



**DEPARTMENT OF NATURAL RESOURCES
COASTAL MANAGEMENT DIVISION**

P. O. BOX 44487
BATON ROUGE, LOUISIANA 70804-4487
(504) 342-7591

D31

COASTAL USE PERMIT/CONSISTENCY DETERMINATION

C.U.P. No. COASTAL USE PERMIT - GENERAL PERMIT 9 (CUP-GP 9)

C.O.E. No.

**NAME AND ADDRESS: LOUISIANA DEPARTMENT OF NATURAL RESOURCES
COASTAL MANAGEMENT DIVISION
P.O. Box 44487, Baton Rouge, LA 70804-4487**

LOCATION: THE LOUISIANA COASTAL ZONE:

In the parishes of Assumption, Calcasieu, Cameron, Iberia, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne and Vermilion.

PROJECT DESCRIPTION:

This general permit provides for the installation and maintenance of private, non-commercial boat slips and bulkheads in non-wetland areas of the coastal zone of Louisiana.

In accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections 213.1 to 213.21, the State and Local Coastal Resources Management Act of 1978, as amended, the permittee agrees to:

1. Carry out or perform the use in accordance with the plans and specifications approved by Department of Natural Resources.
2. Comply with any permit conditions imposed by the Department of Natural Resources.
3. Adjust, alter, or remove any structure or other physical evidence of the permitted use if, in the opinion of the Department of Natural Resources, it proves to be beyond the scope of the use as approved or is abandoned.
4. Provide, if required by the Department of Natural Resources, an acceptable surety bond in an appropriate amount to ensure adjustment, alteration, or removal should the Department of Natural Resources determine it necessary.
5. Hold and save the State of Louisiana, the local government, the department, and their officers and employees harmless from any damage to persons or property which might result from the use, including the work, activity, or structure permitted.
6. Certify that the use has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved by the Department of Natural Resources. The Department of Natural Resources may, when appropriate, require such certification be given by a registered professional engineer.
7. All terms of the permit shall be subject to all applicable federal and state laws and regulations.
8. This permit, or a copy thereof, shall be available for inspection at the site of work at all times during operations.
9. The applicant will notify the Coastal Management Division of the date on which initiation of the permitted activity described under the "Coastal Use Description" began. The applicant shall notify the Coastal Management Division by mailing the enclosed green initiation card on the date of initiation of the coastal use.
10. Unless specified elsewhere in this permit, this permit authorizes the initiation of the coastal use described under "Coastal Use Description" for two years from the date of the signature of the Secretary or his designee. If the coastal use is not initiated within this two year period, then this permit will expire and the applicant will be required to submit a new application. Initiation of the coastal use, for purposes of this permit, means the actual physical beginning of the use (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, the permittee must, in good faith and with due diligence, reasonably progress toward completion of the project once the coastal use has been initiated.
11. This Coastal Use Permit authorizes periodic maintenance, but such maintenance activities must be conducted pursuant to the specifications and conditions of this permit.
12. The following special conditions must also be met in order for the use to meet the guidelines of the Coastal Resources Program:

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COASTAL MANAGEMENT DIVISION GENERAL PERMIT
FOR THE INSTALLATION OF PRIVATE, NON-COMMERCIAL
BOAT SLIPS AND BULKHEADS IN NON-WETLAND AREAS
OF THE LOUISIANA COASTAL ZONE

DESCRIPTION OF WORK

THIS GENERAL PERMIT PROVIDES FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE, NON-COMMERCIAL BOAT SLIPS AND BULKHEADS IN NON-WETLAND AREAS OF THE COASTAL ZONE OF LOUISIANA.

I. General Conditions

- A. The Secretary of the Department of Natural Resources has determined that full individual permit processing by the Coastal Management Division (CMD) is in the public interest in order to determine whether proposed activities qualify for authorization under this General Permit. This individual permit processing will consist of review by the staff of CMD of each authorization request. Therefore, pursuant to the Rules and Procedures for Coastal Use Permits, L.A.C. Title 43, Part I, Chapter 7, Section 723.C.3.a., an application fee will be assessed for activities proposed for authorization under this General Permit and, if appropriate, a processing fee will be assessed for activities approved under this General Permit.
- B. A standard Coastal Use Permit (CUP) Application Form (ENG FORM 4345) shall be completed and submitted to CMD along with drawings depicting the location and character of work proposed for approval under this General Permit. The applicant shall submit eight (8) application sets (form and plats) to CMD. The application shall be accompanied by the \$20.00 application fee or the application fee in effect at the time of application submittal. If the proposed work is determined not to meet the criteria of this General Permit, the applicant shall be advised by letter within five (5) calendar days of receipt of the complete application that the application shall be processed as an individual CUP.
- C. Should it be deemed necessary in the public interest, the Secretary may deny authorization to perform work under this General Permit and require the applicant to obtain an individual CUP for the proposed activity.



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- D. Approval for work under the authority of the General Permit shall expire if work is not initiated within two (2) years from the date of issuance of the written approval, provided that the two-year term to initiate work is not extended in accordance with the Rules and Procedures for Coastal Use Permits, L.A.C. Title 43, Part I, Chapter 7, Section 723.D., or the rules and procedures in effect at the time of application submittal. Initiation of work shall not include preparatory activities, such as movement of equipment onto the site, expenditure of funds, execution of contractual agreements relating to the work, or performing activities which, by themselves do not require a CUP. In addition, the permittee shall, in good faith and with due diligence, reasonably progress toward completion of the project once the work has been initiated. If the work approved under the authority of the General Permit is not completed within five (5) years from the date of issuance of the written approval, the approval shall expire, and a new CUP application shall be required for further work.
- E. The term of this General Permit shall be five (5) years from the date of issuance, except as provided for in the Rules and Procedures for Coastal Use Permits, L.A.C. Title 43, Part I, Chapter 7, Section 723.E.3.b.
- F. The permittee shall notify CMD of commencement of work which is authorized under this General Permit. The applicant shall notify CMD by mailing the green initiation card, provided with the written approval, within three (3) days of the date of initiation of the authorized work.
- G. Approval of work under this General Permit shall not relieve the permittee of the responsibility of obtaining other lawfully required local, state and federal permits, (e.g., Department of Environmental Quality, U.S. Army Corps of Engineers, etc.) before commencing work.
- H. The permittee shall allow CMD representatives to make periodic, unannounced work site inspections to ensure that the activity is being performed in accordance with the conditions of this General Permit.
- I. Work carried out under this General Permit shall conform to all appropriate state and federal safety regulations.
- J. Approval for specific work authorization under this General Permit shall not be transferred to another party without written approval from CMD.



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II. Operating Conditions

- A. This General Permit authorizes the construction and maintenance of private, non-commercial boat slips adjacent to man-made waterways. It allows the dredging and maintenance of a boat slip with maximum length of 35 feet, width of 16 feet, and depth of 4 feet below mean low water elevation. The maximum depth of dredging shall not exceed the average depth of the adjacent waterway. A 10-foot continuous extension of the dredging into the waterway, with the same width and depth of slip, is also allowed. Authorization shall only be granted for proposed slips to be dredged in upland areas, spoil areas, existing developed areas and nonvegetated wetlands. Proposals requiring impacts to vegetated wetlands will not be authorized by this General Permit.
- B. The material removed is to be placed on the permittee's property in a non-wetland area above the mean high water shoreline elevation or hauled from the site for disposal in a non-wetland area.
- C. Shoreline stabilization, consisting of bulkheading, rip-rap or other CMD approved materials, may be placed around the perimeter of the slip. Additionally, shoreline stabilization totalling no more than 84 feet may be installed and maintained in the waterway on either side or both sides of the mouth of the slip. This shoreline stabilization must be placed along the bank, or at or above the mean high water shoreline elevation, whichever is more landward.
- D. Within the slip dimensions of 35 feet by 16 feet, a boat shed or boathouse may be installed and maintained. A pile supported or cantilevered walkway may also be constructed within the slip.
- E. If archaeological remains are encountered during activities authorized under this General Permit, work shall cease and the applicant shall immediately notify the Division of Archaeology, Louisiana Department of Culture, Recreation, and Tourism (P.O. Box 44247, Baton Rouge, LA 70804) and CMD (P.O. Box 44487, Baton Rouge, LA 70804-4487, [504]342-7591). Work may not resume until written approval is obtained from the CMD.
- F. The permittee shall contact the DOTTIE System at (800)272-3020 a minimum of 48 hours before any actual construction to locate any buried cables and pipelines.
- G. The permittee shall maintain all structures or work authorized herein in good condition and in reasonable accordance with the plans and drawings approved under this General Permit.



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- H. All structures built under the authorization and conditions of this General Permit shall be removed from the site upon 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 of obtaining a separate authorization from CMD, should one be required, for such removal activities.
- I. That the applicant shall insure that any habitable structure (i.e., home, camp, trailer, etc.) existing at the site (or subsequently anticipated as a result of these property improvements) has been provided (or shall be appropriately provided, upon such structure siting) with an individual-type domestic waste disposal system (i.e. septic tank, oxidation pond, mechanical plant, etc.) for which local health unit approval shall have been secured, as is required by the State Sanitary Code. Should such not have been accomplished, it will be necessary for the applicant to contact those appropriate personnel of the local governing health unit in order that such be accomplished.

This General Permit Authorization Does NOT Apply in the Following Situations:

- A. For the use of the boathouse or boat shed as a habitable structure or structural support for a habitable structure.
- B. For the construction of an access road to the boat slip area; or construction of a parking area.
- C. For the deposition of fill or dredged material into waterways or vegetated wetlands, either onsite or offsite.
- D. For work within or immediately adjacent to any natural water bottoms.
- E. For issuance of more than one approval to an individual, within any five year period.
- F. For two or more boat slips on one property, including existing slips.
- G. For the present or future commercial use of the boatslip, or obtaining the approval for improving property intended for sale.
- H. Within one mile of a known bald eagle nesting site.
- I. Within one-half mile of a known rookery area.
- J. Within the critical habitat of any endangered species.
- K. On barrier islands, barrier features or cheniers.



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- L. Within 1,000 feet of an area determined to be a unique ecological feature by the Secretary of the Department of Natural Resources.
- M. Within 1,000 feet of an established navigation channel or fairway constructed, owned, operated, or maintained by federal, state, or local governments, or with federal, state, or local government funds, without written consent of each appropriate agency or governing body. An authorization request not accompanied by such written permission shall be processed as an application for an individual CUP.
- N. Within 1,000 feet of a levee or other flood control facility constructed, owned, operated, or maintained by federal, state, or local governments, or with federal, state, or local government funds, without written consent of each appropriate agency or governing body. An authorization request not accompanied by such written permission shall be processed as an application for an individual CUP.
- O. Within Special Significance Areas designated pursuant to R.S. 49:214.41(F) and those rules and regulations adopted thereunder, where applicable.
- P. Within the boundaries of any national park or monument, national wildlife refuge or established buffer zone at a national park site.
- Q. Work under the authority of this General Permit shall not be approved in the following areas, unless the applicant first provides a letter of no objection from the Louisiana Department of Wildlife and Fisheries (LDWF):
- (1) Within 200 feet of or within the boundaries of an oyster lease, oyster seed ground, oyster seed reservation, or public harvesting area; or
 - (2) Within the boundaries of an LDWF owned or managed wildlife refuge or wildlife management area; or
 - (3) Within an area designated as a natural and scenic river in accordance with the provisions of R.S.56:1840 et seq.



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R. Work under the authority of this General Permit shall not be approved in the following areas, unless the applicant first provides a letter of no objection from the Louisiana Department of Culture, Recreation and Tourism:

- (1) Any State Park, State Recreational Area or State Commemorative Area; or
- (2) Any known historic or archaeological site or within the boundaries of an historic district.

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

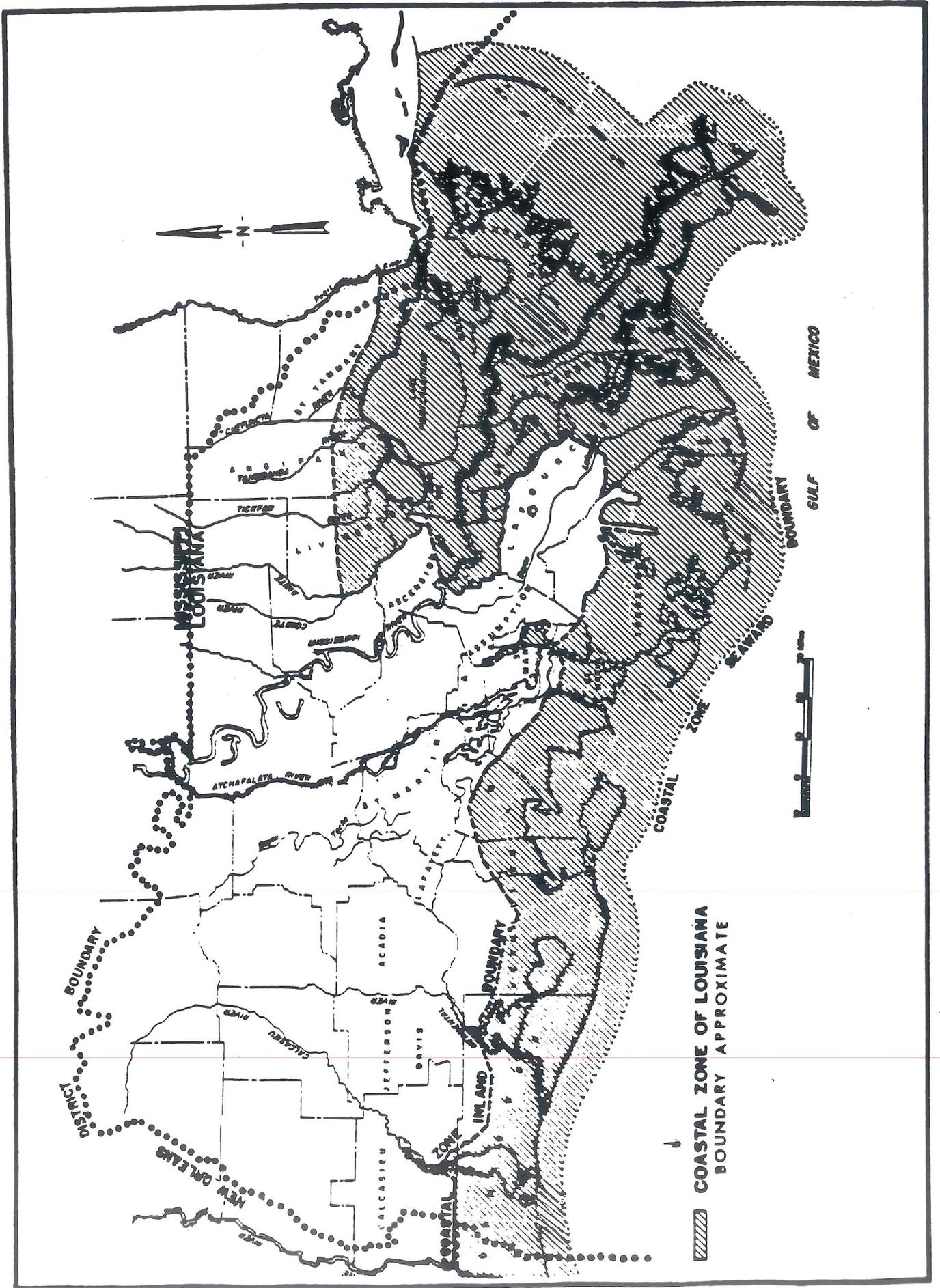
I affix my signature and issue this permit this 1st day of September, 19 93.

DEPARTMENT OF NATURAL RESOURCES

Terry W. Howey
 TERRY W. HOWEY, DIRECTOR
 Coastal Management Division



This agreement becomes binding when signed by the Director of the Coastal Management Division, Department of Natural Resources.




COASTAL ZONE OF LOUISIANA
 BOUNDARY APPROXIMATE



BOUNDARY GULF OF MEXICO

BOUNDARY DISTRICT

BOUNDARY INLAND

COASTAL ZONE

SEWARD

MISSISSIPPI LOUISIANA

NEW ORLEANS

ACADIA

JEFFERSON

DAVIS

INLAND

CALCASIEU

ATCHAFALAYA RIVER

MISSISSIPPI RIVER

RED RIVER

ATCHAFALAYA RIVER

BULKHEAD PLAN VIEW

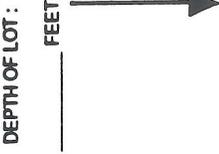
PLEASE INDICATE NORTH



WIDTH OF LOT: _____ FEET



DEPTH OF LOT: _____ FEET



PLEASE INDICATE, BY ILLUSTRATION, ANY SURROUNDING STRUCTURE, IF APPLICABLE

NAME OF WATER BODY INVOLVED: _____

AVERAGE SHORELINE AT MEAN SEA LEVEL



MEAN HIGH WATER
MEAN SEA LEVEL
MEAN LOW WATER



PROPOSED BULKHEAD



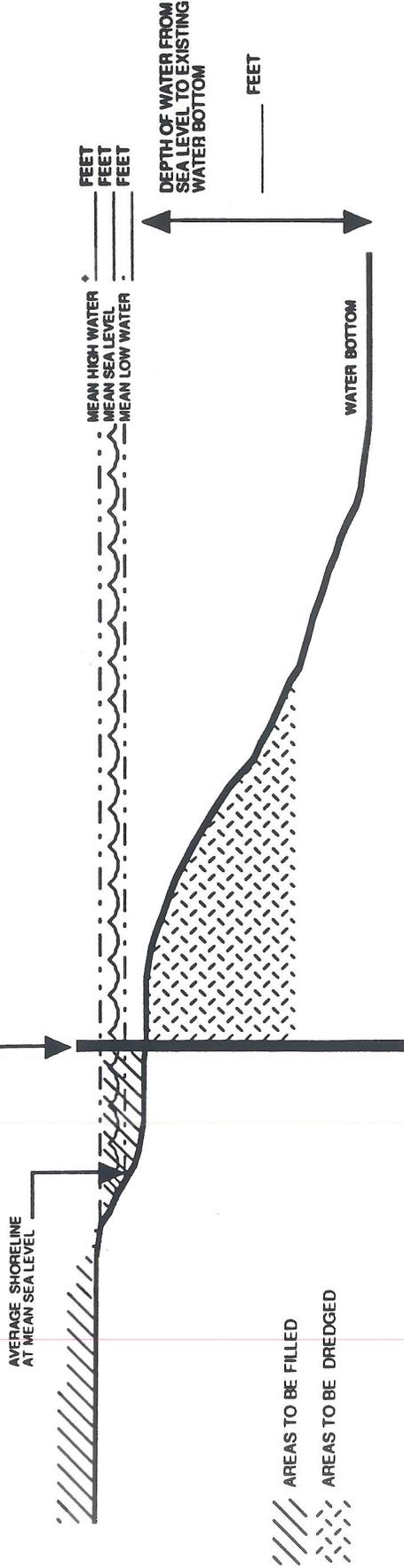
AREAS TO BE FILLED
AREAS TO BE DREDGED



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BULKHEAD X-SECTION

PROPOSED BULKHEAD LIST TYPES OF MATERIAL USED :



DIMENSIONS OF AREA (LENGTH, WIDTH, AND DEPTH), IN FEET, TO BE DREDGED AND NUMBER OF CUBIC YARDS TO BE DREDGED, IF APPLICABLE:

_____ X _____ AREA IN FEET
 _____ CUYD TO BE DREDGED

PROPOSED USE OR DISPOSAL OF DREDGED MATERIAL, IF APPLICABLE:

DIMENSIONS OF AREA (LENGTH, WIDTH, AND DEPTH), IN FEET, TO BE FILLED AND AMOUNT OF FILL USED, IF APPLICABLE:

_____ X _____ AREA IN FEET
 _____ CUYD OF FILL USED

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BOAT SLIP X-SECTION

DISTANCE BETWEEN AVERAGE SHORELINE AT MEAN SEA LEVEL AND END OF BOAT SLIP: _____ FEET

DISTANCE BETWEEN END OF BOAT SLIP AND CENTER OF WATERWAY: _____ FEET

PROPOSED BOAT SLIP LIST TYPES OF MATERIAL USED:

AVERAGE SHORELINE AT MEAN SEA LEVEL

MEAN HIGH WATER
 MEAN SEA LEVEL
 MEAN LOW WATER

____ FEET
 _____ FEET
 _____ FEET

DEPTH OF WATER FROM SEA LEVEL TO EXISTING WATER BOTTOM _____ FEET



DIMENSIONS OF AREA (LENGTH, WIDTH, AND DEPTH), IN FEET, TO BE DREDGED AND NUMBER OF CUBIC YARDS TO BE DREDGED, IF APPLICABLE:

_____ X _____ X _____ AREA IN FEET
 _____ CUYD TO BE DREDGED

PROPOSED USE OR DISPOSAL OF DREDGED MATERIAL, IF APPLICABLE:

DIMENSIONS OF AREA (LENGTH, WIDTH, AND DEPTH), IN FEET, TO BE FILLED AND AMOUNT OF FILL USED, IF APPLICABLE:

_____ X _____ X _____ AREA IN FEET
 _____ CUYD OF FILL USED

BOAT SLIP PLAN VIEW

PLEASE INDICATE BY ILLUSTRATION, ANY SURROUNDING STRUCTURE, IF APPLICABLE

NAME OF WATER BODY INVOLVED: _____

PLEASE INDICATE NORTH



WIDTH OF LOT: _____ FEET

DEPTH OF LOT: _____ FEET

AVERAGE SHORELINE AT MEAN SEA LEVEL

MEAN HIGH WATER
MEAN SEA LEVEL
MEAN LOW WATER

AREAS TO BE FILLED

AREAS TO BE DREDGED



PROPOSED BOAT SLIP

DIMENSIONS OF BOAT SLIP (LENGTH, WIDTH, AND DEPTH) IN FEET:

_____ X _____ X _____

