

### DEPARTMENT OF THE ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT 7400 LEAKE AVE

NEW ORLEANS LA 70160-3651

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Operations Division Central Evaluation Section

SUBJECT: MVN-2014-02026-CE

Louisiana Coastal Protection and Restoration Authority P.O. Box 44027 Baton Rouge, LA 70804

### Gentlemen:

Enclosed is a permit dated this date, subject as above, authorizing work under the Department of the Army permit program.

You are again reminded that any work not in accordance with the approved plans is subject to removal regardless of the expense and the inconvenience that such removal may involve and regardless of the date when the discrepancy is discovered.

Your attention is directed to all the terms and conditions of the approval. In order to have the work approved in accordance with the issued permit, all terms and conditions of the permit and plans shown on the drawings attached thereto must be rigidly adhered to.

It is necessary that you notify the District Engineer, Attention: Central Evaluation Section, in writing, prior to commencement of work and also upon its completion. The notification must include the permittee's name, as shown on the permit, and the permit number. Please note the expiration date on the permit. Should the project not be completed by that date, you may request a permit time extension. Such requests must be received before, but no sooner than six months before, the permit expiration date and must show the work completed and the reason the project was not finished within the time period granted by the permit.

A copy of page 1 of the permit (ENG Form 1721) must be conspicuously displayed at the project site. Also, you must keep a copy of the signed permit at the project site until the work is completed.

John M. Herman

Chief, Central Evaluation Section

**Enclosures** 

### DEPARTMENT OF THE ARMY PERMIT

Permittee: Louisiana Coastal Protection and Restoration Authority

Permit No.: MVN-2014-02026-CE

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: Dredge and deposit earthen material for marsh renourishment and creation to implement CWPPRA Project BA-0171 (Caminada Headland Back Barrier Marsh Creation Project), in accordance with drawings attached in 10 sheets dated June 2018.

Project Location: Near Port Fourchon, Louisiana in Lafourche Parish, Latitude 29.127317 and Longitude -90.154439.

Permit Conditions:

### General Conditions:

- 1. The time limit for completing the work authorized ends on <u>May 31, 2024</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 one 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 and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 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 PAGES 4 AND 5.

### 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).
- 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.
- 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 and agree to comply with the terms and conditions of this permit.

x Rence Bernett (PERMITTEE)	x6-6-19 (DATE)
This permit becomes effective when the Federal official below.	, designated to act for the Secretary of the Army, has signed  13 Jun 2019 (DATE)
John M. Herman, Chief, Central Evaluation Section for Michael N. Clancy, District Commander	
When the structures or work authorized by this permit a terms and conditions of this permit will continue to be bind	re still in existence at the time the property is transferred, the ling on the new owner(s) of the property. To validate the transfer compliance with its terms and conditions, have the transferee
(TRANSFEREE)	(DATE)

### SPECIAL CONDITIONS: MVN-2014-02026-CE

- 7. The permittee shall ensure that a copy of this Department of the Army permit is provided to all contractors, foremen, and/or on-site workers involved in construction activities so that they are aware of the conditions and restrictions associated with this approval.
- 8. Any excavated and/or fill material placed within wetlands must be free of contaminants, to the best of the permittee's knowledge.
- 9. Any changes in the project configuration as a result of local approvals must be documented and appropriate drawings provided to this District office for incorporation into the permit file.
- 10. Construction activities shall not cause more than minimal and temporal water quality degradation of any adjacent wetland, stream, or water body. Appropriate erosion and siltation controls must be utilized during construction to prevent sediment runoff into adjacent wetlands and waterways. Sediment control techniques could include but are not limited to the use of secured hay bales, sediment/silt fencing, wooden or vinyl barriers, and/or seeding or sodding of exposed or disturbed areas. These structures should be maintained in effective operating condition until sediments are stabilized by vegetation and other impervious surfacing.
- 11. The permittee shall limit clearing, excavation and the placement of fill material to areas essential to the project. The remainder of the property shall be left in its natural state. If the authorized project requires any additional work not expressly permitted herein, the permittee must obtain an amendment to this authorization prior to commencement of work.
- 12. Wetlands that are not part of the project site but that are disturbed during construction, including the temporary crossing of wetland areas, shall be restored to their preproject elevations and conditions, including replanting.
- 13. The project area has been identified as an area of interest for federally recognized Native American Tribes. If during the course of work at the site, prehistoric and/or historic aboriginal cultural materials are discovered, the permittee shall cease work immediately and contact 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.
- 14. The permittee is aware that all necessary local, state and parish approvals must be obtained prior to the commencement of work at the project site.
- 15. The permittee shall adhere to the enclosed Standard Manatee Conditions for In-Water Activities as per the Standard Local Operating Procedure for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office.
- 16. 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.
- 17 .The permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

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- 18. 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.
- 19. If the authorized 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 U.S. 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 Commander (dpw), Eighth Coast Guard District, Hale Boggs Federal Building, 500 Poydras Street, Room 1230, New Orleans, Louisiana 70130, about 1 month before you plan to start work. Telephone inquiries can be directed to the Eighth Coast Guard District, Waterways Management, at (504) 671-2107.

### STANDARD MANATEE CONDITIONS FOR IN-WATER ACTIVITIES

During in-water work in areas that potentially support manatees, all personnel associated with the project shall be instructed and aware of the potential presence of manatees, manatee speed zones, and the need to avoid collisions with, and injury to, manatee. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973. Additionally, personnel shall be instructed not to attempt to feed or otherwise interact with the animal, although passively taking pictures or video would be acceptable.

All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). We recommend the following to minimize potential impacts to manatees in areas of their potential presence:

- All work, equipment, and vessel operation shall cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone on its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).
- If a manatee(s) is sighted in or near the project area, all vessels associated with the
  project shall operate at "no wake/idle" speeds within the construction area and at all
  times while in waters where the draft of the vessel provides less than a four-foot
  clearance from the bottom. Vessels shall follow routes of deep water whenever
  possible.
- If used, siltation or turbidity barriers shall be properly secured, made of material in which manatees cannot become entangled, and be monitored to avoid manatee entrapment or impeding their movement.
- Temporary signs concerning manatees shall be posted prior to and during all in-water project activities and removed upon completion. Each vessel involved in construction activities shall display at the vessel control station or in a prominent location, visible to all employees operating the vessel, a temporary sign at least 8½ " X 11" reading language similar to the following: "CAUTION BOATERS: MANATEE AREA/ IDLE SPEED IS REQUIRED IN CONSTRUCTION AREA AND WHERE THERE IS LESS THAN FOUR FOOT BOTTOM CLEARANCE WHEN MANATEE IS PRESENT". A second temporary sign measuring 8½ " X 11" shall be posted at a location prominently visible to all personnel engaged in water-related activities and shall read language similar to the following: "CAUTION: MANATEE AREA/ EQUIPMENT MUST BE SHUTDOWN IMMEDIATELY IF A MANATEE COMES WITHIN 50 FEET OF OPERATION".
- Collisions with, injury to, or sightings of manatees shall be immediately reported to the U.S. Fish and Wildlife Service's, Louisiana Ecological Services Office (337/291-3100) and the Louisiana Department of Wildlife and Fisheries, Natural Heritage Program (225/765-2821). Please provide the nature of the call (i.e., report of an incident, manatee sighting, etc.); time of incident/sighting; and the approximate location, including the latitude and longitude coordinates, if possible.

### INDEX TO SHEETS

### DESCRIPTION SHEET NO.

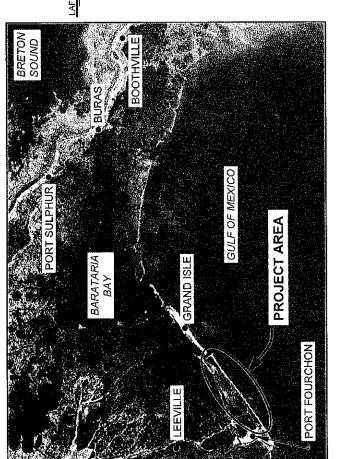
- PROJECT LAYOUT TITLE SHEET
- BORROW AREA LAYOUT MARSH CREATION
  - AREA LAYOUT
    - **BORROW AREA**
- MARSH CREATION AREA LYPICAL SECTIONS
- SECTION & GEOTEXTILE DETAILS DEWATERING AREA TYPICAL TYPICAL SECTIONS
- SETTLEMENT PLATE DETAILS PIPELINE CROSSING DETAIL

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## COASTAL PROTECTION AND RESTORATION AUTHORITY STATE OF LOUISIANA

# CAMINADA HEADLAND BACK BARRIER MARSH CREATION PROJECT BA-0171 LAFOURCHE PARISH, LOUISIANA

STATE OF LOUISIA





APPLICATION BY: COASTAL PROTECTION & RESTORATION AUTHORITY P.O. BOX 44027 BATON ROUGE, LA 70804	COASTAL PROTECTION AND RESTORATION AUTHORITY 150 TRANSCE AVENUE PARTONICE LOUISIANA TREES	CAMINADA HEADLAND BACK BARRIER MARSH CREATION PROJECT	TITLE SHEET
	BALION ROOGE, LOOISIANA / GOLD	STATE PROJECT NUMBER: BA-0171	DATE: JUNE 2018
DRAWN BY: K. CANTU	DESIGNED BY: A, TAYLOR, P.E. 041899	APPROVED BY: S. HAYNES, P.E.	SHEET 1 OF 10
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