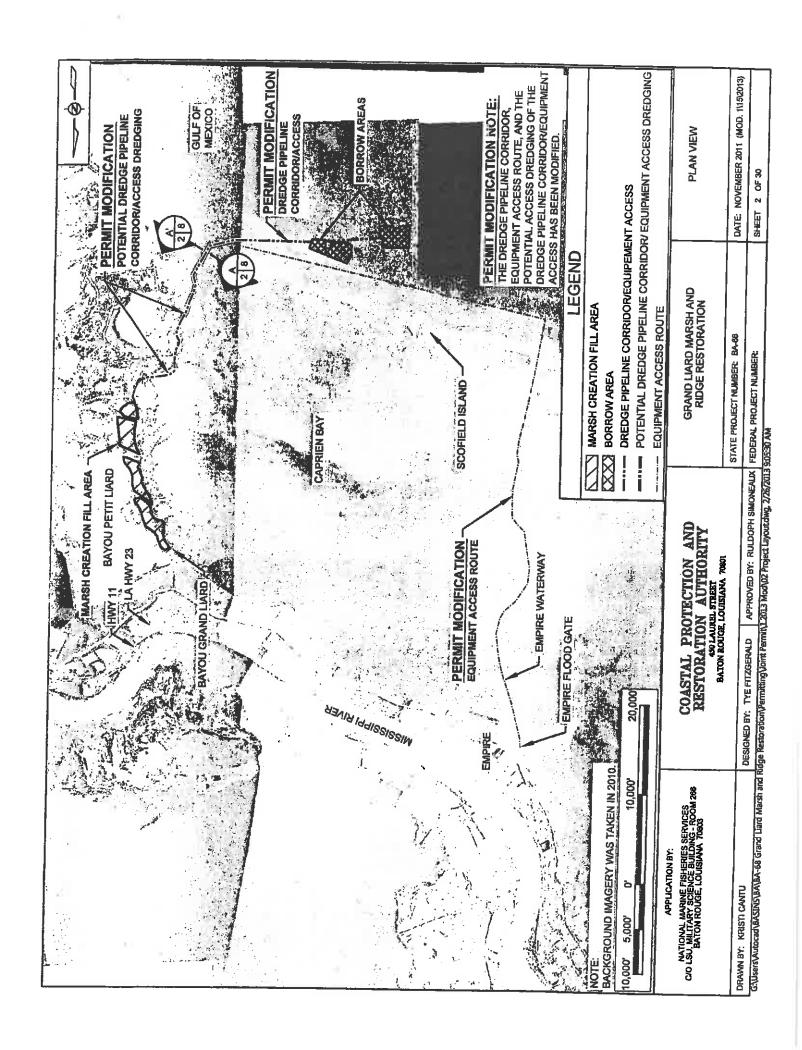
60.000

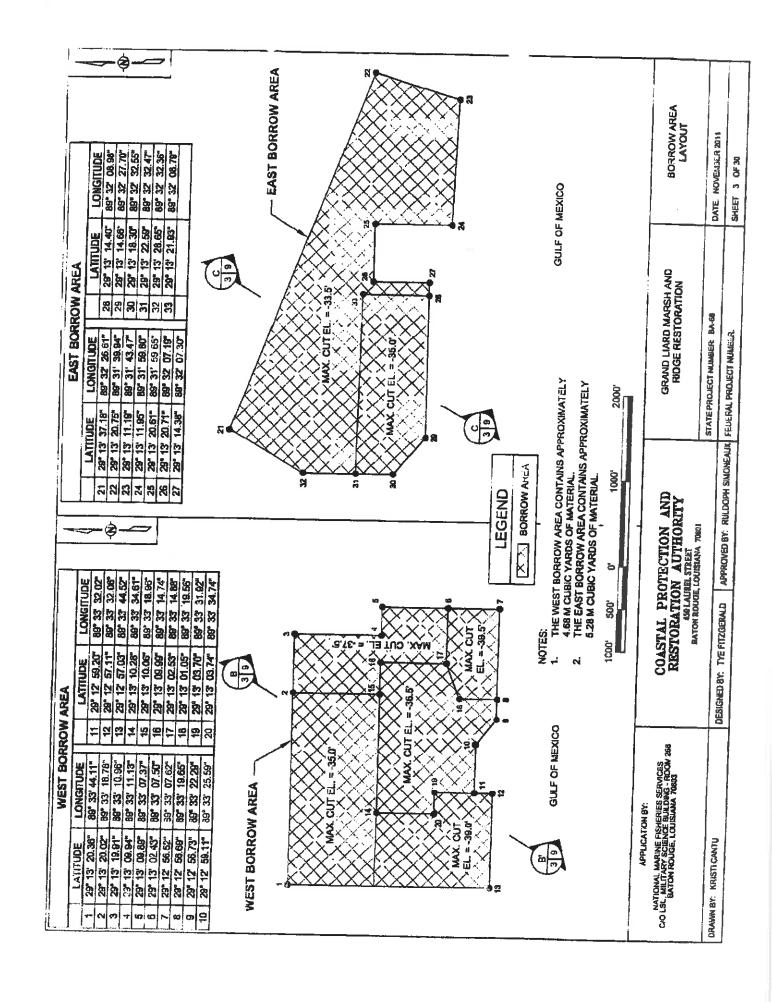
30,000

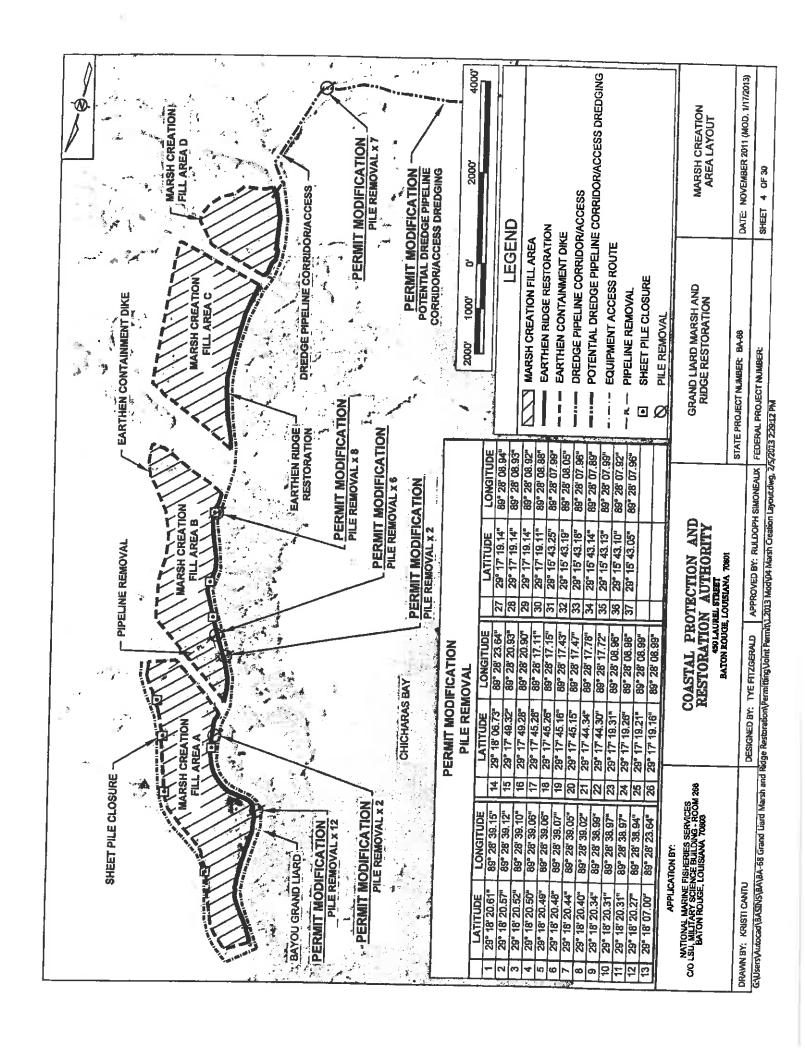
30,000\* 15,000

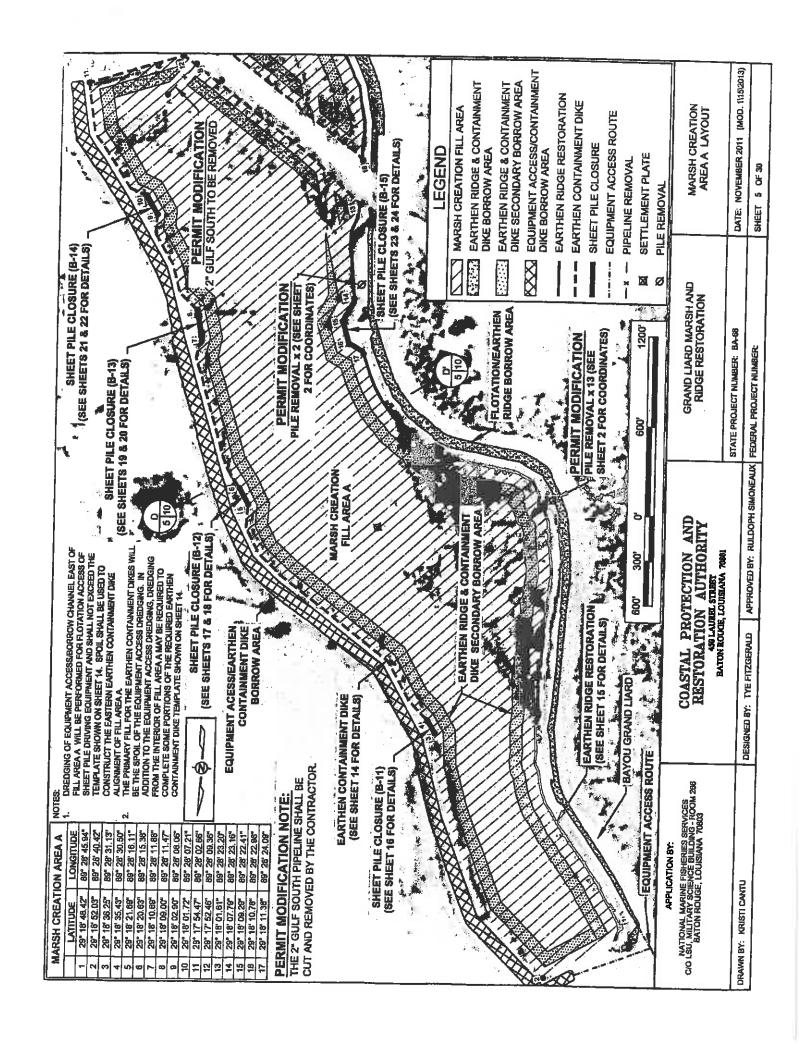
RUDOLPH A. SINONEAUX, IN PROFESSIONAL ENGINEER LICENSE No. 34747

TITLE SHEET	DATE: NOVEMBER 2011	SHEET 1 OF 30	
GRAND LIARD MARSH AND RIDGE RESTORATION	STATE PROJECT NUMBER: BA-68	FEDERAL PROJECT NUMBER:	
OFFICE OF COASTAL PROTECTION AND RESTORATION 450 LAURE, STREET BATON ROUGE, IQUISMAN 78801	- 1	ACCOUNTED BY THE FILL MENTAL APPROVED BY: RULDOPH SIKONEAUX FEDERAL PROJECT NUMBER:	
APPLICATION BY: NATIONAL MARINE FISHERIES SERVICES CO LSU, MATARY SCIENCE BUILDING - ROCM 266 BATON ROUGE, LOJISIANA 72023	DRAWN BY: KRISTI CANTU		









	SHEET PILE CLOSURE (8-17) (SEE SHEETS 27 & 28 FOR DETAILS)	LEGEND	MARSH CREATION FILL AREA EARTHEN RIDGE & CONTAINMENT DIKE BORROW AREA EARTHEN RIDGE SECONDARY BORROW AREA	DIKE BORROW AREA EARTHEN RIDGE RESTORATION EARTHEN CONTAINMENT DIKE SHEET PILE WALL PIPELINE REMOVAL SETTLEMENT PLATE PILE REMOVAL	MARSH CREATION AREA B LAYOUT	DATE: NOVEMBER 2011 (MOD. 1115/2013) SHEET 6 OF 30
EARTHEN CONTAINMENT DIKE (SEE SHEET 14 FOR DETAILS)	EARTHEN CONTAINMENT DIKE BORROW AREA CLOS BORROW AREA (SEE SECONDARY ASEA (SEE SECONDA			PIPELINE REMOVAL  LATITUDE LONGITUDE 29' 17' 55.06" 89' 28' 10.36"	í ·	STATE PROJECT NUMBER: BA-68 FEDERAL PROJECT NUMBER:
AREA B       LONGITUDE         LATITUDE       LONGITUDE         29° 17° 33.53"       89° 28° 11.78°         29° 17° 34.50°       89° 28° 11.45°         29° 17° 34.50°       89° 28° 11.45°         29° 17° 40.68°       89° 28° 14.25°         29° 17° 41.34°       89° 28° 14.25°         29° 17° 42.22°       89° 28° 14.73°         29° 17° 42.55°       89° 28° 14.73°	PERMIT MODIFICATION  7 GULF  TO BE REMOVED  (SEE NOTE 6)  FILL AREA B  BOO	SHEET PILE	CLOSURE (B-18)  (SEE SHEETS 29 & AND		COASTAL PROTECTION AND RESTORATION AUTHORITY 4501AURAL STREET BATON ROUGE, LOUSTANA 70001	DESIGNED BY: TYE FITZGERALD APPROVED BY: RULDOPH SIMONEALIX
MARSH CREATION  18 29° 17° 58.75° 89° 28° 23.20° 26 19 29° 17° 15.87° 89° 28° 01.81° 27 20 29° 17° 07.89° 89° 27° 49.49° 28 21 29° 17° 14.57° 89° 28° 08.78° 29 22 29° 17° 17.00° 89° 28° 08.56° 30 23 29° 17° 18.51° 89° 28° 07.03° 31 24 29° 17° 20.14° 89° 28° 07.03° 32 25 29° 17° 20.14° 89° 28° 07.03° 32 25 29° 17° 21.67° 89° 28° 07.03° 33		PILE REMOVAL X 8 (SEE SHEET 2 FOR COORDINATES)	FLOTATION/EARTHEN RIDGE BORROW AREA  PERMIT MODIFICATION  7 LGS  TO BE REMOVED	(SEE NOTE) 600' 800' 600'	APPLICATION BY: NATIONAL MARINE FISHERIES SERVICES C/O LSU, MILITARY SCIENCE BULDING - ROOM 266 BATON ROUGE, LOUISIANA 70803	DRAWN BY: KRISTI CANTU

