



# State of Louisiana

JOHN BEL EDWARDS  
GOVERNOR

Mr. Jack Montoucet, Secretary  
Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, Louisiana 70898-9000

Filed AND RECORDED  
January 3, 2019  
RECORDED, JEFFERSON PARISH, LOUISIANA  
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JON A. GEGENHEIMER CLERK OF COURT & RECORDER  
CERTIFIED TRUE COPY  
BY   
DEPUTY CLERK & RECORDER  
CB BOOK 3423 PAGE 543

RE: Letter Agreement – Elmer’s Island Wildlife Complex  
Caminada Headlands Back Barrier Marsh Creation Project BA-0171  
Lafourche and Jefferson Parishes, Louisiana

Dear Mr. Montoucet:

When accepted by you, this letter shall constitute an agreement (the “Agreement”) by and between the Louisiana Coastal Protection and Restoration Authority (“CPRA”) and the Louisiana Department of Wildlife and Fisheries (“LDWF”), whereby LDWF authorizes CPRA and its assigns to utilize an access road and access route to conduct construction, maintenance, and monitoring operations for the **Caminada Headlands Back Barrier Marsh Creation Project BA-0171, Lafourche and Jefferson Parishes, Louisiana (“Project”)**.

CPRA’s access route to the Caminada Headlands Back Barrier Marsh Creation Project BA-0171 is located on a portion of the Elmer’s Island Wildlife Complex (the “Complex”), as shown on **Exhibit A**, attached hereto, and made a part hereof this Letter Agreement.

LDWF has no objection to CPRA, or its assigns, utilizing the access road, locally known as “Elmer’s Island Road”, and the access route (“Access Road/Route”) through the Complex, depicted on **Exhibit A**, in order to proceed with the proposed Project for the purposes authorized by Federal (16 U.S.C. 3951, et seq.) and State (R.S. 49:213-214) law within the Project area shown on **Exhibit A**, and pursuant to the Preliminary Project Description Summary on **Exhibit B**, also attached hereto and made a part hereof, provided, however, that CPRA complies with the following stipulations:

1. CPRA shall abide by the Complex rules and regulations as set forth in LAC 76, unless otherwise agreed to by LDWF, except the limitations as to times and locations of access shall not apply.
2. This Agreement pertains to the Access Road/Route through the Complex, which is east of the Project area, all as shown on **Exhibit A**.
3. Prior to any activities on the Complex, CPRA and/or its contractors shall contact Julia Lightner, LDWF Biologist or her assign(s), at (504) 286-4041 to coordinate use of the Access Road/Route. In the event any change or condition should develop that affects the Complex and that would affect CPRA’s ability to perform the activities granted under this Agreement, LDWF and CPRA agree to contact each other. Detailed contact information for both LDWF and CPRA is set forth in the attached **Exhibit C**.

4. The Access Route and use of the Access Road shall be approved by the dedicated LDWF Biologist or her assigns.
5. No activities will be allowed within 1500 feet of nesting bird colonies unless approved by the dedicated LDWF Biologist or her assigns.
6. It shall be the responsibility of CPRA to repair any damages which may occur as a result of use of the Access Road/Route to the Project.
7. CPRA agrees to defend, indemnify and hold LDWF harmless from and against any and all claims, demands, expense and liability arising out of injury or death to any person or the damage, loss or destruction of any property which may occur or in any way grow out of the use of the Access Road/Route for the proposed Project.
8. No activities will be allowed during waterfowl over-wintering seasons unless approved by LDWF.
9. In order to reach the Project area to conduct construction, maintenance and monitoring operations for the Project, this agreement allows CPRA to utilize the Access Road/Route to connect to the Project access route through lands of the Edward Wisner Donation, et al.
10. If, in the opinion of LDWF, CPRA's use of the Access Road/Route is in conflict with this Agreement, LDWF shall contact CPRA, fully describing what is in conflict. CPRA will immediately work to remedy said conflict. If the conflict is not remedied to LDWF's satisfaction within two (2) days, LDWF may suspend CPRA's use of the Access Road/Route until such time that conflict can be appropriately addressed and remedied.
11. In the event any change or condition should develop that affects the Complex and that would affect CPRA's ability to use the Access Road/Route as granted under this Agreement, LDWF and CPRA agree to contact each other, as set forth in **Exhibit C**.

This Agreement shall become effective upon the signature of LDWF and shall remain in effect for twenty-five (25) years, unless sooner released by CPRA.

CPRA may assign or transfer, in whole or in part, any and all of its rights hereunder, but only to the extent necessary to implement the purposes of the Project.

This Agreement shall be binding upon, and inure to the benefit of, the parties hereto, their successors in interest, transferees and assigns.

If the foregoing accurately reflects the agreement between CPRA and LDWF relative to the referenced use of the Access Road/Route, please evidence your approval by signing the four (4) originals and returning the executed originals to this office. The documents will be recorded in the public records of Jefferson Parish, and a certified duplicate will be returned to your office upon completion. Thank you for your cooperation in this matter.

Very truly yours,

**COASTAL PROTECTION AND  
RESTORATION AUTHORITY**

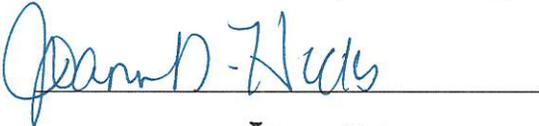


**Michael S. Ellison**  
**Executive Director**

WITNESSES:



Print Name: **Shirley T. Long**



Print Name: **Joann D. Hicks**

**ACKNOWLEDGMENT**

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

BEFORE ME, the undersigned authority, duly commissioned and qualified in and for said Parish and State aforesaid, on this 7<sup>th</sup> day of January, ~~2018~~<sup>2019</sup>, personally came and appeared **Michael S. Ellison**, to me known, who declared that he is the **Executive Director** of the **Coastal Protection and Restoration Authority, State of Louisiana**, that he executed the foregoing instrument on behalf of said State Agency and that the instrument was signed pursuant to the authority granted to him by said State Agency and that he acknowledged the instrument to be the free act and deed of said State Agency.



Print: **J. RYAN VIVIAN**  
NOTARY PUBLIC

Notary Number: 33424  
My commission expires: Death

(SEAL)

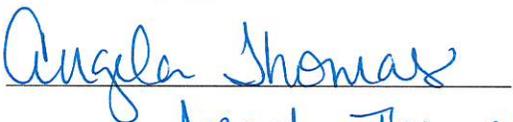


ACCEPTED AND APPROVED THIS 30<sup>th</sup> DAY OF January, 2018.

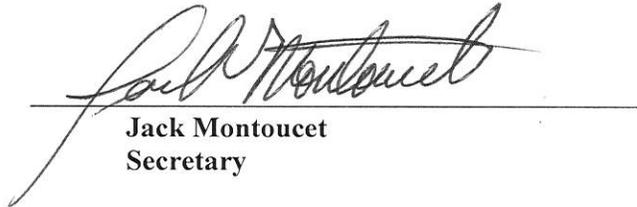
LOUISIANA DEPARTMENT OF  
WILDLIFE AND FISHERIES



Print Name: AUSTINA COONAR



Print Name: Angela Thomas

  
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**Jack Montoucet**  
Secretary

ACKNOWLEDGMENT

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

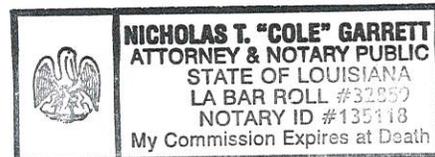
BEFORE ME, the undersigned authority, duly commissioned and qualified in and for said Parish and State aforesaid, on this 30<sup>th</sup> day of January, 2018, personally came and appeared **Jack Montoucet**, to me known, who declared that he is the **Secretary** of the **Department of Wildlife and Fisheries, State of Louisiana**, that he executed the foregoing instrument on behalf of said State Agency and that the instrument was signed pursuant to the authority granted to him by said State Agency and that he acknowledged the instrument to be the free act and deed of said State Agency.



Print: \_\_\_\_\_

NOTARY PUBLIC

Bev  
Notary Number: 32859  
My commission expires: Death  
(SEAL)



**LIST OF EXHIBITS**

Exhibit A	BA-0171 Project Area Map
Exhibit B	BA-0171 Preliminary Project Description Summary
Exhibit C	Contact Information for LDWF and CPRA

# Exhibit A

## Caminada Headlands Back Barrier Marsh Creation BA-0171, Landrights Map Lafourche & Jefferson Parishes, LA

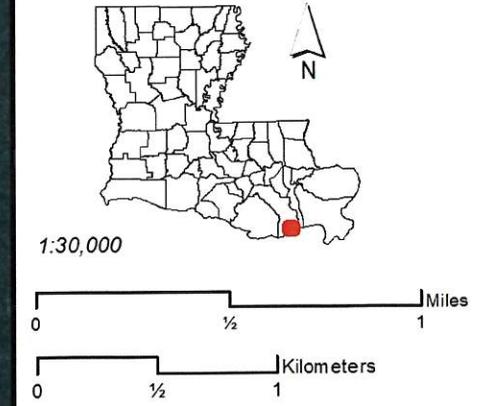


- Proposed Equipment Access Route
- Parish Boundary
- Roads
- Township
- Section

**Owner**

- Elmer's Island Wildlife Refuge (LDWF)

All project features are graphical representations only, are subject to change, and may not reflect true location or dimension



Source:  
Coastal Protection and Restoration  
Authority of Louisiana  
Imagery: ESRI World  
Map Date: 10/18/2018  
//2019040035

## EXHIBIT B

### CAMINADA HEADLANDS BACK BARRIER MARSH CREATION PROJECT BA-0171

#### PRELIMINARY PROJECT DESCRIPTION SUMMARY

**Federal Sponsor:** U. S. Environmental Protection Agency (EPA)

**Non-Federal Sponsor:** State of Louisiana, Coastal Protection and Restoration Authority (CPRA)

**Project Location:** Barataria Basin, Lafourche and Jefferson Parishes, in the vicinity of Bayou Moreau and Bay Champagne

**Problem:** The Caminada Headland has experienced some of the highest shoreline retreat rates in Louisiana. Historically the shoreline has migrated landward at about 40 feet per year. Between 2006 and 2011, shoreline migration increased dramatically, exceeding 80 feet per year in near Bay Champagne and 110 feet per year in the Bayou Moreau area. The increased losses occurred in the wake of Hurricanes Katrina and Rita in 2005 as the breaches remained open for an extended length of time. The losses were exacerbated by Tropical Storm Fay and Hurricanes Gustav and Ike in 2008. Significant prolonged breaches greatly increase the net export of sediment from the headland.

In addition to the shoreline migration, the area is also experiencing high loss rates of interior marshes. As the beach and dune continue to migrate landward, overwashed sediment will be lost into newly formed open water and land loss rates will be exacerbated. The continued deterioration of Caminada Headland threatens thousands of acres of wetland habitat as well as critical infrastructure, including Port Fourchon, LA Highway 1, and the lower Lafourche levee system.

**Goals:** The goal of the project is to create and nourish 542 acres of brackish marsh using dredged material from the Gulf of Mexico.

**Proposed Solution:** Sediment will be hydraulically dredged from approximately 1.5 miles off the Caminada Headland shoreline in the Gulf of Mexico and pumped via pipeline to the project area to create and nourish 542 acres of marsh habitat. The marsh creation cells and nourishment area have been designed to minimize impacts on existing marsh and mangroves. Assuming some natural vegetative recruitment, vegetative plantings are anticipated to occur one year after sediment placement and three years after sediment placement. Containment dikes will be degraded or gapped approximately three years after sediment placement to allow access for estuarine organisms.

**Project Benefits:** In addition to the creation and nourishment of 542 acres of marsh habitat, this project will create a platform upon which the recently completed beach and dune projects (BA-0045 and BA-0143 Caminada Beach and Dune Restoration Projects) can migrate which will reduce the likelihood of breaching, increase the retention of overwashed sediment, improve the longevity of the barrier shoreline, protect existing wetlands and infrastructure to the north and west, and slow the current trend of degradation of the headland.

**Project Cost:** The total fully-funded cost for the project is \$33,523,561.

**Project Status:** Engineering and Design is 95% complete.

**Additional Matters:** In order to connect to the Project, part of CPRA's project access route is through Elmer's Island Wildlife Complex, along the Access Road/Route shown on the attached **Exhibit A**.

**EXHIBIT C**

**CONTACT INFORMATION FOR LDWF AND CPRA**

Attached to, and made a part hereof, that Letter Agreement for use of the Access Road/Route in Elmer's Island Wildlife Complex for the Caminada Headlands Back Barrier Marsh Creation Project BA-0171 ("Project"), dated JANUARY 3, 2019 by and between the Louisiana Department of Wildlife & Fisheries ("LDWF") and the Louisiana Coastal Protection and Restoration Authority ("CPRA")

**LDWF CONTACT INFORMATION:**

**Julia Lightner, LDWF Biologist**  
Office of Fisheries  
Louisiana Department of Wildlife and Fisheries  
P. O. Box 98000  
Baton Rouge, Louisiana 70898-9000  
Phone: (504) 286-4041  
e-mail address: [jlightner@wlf.la.gov](mailto:jlightner@wlf.la.gov)  
Cell phone: (504) 913-7849

Other contact information / requirements:

**CPRA CONTACT INFORMATION:**

FOR LETTER AGREEMENT ISSUES, CONTACT THE CPRA LAND SECTION:

LOUISIANA COASTAL PROTECTION AND RESTORATION AUTHORITY  
CPRA Land Section  
**James Altman, Land Manager**  
P.O. Box 44027  
Baton Rouge, LA 70804-4027  
Phone: (225) 342-1934  
e-mail address: [james.altman@la.gov](mailto:james.altman@la.gov)

FOR TECHNICAL ISSUES REGARDING THE PROJECT, INCLUDING: CONSTRUCTION EQUIPMENT, SITE VISITS, ETC., CONTACT THE CPRA PROJECT MANAGEMENT SECTION:

LOUISIANA COASTAL PROTECTION AND RESTORATION AUTHORITY Project Management Section / Engineering <b>Renee Bennett, BA-0171 Project Manager</b> Phone: (225) 342-4592 e-mail address: <a href="mailto:renee.s.bennett@la.gov">renee.s.bennett@la.gov</a> <b>Amanda Taylor, BA-0171 Project Engineer</b> Phone: (225) 342-9419 E0mail address: <a href="mailto:amanda.taylor@la.gov">amanda.taylor@la.gov</a> P.O. Box 44027 Baton Rouge, LA 70804-4027	Thibodaux Field Office <b>Todd Hubbell, BA-0171 Monitoring Manager</b> 1440 Tiger Drive, Suite B Thibodaux, LA 70301 Phone: (985) 447-0994 e-mail address: <a href="mailto:todd.hubbell@la.gov">todd.hubbell@la.gov</a>
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