

ST. TAMMANY PARISH MICHAEL B. COOPER PARISH PRESIDENT

December 4, 2024

Please find the following addendum to the below mentioned BID.

Addendum No.:	1
Bid#:	24-63-2
Project Name:	Lacombe Trace Trails and Nature Park
Bid Due Date:	Thursday, December 19, 2024

GENERAL INFORMATION:

- 1. A Mandatory Pre-Bid was held Wednesday, December 4, 2024, at 2:00 PM. Sign-in Sheet and Meeting Agenda are attached.
- 2. USACE and OCM Permits are attached for review.

QUESTIONS & ANSWERS:

Question 1: Will a temporary field office be needed for this project?

- Answer 1: A temporary field office is at the contractor's discretion but is not mandated. Please note that there are no electric, water, or sewer utilities available at the project site.
- Question 2: What permits are needed?
- Answer 2: No building or site permits are required through the St. Tammany Parish Permit Office. However, prior-obtained permits through the US Corps of Engineers and Louisiana Office of Coastal Management are in effect. These permits shall be made available for review.



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- Question 3: The railing for the pedestrian bridge is not included in this bid correct?
- Answer 3: Railing for pedestrian bridge <u>should</u> be included in the bid. The railing shall match detail J/L5.1 Guardrail (Typical), with the post size/material and post attachment per detail 3/S1.0 Pedestrian Trail Bridge Cross Section.
- Question 4: Is there a budget or cost estimate?
- Answer 4: \$1,200,000.00. Engineer estimate for the project is posted on the St. Tammany Parish Procurement site listed under "Bids". <u>https://www.stpgov.org/departments/procurement/</u>
- Question 5: For the retaining wall is Vera-lock supposed to be Versa-lock?
- Answer 5: Yes, pertaining to detail G/L5.1 Curved Retaining Wall, "Vera-lock" is a typo and should be corrected to "Versa-Lok".
- Question 6: What item would you want the floating dock, submerged float tanks, and kayak launch in?
- Answer 6: Please list under spec Item Number 35 51 23.

ATTACHMENTS:

- 1. Sign-in Sheet
- 2. Meeting Agenda
- 3. USACE Permit
- 4. LA OCM Permit

<< End of Addendum # 1>>

Prin	t Leg	ibly

	St. Tammany Parish Government 21454 Koop Dr., Building B - 3rd Floor Conference Room		DATORY ign-In Sheet	Wednesday, December 4, 2024		2:00 PM
		Lacombe Trace Tra	ils & Nature Park - Bid No. 24-63-2	2		
	Name	Company	Email	Phone	Time In	Time Out
1	Parker Coddou	LA Contracting	Bidding @ la-cont.com	985-446-2212	1:47	2:20
2	Travis Long	Ashly Smith Carstruli			1:48	2:20
3	David Mutter	M+J Civil Construction. 4			1:49	2:20
4	ZACK ZACCARI	GROUNDS GUYS	RZACCANI @ GOUNDSGUYS		6 1:45	2:20
5	Thomas Vollmer		in trollmer@cmcombsco		1:39	2:20
6	Hunter Linn	Korts Construction	estimating@Kortsconstruction			2:20
7	Brandon Scully	Korts Construction	4 11	504 908 3001	1:53	2:20
8	Brittany Ruiz	C+O Mavine Construction	candomarine construction lice gmail	985-966-3802	1:50	2:20
9	David Sibon Phul Stinsser	B.E.T Construct	PStrausser & byrinet	GIAC UN	1:53	2:20
10	Trent Ereco	Cycle struction	Construction com	504-275-1344	1:57	220
11	manan hops	Dalls Comanis	SI PRODICISSONNO	1.ps 925 285 - 884	12:25	2:31
12	Henleizh Mankield	STPE	armay field acter on a	r 983-898-2529	2100	2:20
13	Konchy Press King	STP6	rb paul sind & Steamy	Fun 2529	9.00	2120
14	acad taxnes	STE GUB	Jacob. Haynes@ SJB Gro	up. Dom	2:00	2:20
15	Alana Johnson	STPGI	Procurement@stpopuorg	985-898-2520	1:48	5:50

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Lacombe Trace Trails & Nature Park

St. Tammany Parish Government Bid No. 24-63-2



PRE-BID CONFERENCE

December 04, 2024

RE: Meeting Agenda

- 1. Registration and Welcome
 - a. **Sign–In**: This meeting is mandatory per notice to bidders. Attendees must sign the attendance sheet.
 - b. Introduction:
 - SJB Group Design Consultant
 - St. Tammany Parish Government Project Team
 - c. Meeting Objectives: Pre-Bid Conference objectives

2. Project Overview

a. Project Description:

The project is for the construction of a public outdoor recreation nature park as part of the existing Tammany Trace bike path. The project proposed improvements for the park are boardwalks, paved walkways, limestone trails, pavilions, a kayak launch, a restroom facility, planting, and signage. The project is in Lacombe, LA, east of the Main St. Boat Launch and adjacent to the Tammany Trace Bike Trail and Bayou Lacombe Waterway. This project offers an exciting new recreational resource and destination connected to the Tammany Trace, serving as a point of interest along the 30+ mile bike trail. The site offers many opportunities to engage with the natural environment and historic past.

- b. Native & Historic Character: In general, the project aims to preserve and highlight the natural character and history of the site. We encourage sustainable practices in the construction. Every effort should be made to limit the effects of construction. Only select removal of vegetation is authorized. Most grading and drainage is designed to follow natural grade. The most intensive earthwork will be in the central area, and in the foundations for the restroom and pavilions.
- c. Project Estimate: \$1,200,000
- d. Project Completion Time: 365 days from NTP

1. Bid Requirements

a. Upcoming Dates:

Mandatory Pre-Bid Meeting	December 04, 2024	2:00 PM
Inquiry Deadline	December 10, 2024	2:00 PM
Addendum Deadline	December 16, 2024	2:00 PM
Bids Due	December 19, 2024	2:00 PM



- b. **Submissions:** Mail or Electronic submissions; Follow guidance in instructions to bidder closely. This is public bid pursuant to state bid law. Contract awarded to lowest responsible bidder.
- c. **Addendums/ RFIs**: At least 1 Addendum will follow this meeting. RFI's or questions must be submitted in writing and directed through the St. Tammany Procurement department.

2. Key Highlights:

- a. **Grant Funding**: This project is federally grant funded (LWCF) and therefore requires the Contractor to have a Unique Entity Identification number (UEI). The Contractor should submit with their response their UEI number.
- b. **Obtained Permits**: The proposed work as part of this contract is authorized under Category II of the USACE Programmatic General Permit (PGP). A permit has been issued under Permit No. MVN-2013-02449-ECS. Additionally, under the jurisdiction of the LDNR/Office of Coastal Management, the proposed work is consistent with the state Coastal Management Program and work has been authorized under Costal Use Permit (CUP) No. P20220867. All work and materials shall conform to the requirements of said permits.
- c. **Wetlands:** Work area should be limited to areas within the project scope including foot traffic. Work limits and wetland boundaries are delineated on plans. Project is designed with mitigation in mind.
- d. **Site Access & Staging:** Main Street is the only access to the site and has height and width limitations due to historic live oaks and overhead lines. The boat ramp parking area can be used temporarily for offloading, with prior notice given to STP. Staging and material laydown areas shall be on-site or in negotiated off-site yard coordinated with St. Tammany Parish.
- e. **Pre-Purchased Products:** Boardwalk system, restroom building package, and kayak launch systems are pre-purchased by St. Tammany and will be provided to the contractor for installation. Deliveries are intended to be coordinated to suit project schedules. Contractor assumes ownership and responsibility for materials upon delivery as stored material. Installation instructions are available as well are manufacturer tech support. Bidders are encouraged to reach out during the bidding process to have full understanding of installation requirements.
- f. **Restorations:** Train exhibit restoration is intended to preserve the history while making necessary access repairs and general clean-up.
- g. Utilities: There are no on-site utilities (electrical, water, sewer).
- 3. Site Tour/Walkthrough: Guided tour of the site to observe existing conditions.
- 4. Questions & Closing Remarks



Regulatory Division Eastern Evaluation Branch

SUBJECT: MVN-2013-02449-ECS

Mr. Randall Pausina St. Tammany Parish Government 21490 Koop Drive Mandeville, LA 70471

Dear Mr. Pausina:

The proposed work to construct public use nature park that includes boardwalks, paved walkways, limestone trails, pavilions, a kayak launch, and a restroom facility, located in Section 37, Township 8S, and Range 13E, Lacombe, in St. Tammany Parish, Louisiana, as shown on the enclosed drawings, is <u>authorized</u> under **Category II** of the **Programmatic General Permit** provided that all conditions of the permit are met.

This authorization has a blanket water quality certification from the Louisiana Department of Environmental Quality (DEQ); therefore, no additional authorization from DEQ is required.

However, prior to commencing work on your project, you must obtain approvals from state and local agencies as required by law and by the terms of this permit. These approvals include, but are not limited to, a permit, consistency determination or determination of "no direct or significant impact (NDSI) on coastal waters" from the Louisiana Department of Natural Resources, Office of Coastal Management.

The following special conditions are made a part of this authorization:

1. The permittee shall adhere to the attached special conditions for the West Indian Manatee, and to avoid and minimize potential impacts to the species.

2. Many local governing bodies have instituted laws and/or ordinances in order to regulate dredge and/or fill activities in floodplains to assure maintenance of floodwater storage capacity and avoid disruption of drainage patterns that may affect surrounding properties. Your project involves dredging and/or placement of fill; therefore, you must contact the local municipal and/or parish governing body regarding potential impacts to floodplains and compliance of your activities with local floodplain ordinances, regulations or permits. Work activities and any associated drainage plans and affects associated with the project shall comply with all applicable laws and ordinances administered by local governing bodies such as the

(Parish Government, Police Jury, Drainage Authority, Flood Plain Administration), and/or other applicable agency requirements. If it is determined that the project is creating unacceptable and unnatural ponding, inundation or flooding conditions on adjacent properties, the permittee will be required to remediate the situation as directed by these governing bodies. Should there be any changes required in the project design, the permittee shall coordinate with this office to obtain a permit amendment and/or review and decision on the plans, prior to commencement of those alterations.

3. The permittee shall properly install adequate erosion/siltation control measures around construction areas that require land based earthwork (i.e. excavation and/or deposition of fill materials, land contouring, machinery rutting, fill maneuvering and redistribution, etc.), to aid in preventing project related sediments, debris and other pollutants from entering adjacent wetlands or waters. Acceptable measures include but are not limited to the proper use and positioning of temporary silt fences, straw bales, fiber/core logs, wooden barriers, seeding or sodding of exposed soils, or other approved EPA construction site storm-water runoff control and best management practices. Control techniques shall be installed prior to the commencement of earthwork activities and maintained until the project is complete and/or the subject areas are stabilized. Should unforeseen circumstances or environmental conditions hinder implementation of these requirements in part or in full, the permittee shall immediately contact and notify CEMVN of the situational specifics, for our review, direction, and/or possible approval to modify the subject requirements.

4. All temporary ground disturbance and impacts to jurisdictional wetlands associated with project construction, shall be immediately restored to their preexisting contours and conditions, following project completion. If it is later determined that permanent impacts to jurisdictional wetlands have occurred, outside of what has been assessed in this authorization, the permittee is aware that site remediation and/or compensatory mitigation for unrepairable impacts, will be required by this office. Lack of compliance with these requirements would be considered grounds for permit suspension or revocation.

This approval to perform work is valid for 5 years from the date of this letter.

Permittee is aware that this office may reevaluate its decision on this permit at any time the circumstances warrant.

Should you have any further questions concerning this matter, please contact Carrie Schott of this office at (504) 862-1153 or at <u>carrie.g.schott@usace.army.mil</u>.

Sincerely,

For: Martin S. Mayer Chief, Regulatory Division

Enclosures

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.

All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). To minimize potential impacts to manatees in areas of their potential presence, the permittee shall insure the following are adhered to:

- 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.



DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT 7400 LEAKE AVENUE NEW ORLEANS, LA 70118-365

June 1, 2022

CEMVN Regulatory Division

SUBJECT: Programmatic General Permit

A PROGRAMMATIC GENERAL PERMIT FOR USE IN THE NEW ORLEANS DISTRICT WITHIN THE BOUNDARIES OF THE LOUISIANA COASTAL ZONE

Under authorization granted by applicable sections of Parts 320 through 332 of Title 33, Code of Federal Regulations, and delegated authority from the Commander, US Army Corps of Engineers, the District Commander at New Orleans has determined that it is in the public interest to extend the programmatic general permit (**PGP**) to authorize those activities that result in minimal adverse impacts within the boundaries of the Louisiana Coastal Zone, as specified by the terms and conditions of this PGP.

Specific Legislation requiring Department of the Army permits for work of this nature:

Section 10 of the Rivers and Harbors Act of 3 March 1899 (33 USC 403).

Section 404 of the Clean Water Act (33 USC 1344).

Waters of the United States are defined in Part 328 of Title 33, Code of Federal Regulations.

Special aquatic sites means wetlands, mudflats, vegetated shallows, coral reefs, sanctuaries and refuges, and riffle and pool complexes, as defined at 40 CFR 230.40 through 230.45.

This PGP does <u>not</u> authorize dams in navigable waters of the United States pursuant to Section 9 of the Rivers and Harbors Act of 3 March 1899 (33 USC 401) or transportation of dredged material for ocean disposal pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act (33 USC 1413).

GENERAL EXCLUSIONS

I. The following work will not be eligible under this PGP. Applications for this work will be processed in accordance with 33 CFR Part 325:

(1) Work outside the boundaries of the Louisiana Coastal Zone.

(2) Activities which are not covered under the Louisiana Coastal Resources Program as implemented by the Louisiana Department of Natural Resources, Office of Coastal Management (LDNR, OCM).

(3) No activity is authorized under this PGP which may adversely affect the continued existence, or which will destroy or adversely modify the critical habitat, of a threatened or endangered species, or a species proposed for such a designation, as identified under the Federal Endangered Species Act.

(4) Work or structures within 1,500 feet of any mainline flood control and hurricane damage risk reduction levees, structures, etc. constructed and/or maintained with federal funds without prior coordination with, and the concurrence from, CEMVN. Work that might alter US Army Corps of Engineers Civil Works projects will not qualify for this general permit until Permission pursuant to 33 USC 408 is granted by the District Commander.

(5) Structures or work in or that would impinge upon the value (habitat, hydrology, etc.) of any National Wildlife Refuge, National Forest, areas administered by the National Park Service of the US Department of the Interior, areas administered by the Louisiana Departments of Natural Resources or Wildlife and Fisheries, or other similar publicly held areas administered by federal, state, or local governmental authority unless special permission from these agencies is submitted during the review of, or with, the application for this general permit.

(6) Projects of national or individual concern. This exclusion is invoked on a case-bycase basis and represents, a special class of projects that receive particular attention in Corps decisions on whether to exercise the discretionary authority to require individual applications for work that otherwise meets all of this permit's conditions. While a precise definition is not possible, this category of work normally includes, but is not limited to, the following examples: projects that could cause an unreasonable interference with navigation; significant wetland fills; major power plants, shipping facilities and oil refineries; major commercial, residential or industrial developments; and work that could adversely affect habitats important to migratory birds, endangered or threatened species, estuarine-dependent fishes and shellfishes, or other species of high federal interest; or historic, cultural or archaeological sites listed in the National Register of Historic Places or sites listed in the National Registry of Natural Landmarks; or specific activities for which agencies request, and provide justification for, the requirement of an individual permit review.

(7) The PGP does not authorize dredging or the deposition of dredged and/or fill material for construction of oilfield access roads, drilling locations, pits, ring levees, and associated facilities in jurisdictional waters of the U.S. including wetlands, within the Atchafalaya Basin (as defined by USGS Hydrologic Unit Code: 08080101).

- II. The following activities will likely be <u>excluded</u> for consideration under this PGP:
- a. Work within 1 mile of offshore navigation fairways and anchorages
- b. Commercial sand dredging in the Mississippi River

- c. Barge fleeting
- d. Mid-stream transfer facilities in the Mississippi River
- e. Channel ward extensions of existing facilities in federally maintained waterways
- f. Waterway closures (excluding plugs in abandoned canals)
- g. New marsh management
- h. New water control structures (except open culverts sized and set to maintain natural flow)
- i. Contaminated sediment excavation and/or disposal, including but not limited to such activities proposed in Harvey Canal and Calcasieu River
- j. Activities that would adversely impact environmentally sensitive areas (e.g., barrier islands, bird rookeries, coral reefs, seagrass beds, etc.)
- k. Activities adversely affecting Coastal Wetlands Planning, Protection and Restoration Act (PL 646) projects
- 1. Projects which would impact the hydrology of adjacent wetlands such that the acreage criteria established in this permit are exceeded

INCLUSIONS

Category I Activities

What follows is a listing of activities which fall under Category I. The format of this general permit has been designed so that all similar activities have been grouped together where the purpose and the nature of that impact is similar. These activities are further limited, **unless otherwise noted**, by the acreage being impacted. CEMVN will verify qualification of specific activities for Category I authorization. The procedures for properly applying for and obtaining approval are found in the section of this document entitled 'Reporting/Acknowledgment Procedures'.

For the purposes of this permit, the acreage limitations established include the area flooded, drained, filled, or excavated, unless otherwise indicated. For activities to comply with Category I, they cannot cause the loss of greater than 0.5 of an acre of special aquatic sites.

- 1. Oil and gas activities including shell pads for drilling activities, exploration and production structures or extensions thereof, new channels or slips less than 0.5 of a mile in length in open water, and other related activities.
- 2. Survey activities not including 3D seismic activities.
- 3. Flowlines/pipelines 25,000 linear feet or less in length. Includes minor activities associated with pipeline abandonment.
- 4. Hazardous condition response activities. For purposes of this general permit, a hazardous condition is a situation which would result in an imminent safety and/or environmental hazard, loss of property, or immediate economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time period needed to

process the application. Applicants will submit sufficient information to document the hazardous condition and scope of work. This authorization is conditional. Within 30 days of the authorization, permittees will be required to submit an application for any work performed, or needed to be performed, to rectify the hazardous situation. The application will be processed in the appropriate manner. Alternatively, if the structures and/or fill installed to remediate the hazard are no longer necessary, the permittee must submit a site restoration plan for review and authorization by CEMVN. Restoration plans must be implemented within 30 days of receipt of CEMVN concurrence, unless otherwise specified (acreage limits for the initial request do not apply).

- 5. Dredging of existing waterbodies. Excavation cannot exceed 40,000 cubic yards of material.
- 6. Maintenance of existing structures and fill provided the structures or fill are not put to uses differing from those uses specified or contemplated for it. The activity must be the repair, rehabilitation or replacement of a currently serviceable structure or fill. Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction. This does not include maintenance dredging or beach restoration.
- 7. Miscellaneous structures including mooring buoys and aids to navigation which are approved by and installed in accordance with the requirements of the U.S. Coast Guard.
- 8. Scientific measuring devices. Devices to measure and record scientific data such as staff gauges, tide gauges, water quality testing, etc.
- 9. Sealed forms or cells for pile supported structures.
- 10. Single piles, pile clusters.
- 11. Trenasse (pirogue ditch) maintenance. The maximum width of the trenasse shall not exceed 6 feet with a maximum depth of 3 feet.
- 12. Minor road crossings. Placement of fill for a road, including the placement of culverts provided bank full flow is maintained. Includes cattle crossings.
- 13. Bank stabilization. Activity may not exceed 200 feet in length and greater than 1 cubic yard per linear foot of fill placement below the plane of the ordinary highwater mark or mean high water line whichever applies.
- 14. Erosion Protection and Restoration along public highways which parallels or is adjacent to waterbody, up to one mile in length provided the work is performed by LA DOTD, parish or municipal highway department. No dredging is authorized (except that material which has sloughed from the embankment), bulkheads must be placed at the existing bank line, and work may include revetment and fill to repair and maintain existing bridge

sites.

- 15. Wharves, piers, and similar structures, structures in manmade canals, small boat slips, boat ramps, and associated fill and appurtenances. Structures may neither exceed 600 square feet in area, nor extend channel ward more than 10 percent of the waterway bank-to-bank distance, nor cause unreasonable interference to navigation. Boat slips/ramps up to 30 feet by 15 feet in area.
- 16. Artificial reefs constructed for the purpose of enhancing fishing opportunities.
- 17. Categorical Exclusions: Activities which are undertaken, funded, authorized, regulated, or financed, in whole or in part, by another federal agency or department where that agency or department has determined, pursuant to the Council on Environmental Quality Regulation for Implementing the Procedural Provisions of the National Environmental Policy Act, that the activity work or discharge is categorically excluded from environmental documentation because it is included within a category of actions which neither individually nor cumulatively have a significant effect on the human environment, and the Office of the Chief of Engineers has been furnished notice of the agency's or department's application for the categorical exclusion and concurs with that determination.
- 18. Work not specifically excluded which clears, grades, fills or excavates no greater than 0.5 of an acre of special aquatic sites, as deemed applicable by CEMVN.

Category II Activities

What follows is a listing of all of the activities which fall under Category II. The format of this general permit has been designed so that all similar activities have been grouped together where the purpose and the nature of that impact is similar. These activities are further limited, **unless otherwise noted**, by the acreage being impacted. For activities to comply with Category II the impact is limited as follows:

<u>Non-oil and gas related activities may result in the loss of no greater than 2.0 acres of tidal or 3.0 acres of non-tidal, special aquatic sites.</u> Oil and gas related activities may result in the loss of no greater than 3.5 acres tidal or non-tidal special aquatic sites.

- 1. Oil and gas activities, including board roads, ring levees, exploration and production structures or extensions, new oil and gas canals and slips, parallel/perpendicular slips, etc.
- 2. Seismic surveys (acreage limits do apply).
- 3. Any flowlines, pipelines and utility lines up to 50,000 linear feet in length, and all aerial transmission lines. Must utilize the least damaging, practicable route and construction method, otherwise an individual permit will be required. Power transmission lines must

comply with regulations found at 33 CFR Part 322.5(i).

- 4. Cleanup of hazardous and toxic waste. For toxic and hazardous waste, the activity must be sponsored by a government agency with established legal or regulatory authority or be court ordered (acreage limits do not apply).
- 5. Oil spill cleanup. Activities will be subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300), and work must be done in accordance with the Spill Control and Countermeasure Plan required by 40 CFR part 112.3. Work must also comply with any State Contingency plan and the Regional Response Team must concur with the action (acreage limits do not apply).
- 6. Dredging of existing waterbodies. Excavation cannot exceed 100,000 cubic yards of material (volume limits do not apply to activities being conducted for the purpose of wetland restoration, and; up to 250,000 cubic yards allowed for removal of silt accumulations around existing docks, barge fleets and mooring areas in the Mississippi River with disposal beyond the minus 55-foot contour).
- 7. Outfall structures. Provided the effluent is in compliance with regulations issued under the National Pollutant Discharge Elimination System (Section 402 of the Clean Water Act).
- 8. Wharves, piers, and similar structures, structures in manmade canals, small boat slips, boat ramps, and associated fill and appurtenances. Structures may exceed 600 square feet in area, but may neither extend channel ward more than 20 percent of the waterway bankto-bank distance, nor cause unreasonable interference to navigation. Boat slips/ramps up to 60 feet by 25 feet in area.
- 9. Erosion Protection and Restoration along public highways which parallels or is adjacent to waterbody, one mile in length and greater provided the work is performed by the LA DOTD, parish or municipal highway department. No dredging is authorized (except that material which has sloughed from the embankment), bulkheads must be placed at the existing bank line, and work may include revetment to repair and maintain existing bridge sites.
- 10. Bank stabilization. Activities that are greater than 200 linear feet in length, but do not exceed 500 linear feet, or where fill placement exceeds 1 cubic yard per running foot below the plane of the ordinary highwater mark or mean high water line whichever applies. District Engineer may grant a waiver to this limitation for proposed activities up to 1000 feet if determined to have minimal individual and cumulative adverse environmental effect.
- 11. Categorical Exclusions. Activities which are undertaken, funded, authorized, regulated, or financed, in whole or in part, by another federal agency or department where that agency or department has determined, pursuant to the Council on Environmental Quality

Regulation for Implementing the Procedural Provisions of the National Environmental Policy Act, that the activity work or discharge is categorically excluded from environmental documentation because it is included within a category of actions which neither individually or cumulatively have a significant effect on the human environment, and the Office of the Chief of Engineers has been furnished notice of the agency's or department's application for the categorical exclusion and concurs with that determination.

- 12. Small weirs, flumes and similar scientific measuring devices provided aquatic organism movement is minimally impeded.
- 13. Wetland restoration and creation activities. Activities specifically designed which have a beneficial effect on wetlands and/or aquatic resources, as determined applicable by CEMVN. Limits on the volume of dredged material and acreage of fill area do not apply. Mitigation banks/areas excluded.
- 14. Work not specifically excluded which clears, grades, fills or excavates no greater than 2.0 acres of tidal, or 3.0 acres of non-tidal, special aquatic sites, as determined applicable by CEMVN.

REPORTING/ACKNOWLEDGMENT PROCEDURES

A. COMPLETE APPLICATION

Requests for authorization under the PGP require the applicant to submit an application to the DNR, OCM; **an electronic version of the application can be found** at http://www.dnr.la.gov. The applicant's submittal must include a fully completed joint application form and project plans showing all work for which a permit is being requested. LDNR, OCM will electronically forward the application to CEMVN.

A "complete" application consists of the following:

- (1) A completely filled out joint on-line application form.
- (2) Vicinity Map You may use an existing road map or U.S. Geological Survey topographic map. This map should include:
 - (i) Location of activity site (draw an arrow showing the <u>exact</u> location of the site on the map).
 - (ii) Latitude, longitude, and section, township and range, if known.
 - (iii) Names, descriptions and location of landmarks.

- (iv) Name of and distance to nearest town, community, or other identifying locations, including parish.
- (v) Names or numbers of all roads in the vicinity of the site.
- (vi) North arrow.
- (vii) Appropriate dimensions (length x width x depth) or drawings to scale.
- (3) Plan view and cross section drawings of the proposed work which include:
 - (a) Primary dimensions of the activity.
 - (b) Appropriate dimensions (length x width x depth) or drawings to scale.
 - (c) Volume (cubic yards), source, and type of dredged/fill material(s).
 - (d) Mean low and highwater marks.
- (4) A statement that the proposed project is consistent with the approved state coastal zone management program.

For the following application types to be considered "complete", additional information may be required:

- 1) New oil/gas well or reinjection well applications that would result in adverse impacts to special aquatic sites must have undergone an interagency Geologic Review Meeting. The least damaging practicable alternative identified therein may qualify for PGP authorization provided it complies with the criteria of the PGP.
- 2) Residential subdivisions or an individual single-family home within an existing subdivision must include a subdivision layout.
- 3) Activities on state operated wildlife management areas or federal refuges must include a written approval from the management area/refuge manager.
- 4) Projects where the permitted activity requires site restoration upon abandonment of the activity must include signed statements from the affected landowners that they have no objection to the required restoration and that they agree not to develop the restoration areas without prior approval from CEMVN.
- 5) Projects where a Corps jurisdictional determination is necessary in order to assess the potential impacts of the proposed work.

Proposals not considered "complete" will be placed "on-hold" until such time as **all** required information is obtained.

B. PROCEDURE

1. Category I activities:

Within 10 working days of CEMVN receiving a complete application, it will determine whether the requirements of Category I are met and advise the applicant if the application is complete or if additional information is needed. CEMVN will finalize a permit decision upon completion of all requisite reviews.

2. Category II activities:

Within 10 working days of CEMVN receiving a complete application, it will notify the applicant that the project will be evaluated as a Standard Permit or forward a copy of the application and drawings to the National Marine Fisheries Service, US Environmental Protection Agency, and Louisiana Department of Wildlife and Fisheries for review. These agencies will have 5 working days to submit comments or request additional review time not to exceed 20 working days total. Concurrences may be forwarded to CEMVN via telephone or electronic mail, non-concurrences must be made in writing with an information copy sent to the applicant which includes a description of the impact(s) considered to be more than minimal*. Lack of a response from these resource agencies within the appropriate time frame will be considered as no objection or no position by those agencies.

To the extent practicable and subject to completion of all requisite reviews within 15 days thereafter, CEMVN will either:

- a) issue an authorization letter (with any necessary special conditions), to the permittee, or;
- b) issue an authorization letter with modifications as recommended by the resource agencies or CEMVN, or;
- c) issue a notice to the applicant that the project will be evaluated as a Standard Permit.

To the extent practicable, LDNR, OCM will be notified at the same time the applicant is notified of CEMVN's determination in all of the above situations.

* CEMVN's non-concurrence with the reviewing resource agencies objections and/or recommendations will be made in writing by the District Commander (or his designee) to the respective agency.

C. MITIGATION

Appropriate compensatory mitigation will be required for unavoidable adverse impacts which remain after all appropriate and practicable minimization has been attained. The objective of compensatory mitigation is to replace wetland functions, values and services impacted by implementation of the permitted activity. Compensatory mitigation may include, but is not limited to, contracting with a mitigation bank to provide the credits to fully offset the impact; acquisition of credits from the Louisiana Department of Natural Resources' In-lieu Fee Program for the creation, restoration or enhancement of wetlands, or; the permittee's implementation of a wetland mitigation project determined to be acceptable by CEMVN and LDNR, OCM (i.e., permittee responsible mitigation).

CEMVN is obligated to ensure the appropriateness and adequacy of compensatory mitigation in accordance with the 2008 Final Rule on Compensatory Mitigation for Losses of Aquatic Resources, 33 CFR Part 332 and 40 CFR Part 230. CEMVN recognizes that although the State supports a goal of achieving no net loss of coastal wetlands as specified in the April 1997 Louisiana Coastal Wetlands Conservation Plan, differences in regulations and policies promulgated by the state and federal programs may not facilitate alignment of compensatory mitigation requirements in all instances. When CEMVN determines potentially affected resource values to be of sufficient concern so as to ensure the compliance of a prospective PGP with Corps mitigation policy, CEMVN will coordinate such findings with LDNR, OCM with the intent to implement compensatory mitigation requirements that are consistent with state and federal regulations. Should CEMVN and LDNR, OCM achieve concurrence on compensatory mitigation requirements, CEMVN will finalize the decision on the PGP accordingly. In the event concurrence on the compensatory mitigation requirement is not achieved, CEMVN will either stipulate its compensatory mitigation requirements in the PGP authorization or pursue evaluation of the activity in accordance with Standard Permit application procedures, whichever is appropriate. Although it is recognized that the complexity of compensatory mitigation coordination may increase process time, CEMVN will adhere to the procedural timeframe defined above to the extent practicable.

CEMVN also recognizes the interest of the State in locating compensatory mitigation for those actions located outside the Louisiana Coastal Zone, but within the Louisiana Coastal Wetlands Conservation Plan Area (LCPA), within the LCPA. CEMVN is committed to facilitate mitigation site selection within the LCPA to the extent that adherence to Corps national mitigation policy is not compromised. CEMVN and LDNR, OCM will assess mitigation performance instituted pursuant to PGP implementation as needed, or when requested by either agency.

D. GENERAL CONDITIONS

1. Activities authorized under this general permit shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single and complete project shall be treated together as constituting one single and complete project. All planned phases of multi-phased projects shall be treated together as constituting one single and complete project. This general permit shall not be used for any activity that is part of an overall project for which an individual permit is required.

2. No activity is authorized under this general permit which may adversely affect significant cultural resources listed or eligible for listing in the National Register of Historic Places until the requirements for Section 106 of the National Historic Preservation Act are met. Upon discovery of the presence of previously unknown historic and/or prehistoric cultural resources, all work must cease and the permittee must notify the State Historic Preservation Office and the Corps of Engineers (CEMVN). 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. The authorization is suspended until it is determined whether or not the activity will have an adverse effect on cultural resources. The authorization may be reactivated or modified through specific conditions if necessary, if it is determined that the activity will have no adverse effect on cultural resources. The Programmatic General Permit (PGP) authorization will be revoked if it is determined that cultural resources would be adversely affected, and an individual permit may be necessary.

3. No activity may substantially disrupt the movement of those species of aquatic life indigenous to the water body, including those species which normally migrate through the area, unless the activity's primary purpose is to block or impound water.

4. If the **authorized** activity involves the installation of aerial transmission lines, submerged cable, or submerged pipelines across navigable waters of the United States the following is applicable:

The National Ocean Service (NOS) has been notified of this authorization. You must notify NOS and this office in writing, at least two weeks before you begin work and upon completion of the activity authorized by this permit. Your notification of completion must include a drawing which certifies the location and configuration of the completed activity (a certified permit drawing may be used). Notification to NOS will be sent to the following address: National Ocean Service, Office of Coast Survey, N/CS261, 1315 East West Highway, Silver Spring, Maryland 20910-3282.

5. For pipelines under an anchorage or a designated fairway in the Gulf of Mexico the following is applicable: The NOS has been notified of this authorization. You must notify NOS and this office in writing, at least two weeks before you begin work and upon completion of the activity authorized by this permit. Within 30 days of completion of the pipeline, 'as built' drawings certified by a professional engineer registered in Louisiana or by a registered surveyor shall be furnished to this office, the Commander (dpw), Eighth Coast Guard District, Hale Boggs Federal Building, 500 Poydras Street, Room 1230, New Orleans, Louisiana 70130, and to the Director, National Ocean Service, Office of Coast Survey, N/CS261, 1315 East West Highway, Silver Spring, Maryland 20910-3282. The plans must include the location, configuration and actual burial depth of the completed pipeline project.

6. All activities authorized herein shall, if they involve, during their construction or operation, any discharge of pollutants into waters of the United States, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, pretreatment standards and management practices established pursuant to the Clean Water Act (PL 92-500:86 Stat 816), or pursuant to applicable state and local laws.

7. Substantive changes to the Louisiana Coastal Resources Program may require immediate suspension and revocation of this permit in accordance with 33 CFR 325.7.

8. Irrespective of whether a project meets the other conditions of this permit, the Corps of Engineers retains discretionary authority to require an individual Department of the Army permit when circumstances of the proposal warrant this requirement.

9. Any individual authorization granted under this permit may be modified, suspended, or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest.

10. CEMVN may suspend, modify, or revoke this general permit if it is found in the public interest to do so.

11. Activities authorized under the PGP must comply with all other necessary federal, state, and/or local permits, licenses, or approvals. Failure to do so would result in a violation of the terms and conditions of the PGP.

12. The permittee shall allow the District Commander or his authorized representative(s) or designee(s) to make periodic inspections of the project site(s) at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

13. This general permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations nor does it obviate the requirements to obtain state or local assent required by law for the activity authorized herein.

14. In issuing authorizations under this permit, the federal government will rely upon information and data supplied by the applicant. If, subsequent to the issuance of an authorization, such information and data prove to be false, incomplete, or inaccurate, the authorization may be modified, suspended, or revoked, in whole or in part.

15. For activities resulting in sewage generation at the project site, such sewage shall be processed through a municipal sewage treatment system or, in areas where tie-in to a municipal system is not practical, the on-site sewerage system must be approved by the local parish sanitarian before construction

16. Any modification, suspension, or revocation of the PGP, or any individual authorization granted under this permit, will not be the basis for any claim for damages against the United States.

17. Additional conditions deemed necessary to protect the public interest may be added to the general permit by the District Commander at any time. If additional conditions are added, the public will be advised by public notice. Individual authorizations under the PGP may include special conditions deemed necessary to ensure minimal impacts and compliance with the PGP.

18. The PGP is subject to periodic formal review by CEMVN and the Louisiana Department of Natural Resources, Office of Coastal Management (LDNR, OCM) in coordination with the Environmental Protection Agency, the National Marine Fisheries Service, and the Louisiana Department of Wildlife and Fisheries. Comments from reviewing agencies will be considered in determination as to whether modifications to the general permit are needed. Should the District Commander decide not to incorporate a change proposed by a reviewing agency, after normal negotiations between the respective agencies, the District Commander will explain in writing to the reviewing agency the basis and rationale for his decision.

19. CEMVN retains discretion to review the PGP, its terms, conditions, and processing procedures, and decide whether to modify, reissue, or revoke the permit. If the PGP is not modified or reissued within 5 years of its effective date, it automatically expires and becomes null and void.

20. 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.

21. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

22. You must install and maintain, at your expense, any safety lights, signs and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on your authorized facilities. Any inquiries concerning a U.S. Coast Guard Private Aids to Navigation marking determination may be directed to the Eighth Coast Guard District (dpw), Hale Boggs Federal Building, 500 Poydras St., Suite 1230, New Orleans, Louisiana 70130, at (504) 671-2330 or via email to: <u>D8oanPATON@uscg.mil</u>. For general information related to Private Aids to Navigation, you may visit the Eighth CG District web site at: http://www.atlanticarea.uscg.mil/district-8/district-divisions/waterways/PATON

23. 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 Eighth Coast Guard District so that a Notice to Mariners, if required, may be prepared. Notification with a copy of this permit approval and drawings can be emailed to: <u>D8MarineInfo@uscg.mil</u>, or mailed to the Commander (dpw), Eighth Coast Guard District, Hale Boggs Federal Building, 500 Poydras Street, Suite 1230, New Orleans, Louisiana 70130. Telephone inquiries can be directed to the Eighth Coast Guard District, Waterways Management at (504) 671-2118.

24. 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 as described in General Condition 25 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.

25. If you sell the property associated with this permit, you must provide this office with a copy of the permit and a letter noting your agreement to transfer the permit to the new owner and the new owner's agreement to accept the permit and abide by all conditions of the permit. This letter must be signed by both parties.

26. Many local governing bodies have instituted laws and/or ordinances in order to regulate dredge and/or fill activities in floodplains to assure maintenance of floodwater storage capacity and avoid disruption of drainage patterns that may affect surrounding properties. If your project involves dredging and/or placement of fill, you must contact the local municipal and/or parish governing body regarding potential impacts to floodplains and compliance of your activities with local floodplain ordinances, regulations or permits. Project designs and any associated drainage plans associated with the undertaking shall comply with all local Parish Government, Drainage Authority, Flood Plain Administrator, and/or other applicable agency requirements. Should it be determined by any of these agencies that the project is creating unnatural inundation conditions on adjacent properties, the permittee will be required to remediate the situation, as directed by these agencies. Should there be any changes required in

the project design, the permittee shall coordinate with this office to obtain a permit amendment and/or review and decision on the plans, prior to commencement of those alterations.

27. In issuing authorizations under this permit, the federal government does not assume any liability for: damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; 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; damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit, and; design or construction deficiencies associated with the permitted work.

28. All work shall be done in accordance with the approved plans and confined to the permitted work area(s) represented within the attached drawings. If the project requires modifications to the authorized plans, the permittee shall contact this office to obtain a permit amendment and/or review and decision on the plans, prior to commencement of those alterations. The permittee is responsible for ensuring that any contractors and/or workers associated with project construction and implementation, are equally aware of the authorized plans, conditions, and/or restrictions associated with this approval.

29. The permittee shall properly install adequate erosion/siltation control measures around construction areas that require land-based earthwork (i.e., excavation and/or deposition of fill materials, land contouring, machinery rutting, fill maneuvering and redistribution, etc.), to aid in preventing project related sediments, debris and other pollutants from entering adjacent wetlands or waters. Acceptable measures include but are not limited to the proper use and positioning of temporary silt fences, straw bales, fiber/core logs, wooden barriers, seeding or sodding of exposed soils, or other approved EPA construction site storm-water runoff control and best management practices. Control techniques shall be installed prior to the commencement of earthwork activities and maintained until the project is complete and/or the subject areas are stabilized.

E. AUTHORIZATIONS

No work may be performed under the PGP unless and until:

(1) CEMVN has reviewed the application and has issued a written authorization or, in exceptional cases, a verbal authorization.

(2) All required local, state and other federal permits, licenses, authorizations, and certifications are obtained. This includes, but is not limited to:

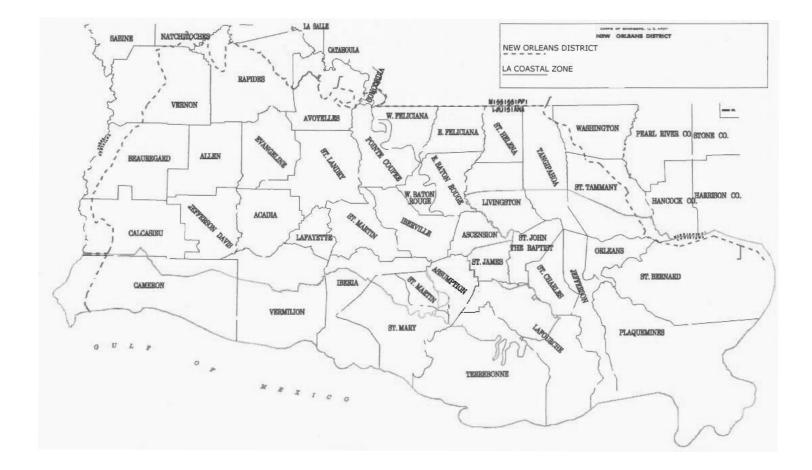
(a) A Coastal Use Permit, consistency determination, or finding of No Direct Significant Impact signed by the Secretary of the Louisiana Department of Natural Resources or his designee, and The PGP expires on June 1, 2027, unless otherwise modified or reissued.

Individual authorizations granted to applicants under this PGP are valid for 5 years from the date of the authorization letter.

BY THE AUTHORITY OF THE SECRETARY OF THE ARMY:

Martin S. Mayer Chief, Regulatory Division

Attachment 1



Attachment 2

DEPARTMENT OF THE ARMY PERMIT

Permittee

Permittee No.

Issuing Office

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:

Project Location:

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on ______. 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 of if the site is eligible for listing in the National Register of Historic Places.

EDITION OF SEP 82 IS OBSOLETE. (33 CFR 325 (Appendix A)) (Proponent CECW-OR)

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:

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

() 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 the 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 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 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 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.

(PERMITTEE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)

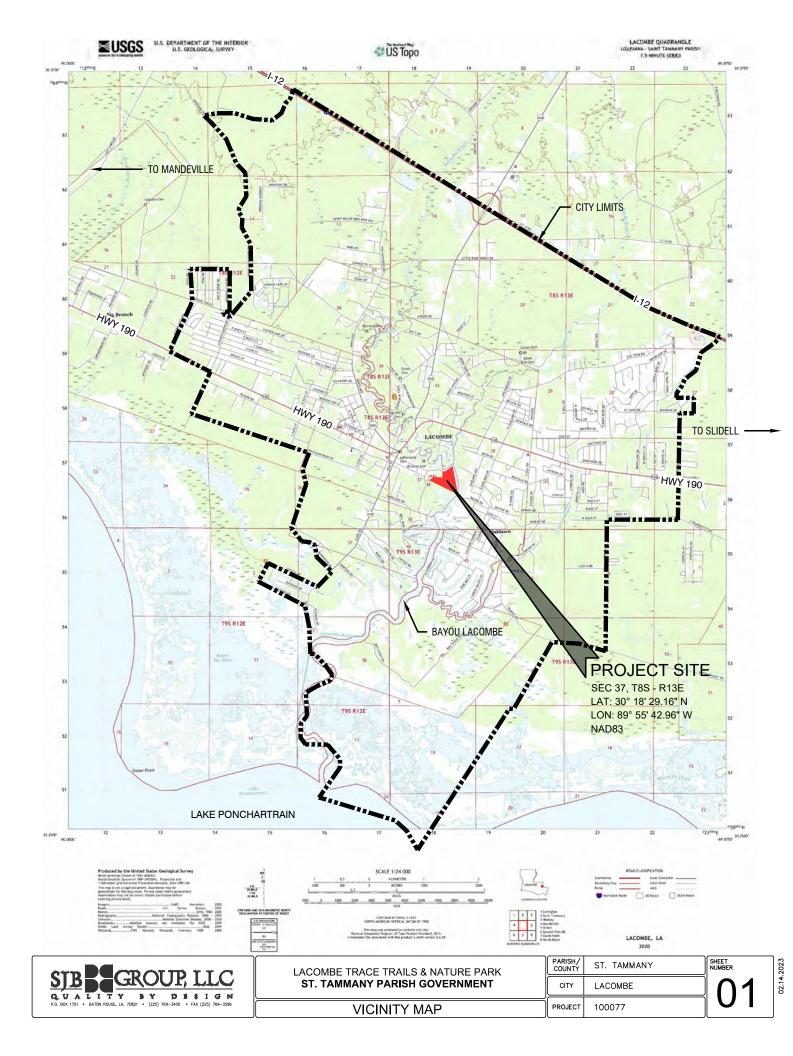
When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

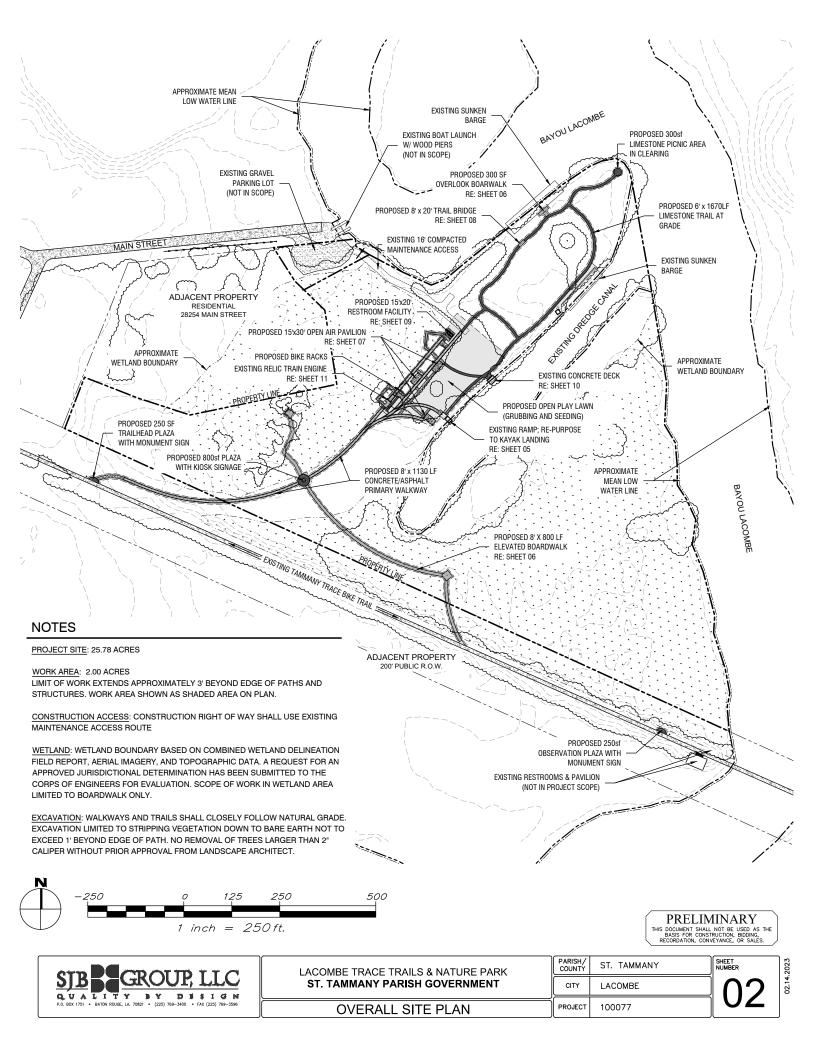
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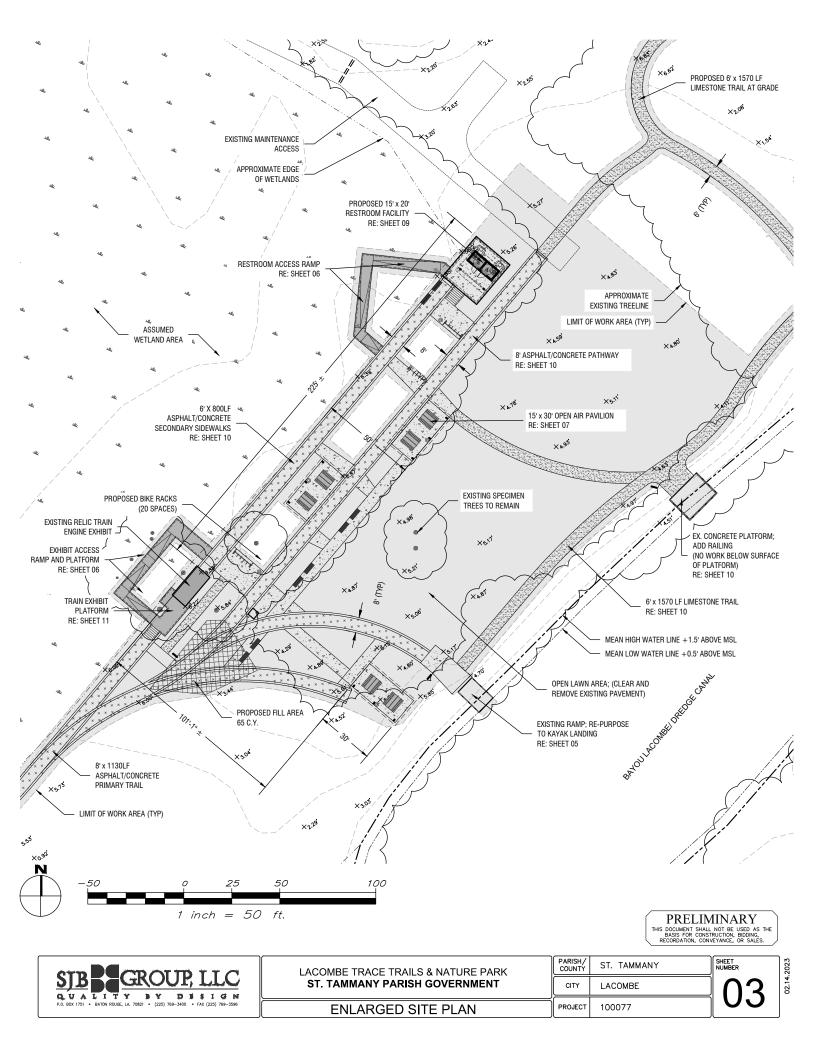
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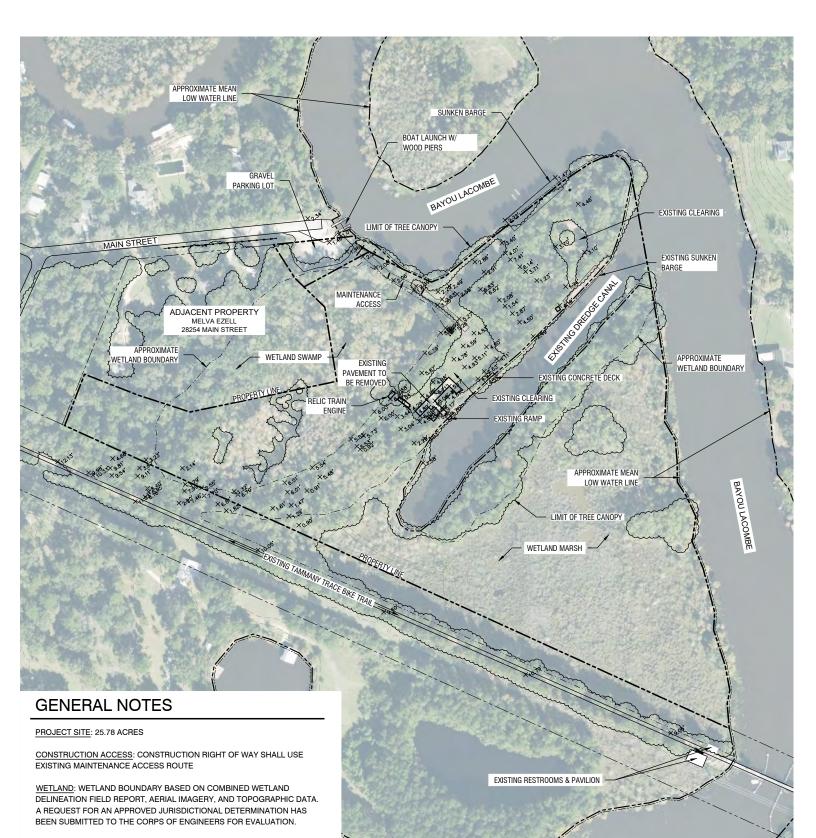
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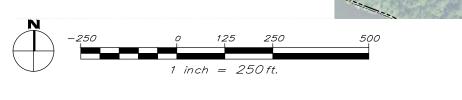
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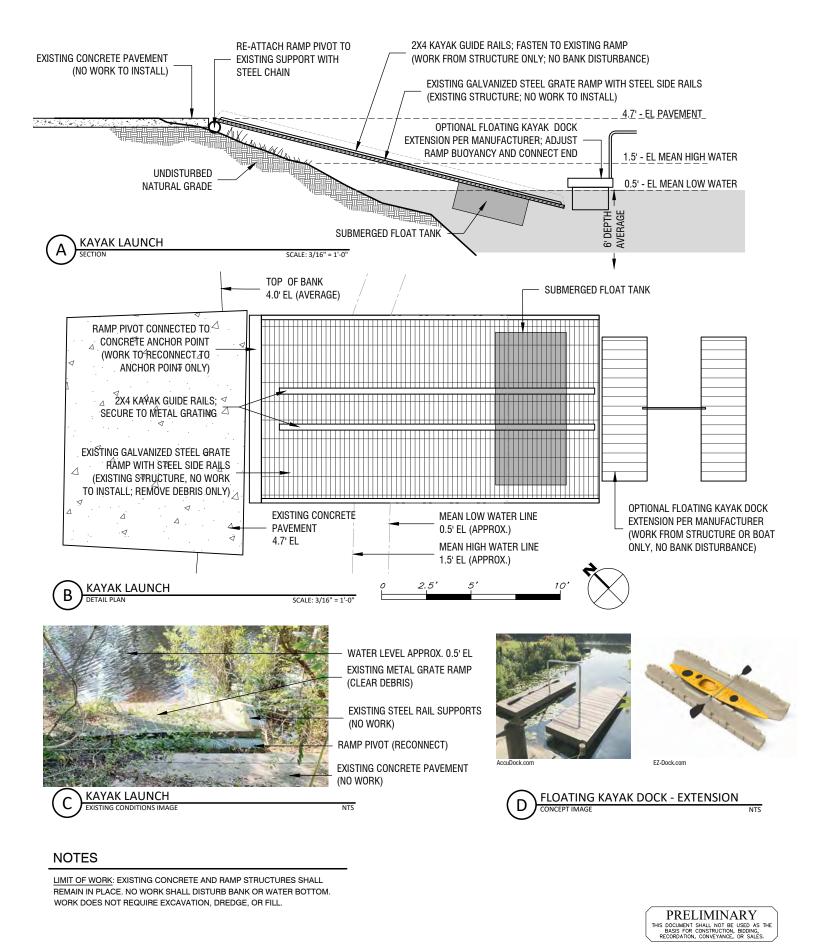




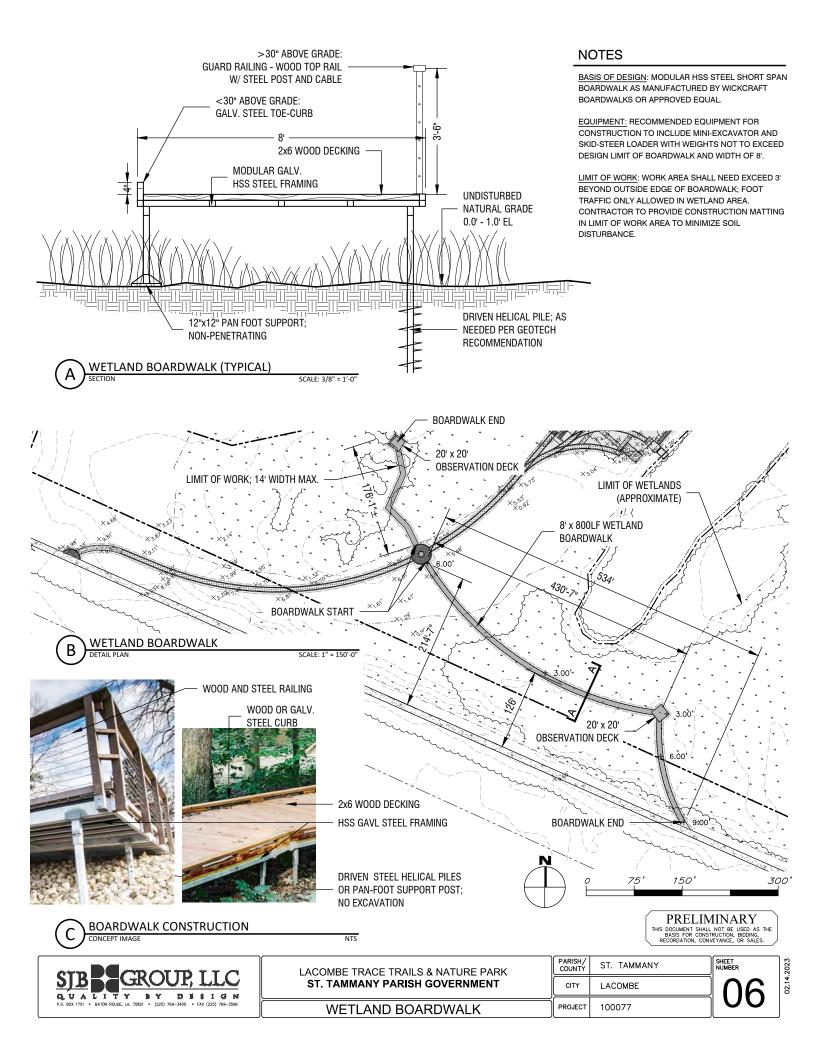


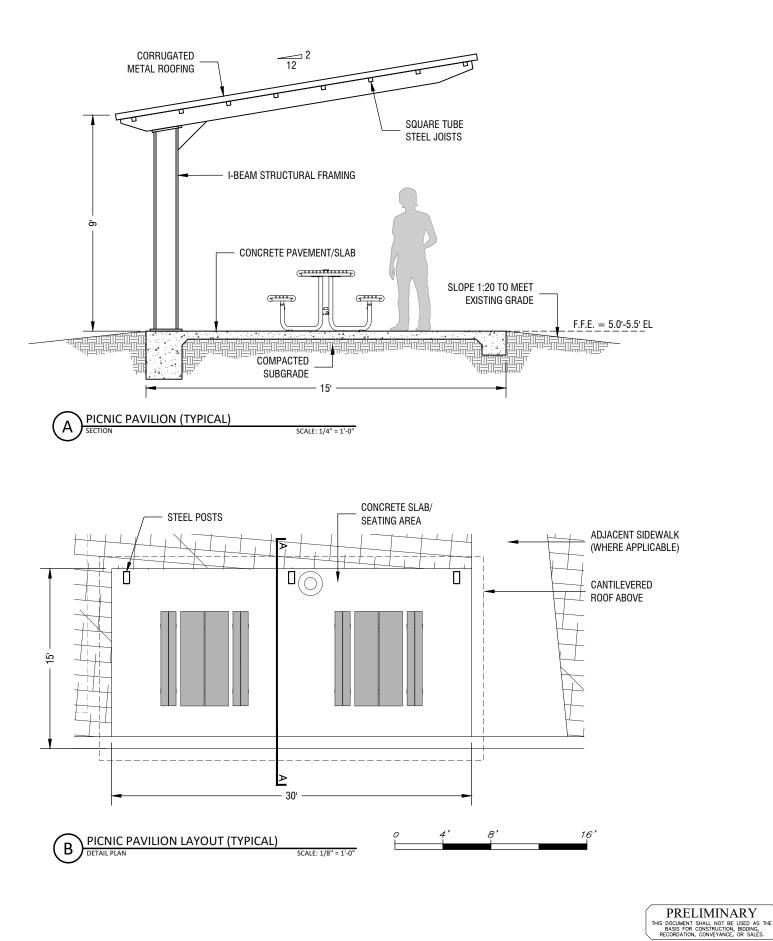


	LACOMBE TRACE TRAILS & NATURE PARK		ST. TAMMANY	SHEET NUMBER	2023
SIB GROUP, LLC	ST. TAMMANY PARISH GOVERNMENT	CITY	LACOMBE	$\cap \Lambda$	02.14
P.O. BOX 1751 • BATON ROUGE, LA. 70821 • (225) 769-3400 • FAX (225) 769-3596	EXISTING CONDITIONS	PROJECT	100077		



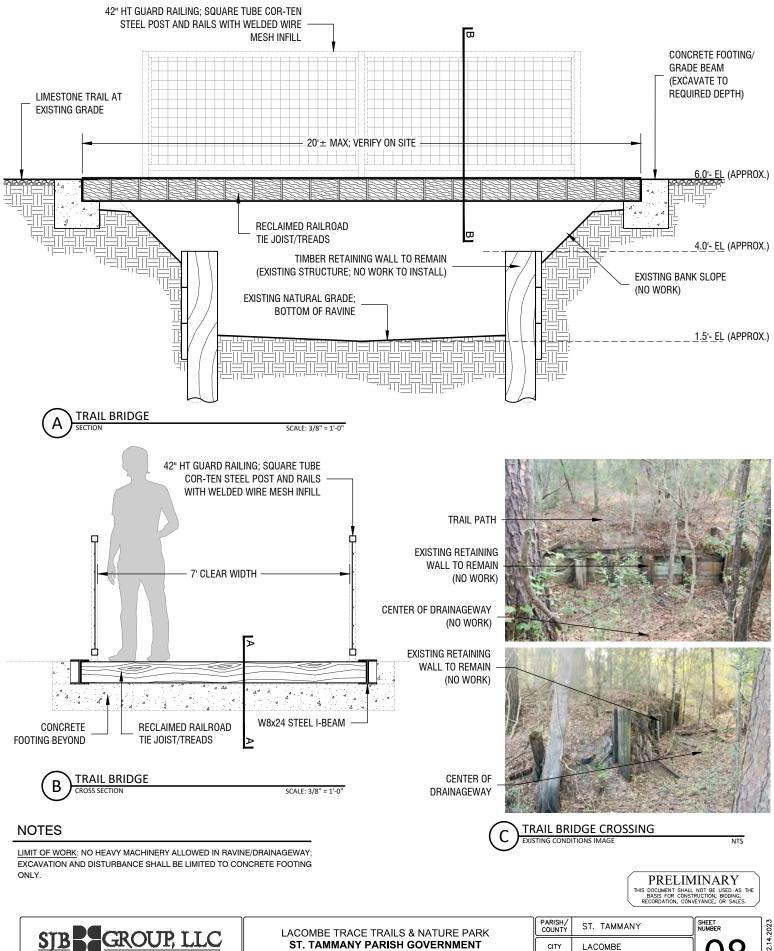








02.14.2023



TRAIL BRIDGE

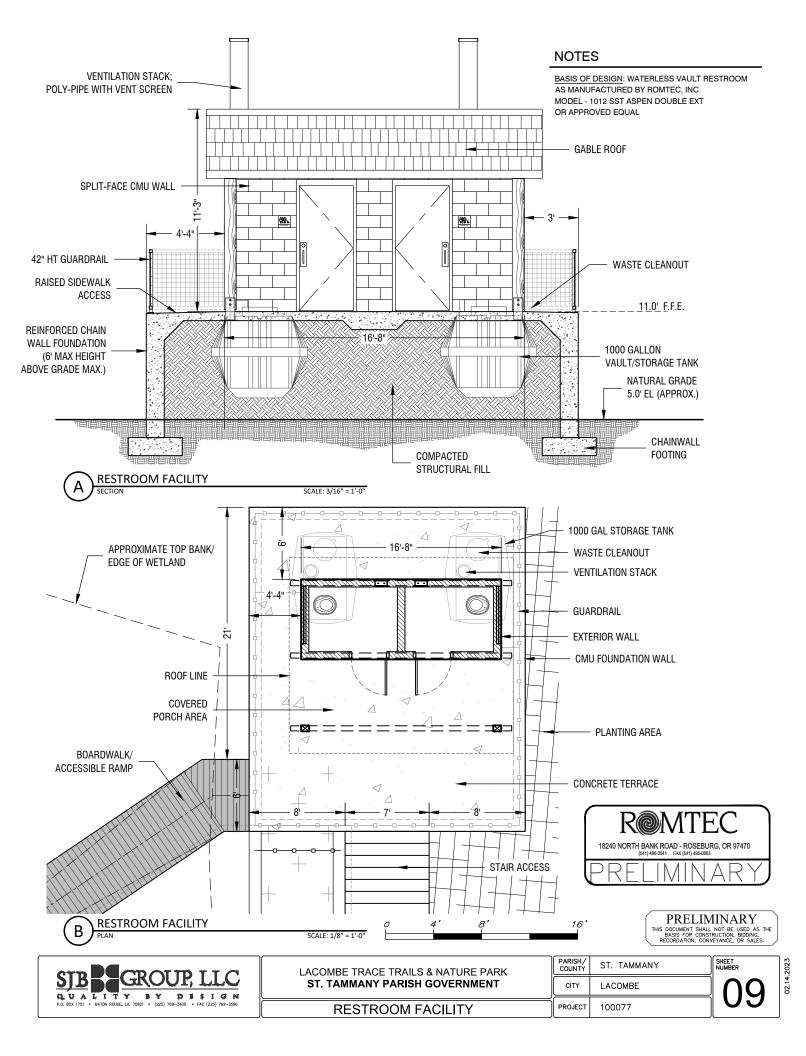
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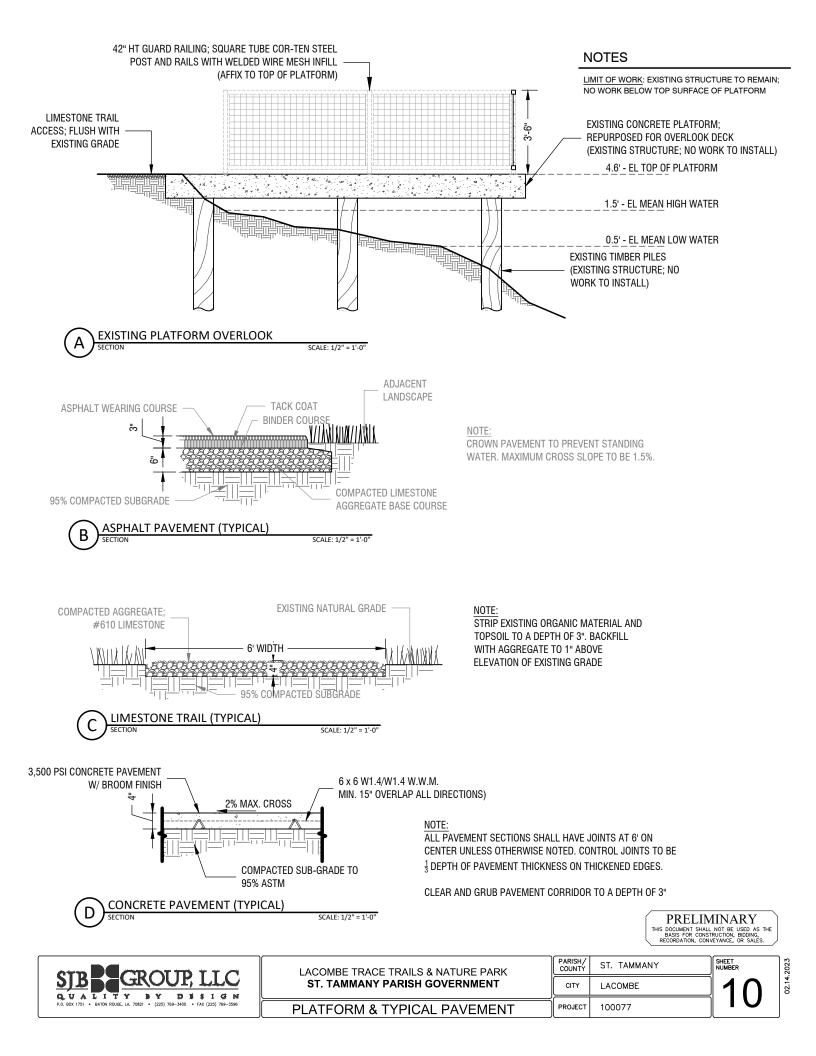
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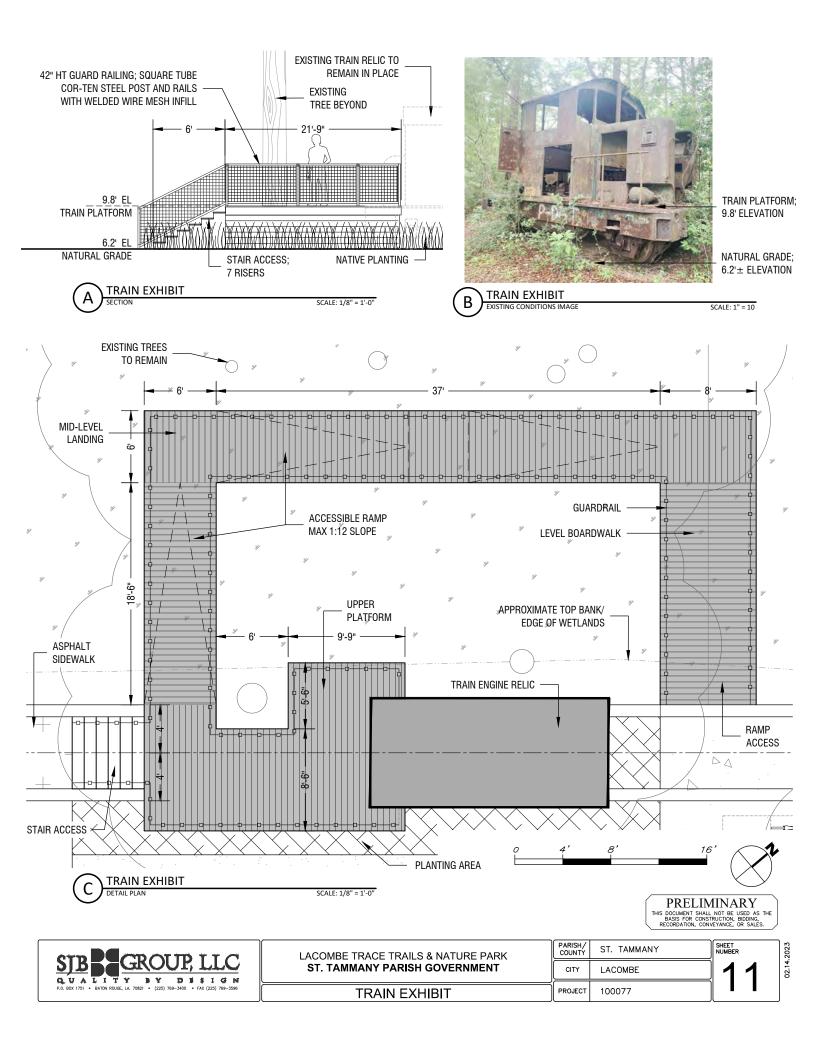
QU A

BATON ROUGE, LA.

PROJECT 100077 02.14.2023







STERNENT OF	DEPARTMENT OF NATURAL RESOURCES OFFICE OF COASTAL MANAGEMENT
	P.O. BOX 44487 BATON ROUGE, LOUISIANA 70804-4487 (225)342-7591 1-800-267-4019
COASTAL M	COASTAL USE PERMIT/CONSISTENCY DETERMINATION
C.U.P. No.:	P20220867
C.O.E. No.:	MVN- 2013- 02449- ECS
NAME:	ST. TAMMANY PARISH GOVERNMENT c/o SJB GROUP, LLC 8377 PICARDY AVE. BATON ROUGE, LA 70809 Attn: Jacob Haynes
LOCATION:	Saint Tammany Parish, LA Lat. 30 18' 29.16"N, Long89 55' 42.96"W; Section 37, T8S-R13E; Francois Cousin Subdivision; Lacombe, 70445
DESCRIPTION:	Proposed construction of a public nature park as part of the existing Tammany Trace bike path. Approx. 80 cy of concrete, approx. 140 cy of gravel, and approx. 150 cy of dirt will be placed onsite. Approx. 20 cy of material will be excavated and placed onsite.
	the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections he State and Local Coastal Resources Management Act of 1978, as amended, the permittee agrees to:
Department of Natu	
3. Adjust, alter or re Natural Resources, 4. Provide, if requira adjustment, alterati 5. Hold and save the any damage to pers 6. Certify that the u specifications appro- appropriate, require 7. All terms of the p 8. This permit, or a 9. The applicant wil under the "Coastal commencement da 10. Unless specified Use Description" fo was May 30, 2023. will be required to s physical beginning as movement of eq which by themselve progress toward co 11. The following sp Program:	permit conditions imposed by the Department of Natural Resources. move any structure or other physical evidence of the permitted use if, in the opinion of the Department of it proves to be beyond the scope of the use as approved or is abandoned. ed by the Department of Natural Resources, an acceptable surety bond in an appropriate amount to ensure on, or removal should the Department of Natural Resources determine it necessary. le State of Louisiana, the local government, the department, and their officers and employees harmless from sons or property which might result from the use, including the work, activity, or structure permitted. se has been completed in an acceptable and satisfactory manner and in accordance with the plans and boved by the Department of Natural Resources. The Department of Natural Resources may, when e such certification to be given by a registered professional engineer. wermit shall be subject to all applicable federal and state laws and regulations. I notify the Office of Coastal Management of the date on which initiation of the permitted activity described Use Description" began. The applicant shall notify the Office of Coastal Management by entering a te through the online system, or by mailing said information to OCM. d elsewhere in this permit, this permit authorizes the initiation of the coastal use described under "Coastal r two (2) years from the date of the signature of the Secretary or his designee on the original permit which If the coastal use is not initiated within this two (2) year period, then this permit, means the actual of the use of activity for which the permit is required. Initiation does not include preparatory activities as do not require a permit. In addition, the permittee must, in good faith, and with due diligence, reasonably mpletion of the project once the coastal use has been initiated. becial conditions must also be met in order for the use to meet the guidelines of the Coastal Resources
project, th amount of	e for the unavoidable loss of \pm 0.03 acres of fresh marsh habitat that will result from the above captioned e Office of Coastal Management (OCM) is in receipt of check No. 00477704 received on 5/4/2023 in the \$1,944.60 from Permittee and that said check is payable to the OCM Coastal Mitigation Account. This satisfy the requirements for compensatory mitigation and allow permittee to conduct the activities authorized permit.

b. The applicant shall properly install adequate erosion/siltation control measures around construction areas that require land based earthwork (i.e. excavation and/or deposition of fill materials, land contouring, machinery rutting, fill

 Page:
 2 of 5

 C.U.P. No.:
 P20220867

 C.O.E. No.:
 MVN- 2013- 02449- ECS



maneuvering and redistribution, etc.), to ensure that no project related sediments, debris and other pollutants enter adjacent wetlands or waters. Acceptable measures include but are not limited to the proper use and positioning of temporary silt fences, straw bales, fiber/core logs, wooden barriers, seeding or sodding of exposed soils, or other approved EPA construction site storm-water runoff control and best practices. Control techniques shall be installed prior to the commencement of earthwork activities and maintained until the project is complete and/or the subject areas are stabilized. Upon the completion of construction activities or if at any time construction activities cease for more than 14 days, all disturbed soils shall be re-vegetated by sod, seed, or another acceptable method, as necessary, to restore cover and prevent erosion.

- c. This permit does not convey any property rights, mineral rights, or exclusive privileges; nor does it authorize injury to property.
- d. The requirement for compensatory mitigation for impacts to marsh habitat resulting from the referenced project will be determined after one full growing season (March 1 to November 1) following the completion of the permitted activities. This assessment shall include both primary impacts and secondary impacts which may result from the permitted activities.

Permittee shall provide on-ground pre- and post-construction photographic documentation, including a photograph key that shows location and direction of each photograph, that clearly shows all vegetated wetlands occurring within the permitted project area. The post-construction photos should be taken at the same location and in the same direction as the pre-construction photos. The post-construction documentation shall be acquired (photos actually taken) and submitted within 60 days of the end of the first full growing season following completion of the project. Permittee shall notify OCM of the date of completion of permitted activities within 5 working days of completion.

If OCM determines permanent impacts to wetlands or other coastal resources has resulted from permitted activities following one full growing season, the permittee shall be responsible for restoration or mitigation of those damages. The permittee shall submit a restoration plan proposal or if site restoration is anticipated to be unachievable, a compensatory mitigation plan to OCM within 30 days of notification of assessment of permanent impacts. Evaluation of the restoration or mitigation proposal will require consideration of landowner rights, location factors, and interagency coordination. A compensatory mitigation plan shall include a written alternatives analysis or justification document outlining the reason(s) site restoration of permanent impacts is not feasible.

All necessary approvals shall be obtained for the restoration or compensatory mitigation plan and the plan shall be implemented as directed by OCM. A processing fee will be assessed for the determination of compensatory mitigation requirements and evaluation of the proposed compensatory mitigation plan in accordance with LAC Title 43, Part I, Chapter 7, §724.D. This fee shall apply regardless of which compensatory mitigation option is selected and does not include the cost incurred to implement the required compensatory mitigation.

- e. All equipment utilized to perform activities authorized under this permit shall stay within the access routes and work areas designated on the permit plats utilizing the least damaging route and/or open water areas. No clearing, except for limited branch trimming, the removal of snags, dead trees, and trees with DBH less than 4", or rutting in forested wetlands is authorized to perform activities under this permit.
- f. Permittee shall submit to, and have approved by, St. Tammany Parish Government, an engineered fill plan prior to commencement of any bulkheading, grading, filling, or construction of any nature. Changes to the project design as a result of the requirement of St. Tammany Parish Government approval must be resubmitted to OCM for consideration of revision of this permit.
- g. This project is located in the vicinity of a Louisiana designated Natural and Scenic River. The applicant must obtain authorization from the Louisiana Department of Wildlife and Fisheries, Scenic Rivers Program for this permit to be valid. Please contact Chris Davis at (225) 765-2642.

 Page:
 3 of 5

 C.U.P. No.:
 P20220867

 C.O.E. No.:
 MVN- 2013- 02449- ECS



- h. Wildlife Diversity Program: No impacts to rare, threatened or endangered species or critical habitats are anticipated from the proposed project. No state or federal parks, wildlife refuges, wildlife management areas or scenic rivers are known at the specified site or within ¼ mile of the proposed project. The Wildlife Diversity Program (WDP) reports summarize the existing information known at the time of the request regarding the location in question. WDP reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. If at any time WDP tracked species are encountered within the project area, please contact our biologist at 225-765-3554.
- i. All structures built under the authorization and conditions of this permit shall be removed from the site within 120 days of abandonment of the facilities for the herein permitted use, or when these structures fall into a state of disrepair such that they can no longer function as intended. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.
- j. All fill material shall be clean and free of contaminants and shall not contain hazardous materials such as asbestos or asbestos residue, shingles, tires, oil/grease residue, exposed rebar, protruding objects, etc.
- k. Structures must be marked/lighted in accordance with U. S. Coast Guard regulations.
- I. The permittee shall ensure that all sanitary sewage and/or related domestic wastes generated during the subject project activity and at the site, thereafter, as may become necessary shall not be discharged into any of the streams or adjacent waters of the area without authorization from DH and/or DEQ or, in the case of total containment, shall be disposed of in approved sewerage and sewage treatment facilities, as is required by the State Sanitary Code and DEQ regulations. Such opinion as may be served by those comments offered herein shall not be construed to suffice as any more formal approval(s) which may be required of possible sanitary details (i.e. provisions) scheduled to be associated with the subject activity. Such shall generally require that appropriate plans and specifications be submitted to DH for purpose of review and approval prior to any utilization of such provisions.
- m. Permittee is subject to all applicable state laws related to damages which are demonstrated to have been caused by this action.
- n. Permittee shall allow representatives of the Office of Coastal Management or authorized agents to make periodic, unannounced inspections to assure the activity being performed is in accordance with the conditions of this permit.
- o. Permittee shall comply with all applicable state laws regarding the need to contact the Louisiana One Call (LOC) system (1-800-272-3020) to locate any buried cables and pipelines.
- p. This permit authorizes the initiation of the Coastal Use described under "Coastal Use Description" for two (2) years from the date of the signature of the Secretary or his designee on the original permit which was May 30, 2023. Initiation of the Coastal Use, for purposes of this permit, means the actual physical beginning of the use or activity for which the permit is required. Initiation does not include preparatory activities, such as movement of equipment onto the Coastal Use site, expenditure of funds, contracting out of work, or performing activities which by themselves do not require a permit. In addition, Permittee must, in good faith and with due diligence, reasonably progress toward completion of the project once the Coastal Use has been initiated. If the Coastal Use is not initiated within this two (2) year period, an extension may be granted pursuant to the requirements contained in the Rules and Procedures for Coastal Use Permits (Title 43:1.723.D.). Please note that a request for permit extension MUST be made no sooner than one hundred eighty (180) days and no later than sixty (60) days prior to the expiration of the permit.

The expiration date of this permit is five (5) years from the date of the signature of the Secretary or his designee on the original permit which was May 30, 2023. If the Coastal Use is not completed within this five (5) year period, an extension may be granted pursuant to the requirements contained in the Rules and Procedures for Coastal Use Permits (LAC 43:1.723(D)).

 Page:
 4 of 5

 C.U.P. No.:
 P20220867

 C.O.E. No.:
 MVN- 2013- 02449- ECS



Upon expiration of this permit, a new Coastal Use Permit will be required for completion of any unfinished or uncommenced work items and for any maintenance activities involving dredging or fill that may become necessary. Other types of maintenance activities may also require a new Coastal Use Permit.

q. This determination does not eliminate the need to obtain a permit from the United States Army, Corps of Engineers or any other Federal, state or local approval that may be required by law. The drawings submitted with your referenced application are attached hereto and made a part of the record.

By accepting this permit the applicant agrees to its terms and conditions.

I affix my signature and issue this permit this 30th day of May, 2023.

THE DEPARTMENT OF NATURAL RESOURCES

Kyle F. Balkum, Administrator Office of Coastal Management

This agreement becomes binding when signed by Administrator of the Office of Coastal Management Permits/Mitigation Division, Department of Natural Resources.

Attachments

 Page:
 5 of 5

 C.U.P. No.:
 P20220867

 C.O.E. No.:
 MVN- 2013- 02449- ECS



Final Plats:

1) P20220867 Final Plats 02/15/2023

cc: Martin Mayer, COE w/attachments Dave Butler, LDWF w/attachments Johan Forsman, DHH w/attachments Jordan Cobbs, OCM w/attachments Samuel Welty, OCM/FI w/attachments Saint Tammany Parish w/attachments

ST. TAMMANY PARISH GOVERNMENT w/attachments