

DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT 7400 LEAKE AVE **NEW ORLEANS, LA 70118-3651**

10 JUNE 2020

Operations Division Western Evaluation Section

SUBJECT: MVN-2019-00416-WPP

State of Louisiana Coastal Protection and Restoration Authority 150 Terrace Avenue Baton Rouge, LA 70802

Gentlemen:

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

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

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

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

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

Sincerely,

BARBARA.DARRE Digitally signed by BARBARA.DARRELL.SAM.123

LL.SAM.1230846 0846096 Date: 2020.06.10 14:04:09

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Darrell Barbara

Chief, Western Evaluation Section

Enclosure

DEPARTMENT OF THE ARMY PERMIT

Permittee: State of Louisiana Coastal Protection and Restoration Authority

Permit No. MVN-2019-00416-WPP

Issuing Office: New Orleans District

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

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

Project Description: Improvements to Cypremort Point State Park to include beach reclamation at the Vermilion Bay shoreline to pre-erosion conditions, reinforcing existing rock revetments along the north bank of Quintana Canal, constructing a pedestrian boardwalk over the marsh on the eastern side of the park, repair existing parking areas and entrance roadway, overlay existing limestone road surface with asphalt, and construct a recreational vehicle campground within the park, IN ACCORDANCE WITH THE DRAWING(S) ATTACHED IN TWENTY SEVEN SHEET(S), dated September, 2019.

Project Location: Project located at approximately Latitude 29.73496, Longitude -91.852775, at Cypremort Point State Park (SP), within St. Mary and Iberia Parishes, Louisiana.

Permit Conditions:

General Conditions:

- 1. The time limit for completing the work authorized ends on <u>May 31, 2025</u>. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

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

See Special Conditions: Pages 4 & 5

Further Information:

- 1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
- 3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or

inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

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

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

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

David Taylor Digitally signed by David Taylor Date: 2020.06.10 11:18:01 - 05'00'	X 06/10/2020
(PERMITTEE)	(DATE)
This permit becomes effective when the Federal official,	designated to act for the Secretary of the Army, has signed below
BARBARA.DARRELL. Digitally signed by BARBARA.DARRELL.SAM.1230846096 Date: 2020.06.10 12:32:10 -05'00'	5
	(DATE)
Darrell Barbara, Chief of Western Evaluation Section for Stephen F. Murphy, District Commander	
and conditions of this permit will continue to be binding	re still in existence at the time the property is transferred, the terms on the new owner(s) of the property. To validate the transfer of compliance with its terms and conditions, have the transferee sign
(TRANSFEREE)	(DATE)

Special Conditions:

- 1. If the project requires additional work not expressly permitted herein, the permittee shall obtain an amendment and/or separate permit review and decision from this office, prior to commencement of those changes. Hence, all work shall be confined to the permitted work area(s) represented in the attached drawings.
- 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 authorized activities with local ordinances, regulations, or permits.
- 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 stormwater 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. The authorized work shall not diminish or impact natural hydrologic conditions of wetlands on-site, and/or cause unnatural ponding or flooding of adjacent lands. Should it be determined that adjacent wetlands are impacted as a result of the permitted activity, the permittee shall be submit a mitigation plan that compensates for wetland losses and/or a remediation plan that restores wetland hydrology. Failure to mitigate and/or restore wetland hydrology will be considered grounds for permit suspension, permit revocation, and/or restoration of the project site.
- 5. The attached Standard Manatee Conditions for In-Water Activities are made a part of this permit.
- 6. The permittee must install and maintain, at his expense, any safety lights and signals prescribed by the US Coast Guard, through regulations or otherwise, on the authorized facilities.
- 7. The permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
- 8. The permittee 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.
- 9. If the 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 your permit approval and drawings

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

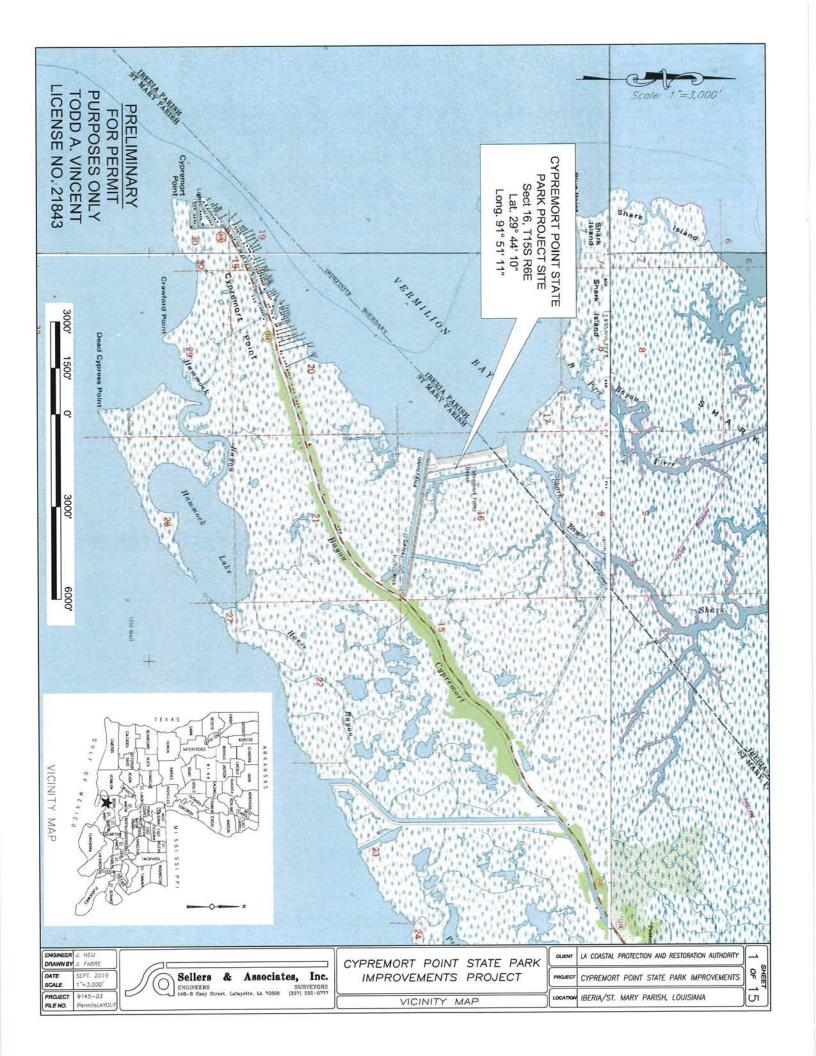
- 10. All work related vehicles including boats, airboats, mud boats, marsh buggies, ATVs, UTVs, barges, cranes, etc., shall be carefully operated along access and travel routes to avoid impacts to wetland areas. Use of specific travel routes shall be limited to the minimum number of paths necessary, as to evade rutting and ground disturbance in wetland areas. Careful planning shall be used with machinery, to include the use of suitable vehicles in specific terrains and softer substrates, working within dry periods, use of certified and knowledgeable personnel, etc. In marsh and herbaceous wetland areas, airboats should be utilized to the greatest extent practical, as to reduce the use of marsh buggies and tracked machinery through these areas.
- 11. The permittee is aware that permanent impacts to vegetated wetland are not authorized. The permittee shall restore all temporary work areas and access paths by removing all boards and other extraneous construction materials used, and by reestablishing pre-existing wetland contours and conditions immediately following project completion. Re-planting of desirable native wetland species, erosion control, re-grading, on-going site management, and/or exotic species control within these areas may be necessary, if natural regeneration of pre-existing wetland habitat does not occur within an acceptable amount of time following project completion. The permittee shall monitor these areas on a regular basis and as necessary to verify site condition reestablishment. If wetland areas are disturbed and/or impacted during construction, clear descriptive photographic evidence of the temporary work areas in wetlands shall be acquired (1) immediately following contour and site re-establishment, (2) and one complete growing season following site reestablishment. This information, along with a photo location key and description of restoration achievement and site conditions, shall be forwarded by mail or email to your project manager with this office, with reference to your Corps permit number, immediately following the Year 1 monitoring. The permittee is aware that the requirement of additional compensatory mitigation, further remediation actions, and/or further monitoring, will be assessed by this office in coordination with all pertinent resource agencies upon review of any necessary monitoring information.

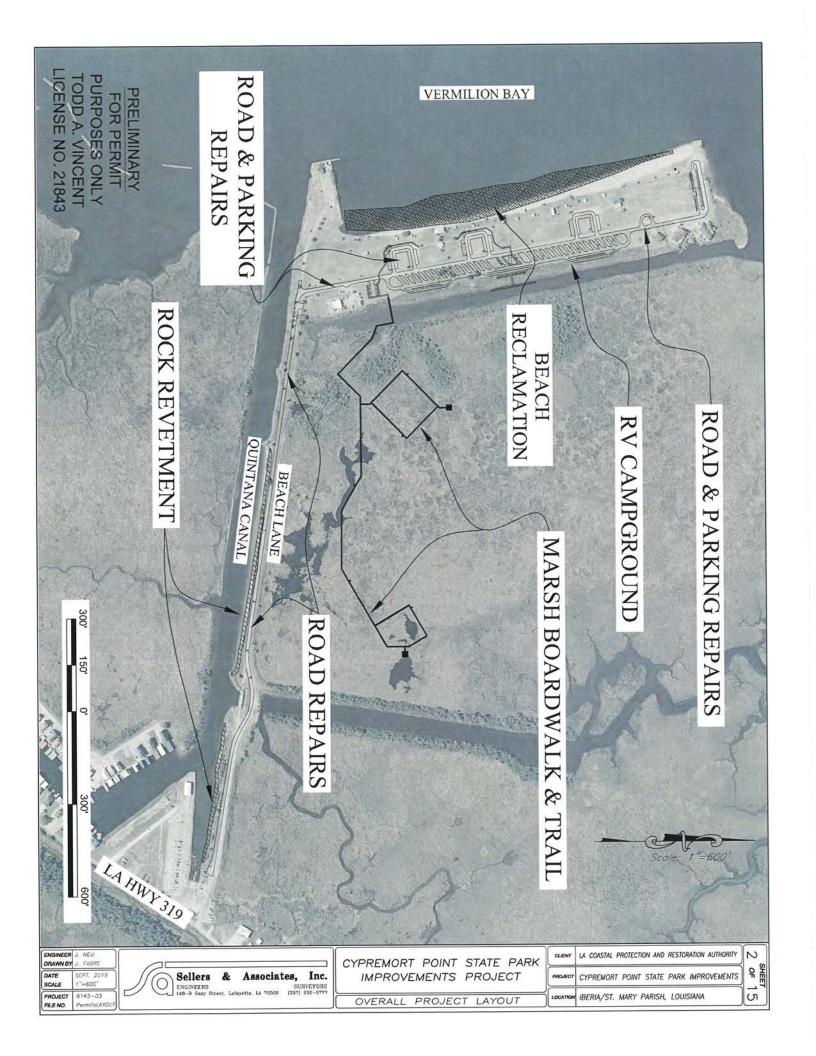
STANDARD MANATEE CONDITIONS FOR IN-WATER ACTIVITIES

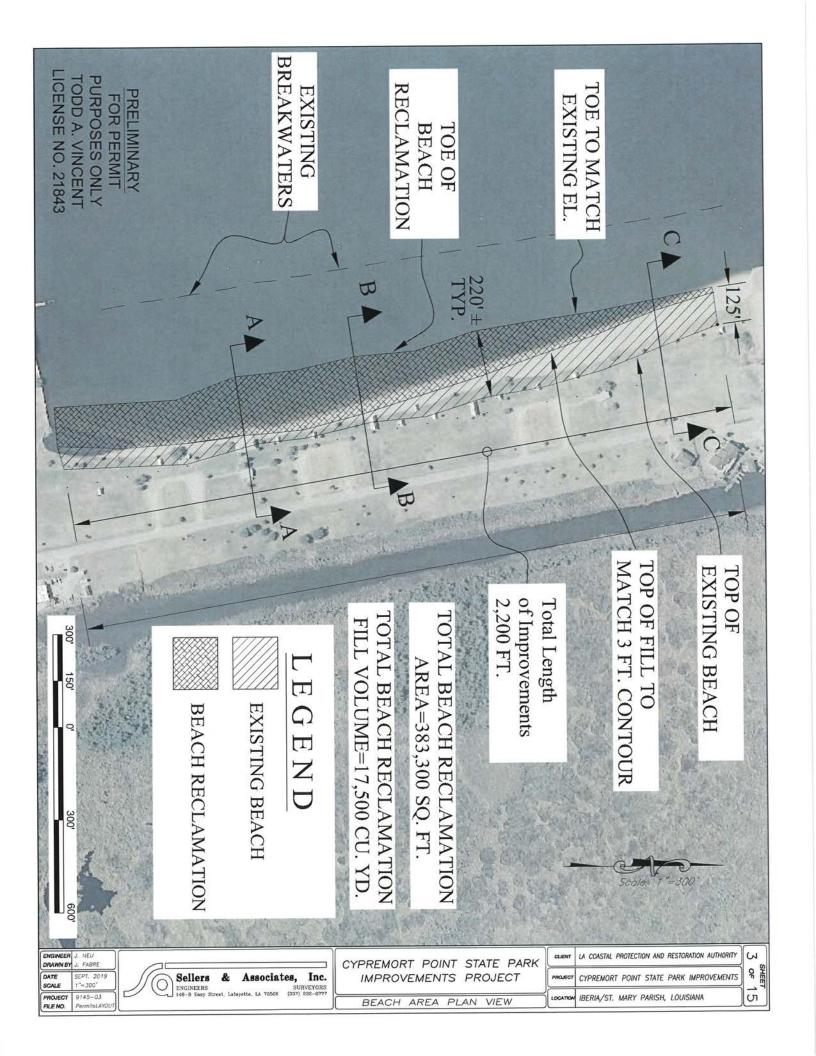
During in-water work in areas that potentially support manatees all personnel associated with the project shall be instructed about the potential presence of manatees, manatee speed zones, and the need to avoid collisions with and injury to manatees. All personnel shall be advised that there are civil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

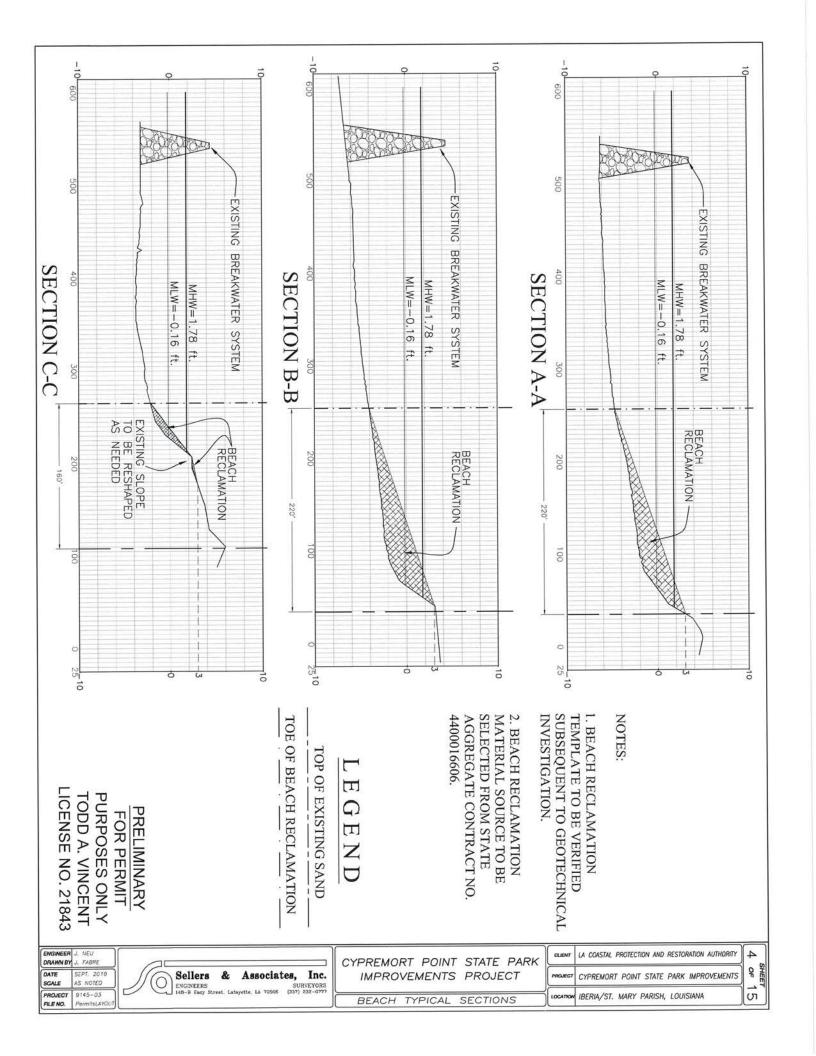
All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). We recommend the following to minimize potential impacts to manatees in areas of their potential presence:

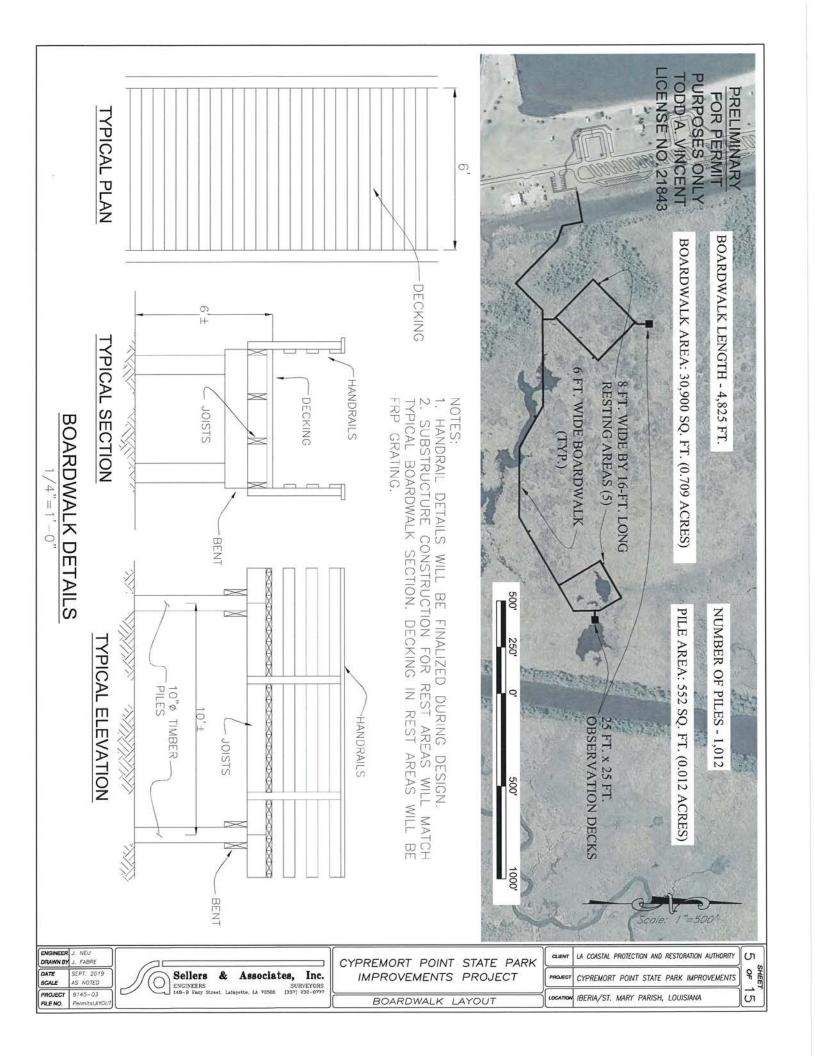
- All work, equipment, and vessel operation shall cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone on its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional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











LICENSE NO. 21843 TODD A. VINCENT **PURPOSES ONLY** FOR PERMIT

PRELIMINARY

NOTES:

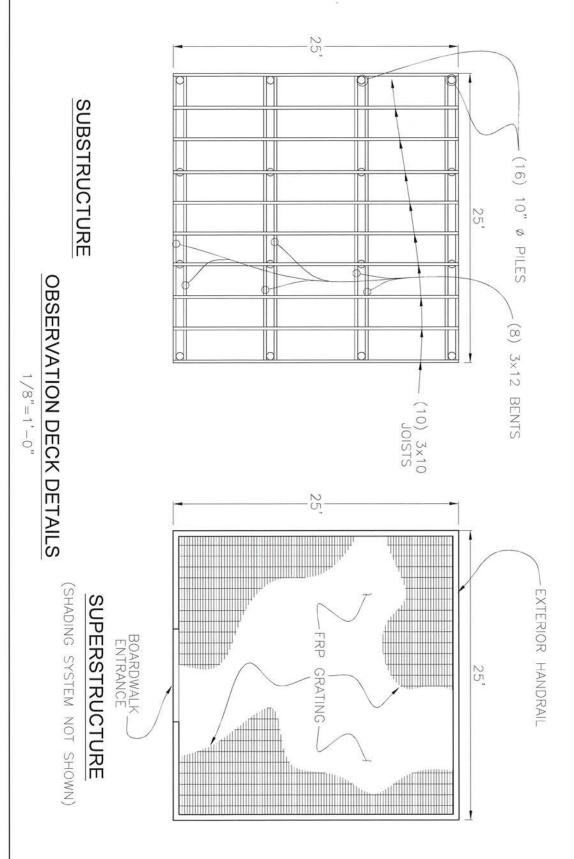
1. THE BOARDWALK SHALL BE CONSTRUCTED IN A MANNER THAT MINIMIZES IMPACTS TO THE VEGETATED WETLANDS IN THE AREA WHERE THE BOARDWALK IS TO BE CONSTRUCTED. SHUTTLING OF TIMBER CONSTRUCTION MATERIAL, SUPPLIES AND FUEL SHALL BE PLANNED TO DECREASE THE

NUMBER OF PASSES WITH AMPHIBIOUS EQUIPMENT (MARSH BUGGIES), IF UTILIZED. 2. OBSERVATION AREAS AND REST AREAS SHALL BE PARTIALLY SHADED WITH PERMENANT

STRUCTURES WITH REMOVABLE CANOPY—STYLE SHADE ELEMENTS (SEE SHEET 6a).

3. THE CANOPY COMPONENTS OF THESE STRUCTURES SHALL BE INSTALLED TO PROVIDE 10—FEET

OF VERTICAL CLEARANCE ABOVE THE DECKING (SEE SHEET 6a).



ENGINEER	J. NEU
DRAWN BY	J. FABRE
DATE	NOV. 2019
SCALE	AS NOTED
PROJECT	9145-03
FILE NO.	PermitsLAYC

11	6	Sellers	&	Associates,	Inc
//	(0	ENGINEERS	23		URVEYORS

CYPREMORT	POINT	STATE	PARK
IMPROVE	MENTS	PROJE	CT

OBSERVATION DECK DETAILS

	TORATION AUTHORITY
PROJECT CYPREMORT POINT STATE PAR	K IMPROVEMENTS

