



**DEPARTMENT OF NATURAL RESOURCES  
COASTAL MANAGEMENT DIVISION**

P.O. BOX 44487  
BATON ROUGE, LOUISIANA 70804-4487  
(225) 342-7591  
1-800-267-4019

**COASTAL USE PERMIT/CONSISTENCY DETERMINATION**

**Coastal Use Permit - General Permit 18 ( CUP-GP-18)**

**Name and Address:** Louisiana Department of Natural Resources  
Coastal Management Division  
P. O. Box 44487, Baton Rouge, LA 70804

**LOCATION:** 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:**

Placement of a maximum of 280 cubic yards of fill for the construction of driveway up to 100 feet long and 10 feet wide; placement of up to 100 cubic yards of fill to construct a 12-foot x 40-foot parking area; dredging of up to 100 cubic yards of material to construct boat slip up to 20 feet x 20 feet x 6 feet; placement of approximately 50 cubic yards of fill to construct a storage area up to 20 feet x 20 feet; up to 100 cubic yards of dredging and up to 100 cubic yards of fill placement to construct a bulkhead to stabilize the shoreline within the boatslip, and placement of up to 25 feet on both sides of the boatslip on the waterway shoreline.

In accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections 214.21 to 214.41, 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 the 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 to 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 of 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. The following special conditions must also be met in order for the use to meet the guidelines of the Coastal Resources Program.

**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 full 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, Title 43, Subpart 723.C.3.a, of the Louisiana Code of Administrative Procedure, an application fee will be assessed for activities proposed for authorization under this General Permit and, if appropriate, processing fees, and appropriate mitigation plan processing fees will also be assessed for activities approved under this General Permit.
- B. A standard Joint Permit Application Form shall be completed and submitted to CMD along with drawings depicting the location and character of work proposed for approval under this General Permit and an Affidavit that all owners of the affected property have been notified of the application submittal. The applicant shall submit eight (8) application sets (forms and plats) to CMD. The application shall be accompanied by a \$20.00 application fee. This General Permit shall not apply if the proposed work is determined not to meet the criteria. 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 if the determination is made that the proposed activity is not consistent with this General Permit.
- C. Individual written approvals from CMD must be obtained prior to the commencement of any individual activity proposed under this General Permit.
- D. Should CMD deem that they may have an interest in the project, prior to issuance of authorization for individual activities under this general permit, the following agencies shall have a five (5) calendar day period to review the proposed activity: the Louisiana Departments of Wildlife and Fisheries; Health and Hospitals; Environmental Quality; Natural Resources/Coastal Restoration Division; Culture Recreation, and Tourism ; Transportation and Development; State Land Office; and the approved Parish Local Program if applicable. CMD may issue authorization for the activity after the five-day review period or after receiving notification by each of the agencies, either in writing or by telephone, that there are no objections to the proposed activity. However, the final decision for the issuance of authorization for individual activities under this General Permit, to issue approval with modifications or additional Operating Conditions, or to deny approval for the proposed work, shall be made by the Secretary of the Department of Natural Resources.
- E. Should it be deemed in the public interest, the Secretary shall deny authorization to perform work under this General Permit and require the applicant to obtain an individual CUP for the proposed activity.

- F. Authorization for work under the authority of this General Permit shall expire if the work is not initiated and completed within two (2) years from the date of issuance of the written approval. 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, the permittee must, in good faith and with due diligence, reasonably progress toward completion of the project once the Coastal Use has been initiated. All activities authorized under the authority of this General Permit must be completed within 90 days of initiation of the work, with a one-time mobilization, unless a different time schedule is specifically approved by CMD.
- G. The Term of this General Permit shall be five (5) years from the date of issuance, except as provided for in LAC 43 Subpart 723.E.3.b. The term of individual authorizations issued under the authority of this General Permit shall be two years from the date of issuance of the individual authorization.
- H. 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.
- I. Issuance of approval under the authority of this Coastal Use General Permit does not relieve the applicant of obtaining other lawfully required permits (local, state, or federal) before commencing work.
- J. The permittee shall allow representatives of CMD or authorized agents to make periodic, unannounced inspections to assure the activity is being performed in accordance with the conditions of the permit.
- K. Work carried out under this General Permit shall conform to all appropriate state and federal safety regulations.
- L. An authorization issued under this General Permit may not be transferred to another party without giving prior notice to, and receiving written approval from, the CMD Administrator. A transfer form is included with each authorization.
- M. Work carried out under this General Permit shall be performed in full compliance with the rules and regulations of the Department of Natural Resources which exist at the time of approval for that work.
- N. This General Permit authorizes a one-time mobilization to conduct the authorized activities. Additional authorizations may be necessary for maintenance or work beyond the scope of the authorized activities.

## II. Operating Conditions

- A. All logs and stumps unearthed during dredging shall be buried beneath the bottom of the waterway or removed to a disposal site on land.

- B. Spoil shall not be placed in or block any tidal sloughs.
- C. The permittee shall provide notification of the proposed activity to any oyster lease holder who may be affected by it prior to commencement of the activity. The applicant shall provide CMD with copies of the notification letters prior to the issuance of authorization under this General Permit.
- D. The activities covered by this permit shall not adversely affect any threatened or endangered species. Adverse impacts on fish, wildlife and the environment shall be minimized.
- E. This permit does not convey any property rights, mineral rights, or exclusive privileges, nor does it authorize injury to property.
- F. If archaeological, historical, or other cultural resources 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, (225) 342-7591.) Work may not resume until written approval is obtained from the CMD.
- G. The applicant shall insure 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 receive the equivalent of secondary treatment (30 mg/l BOD<sub>5</sub>; 30 mg/l TSS) with disinfection prior to discharge into any of the streams or adjacent waters of the area 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. 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 the Department of Health and Hospitals for purpose of review and approval prior to any utilization of such provisions.
- H. The permittee shall comply with all applicable laws regarding the need to contact the Louisiana One Call System ([800] 272-3020) to locate any buried cables and pipelines.
- I. All activities, involving any discharge of pollutants, must be consistent with applicable water quality standards and any necessary permits issued through the Department of Environmental Quality/Office of Water Resources must be obtained.
- J. Dredging activities authorized under this General Permit shall not exceed the volume specified in the work statement of the individual authorization.
- K. If unavoidable impacts to vegetated wetlands are to occur as a result of the proposed activity the applicant and CMD shall negotiate, in consultation with the

owner(s) of land on which the permitted activity is proposed to occur, and those other natural resource agencies deemed appropriate by CMD, a compensatory mitigation plan, and the applicant shall implement that plan. That plan shall fulfill the requirements of Louisiana Revised Statute 49:214.41 and those rules and regulations adopted thereunder. The compensatory mitigation plan shall be developed prior to the issuance of approval under this General Permit. The expiration of the term of this General Permit, or the revocation or expiration of approval to perform work under the authority of this General Permit, shall not absolve the permittee, its transferees, or assignees from the obligation and responsibility of implementing and maintaining the compensatory mitigation plan.

**III. This General Permit does not apply in the following locations without prior written authorization from the appropriate agencies:**

- A. Work under the authority of this General Permit shall not be approved in the following areas, without prior written approval of the Louisiana Department of Wildlife and Fisheries:
- 1) Within one-quarter of a mile or within the boundaries of an oyster lease, oyster seed ground, oyster seed reservation or public oyster 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.
- B. 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) within a State Park, State Recreation Area or State Commemorative Area; or
  - 2) within any known historic or archaeological site or within the boundaries of an historical district.
- C. 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 that is not accompanied by such written permission shall be processed as an application for an individual CUP. If, however, there is a physical barrier at the project site that isolates the Coastal Use from the navigation channel or fairway and effectively prevents any interchange between the two, this restriction does not apply.
- D. 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 the written consent of each appropriate agency or governing body.

- E. Within 1,500 feet of a barrier island, barrier island features, cheniers, or other coastal feature without the approval of the appropriate resource agencies that CMD determines to have programmatic interests.

**IV. This General Permit does NOT apply in the following situations:**

- A. Within 1,500 feet, or other distance deemed appropriate by the Louisiana Department of Wildlife and Fisheries, of a known bald eagle nesting site.
- B. Within 1,500 feet, or other distance deemed appropriate by the Louisiana Department of Wildlife and Fisheries, of a known bird rookery area.
- C. Within the officially designated critical habitat of a threatened or endangered species.
- D. Within 1,000 feet of an area determined to be a unique ecological feature by the Secretary of the Department of Natural Resources.
- E. Within Special Significance Areas designated pursuant to R. S. 49:214.41(F) and those rules and regulations adopted thereunder, where applicable.
- F. Within the boundaries of a national park or monument, national wildlife refuge or established buffer zone for any such national site.

**V. Special Conditions**

- A. This general permit provides for the placement of a maximum of 280 cubic yards of fill for the construction of a driveway up to 100 feet long and 10 feet wide at the crest and 100 feet x 14 feet at the base, with a maximum of 1400 square feet of surface area being disturbed. The maximum dimensions shall not be exceeded in order to construct a longer or wider driveway.
- B. This general permit provides for the placement of up to 100 cubic yards of fill in order to construct a 12 feet x 20 feet parking area with a base of up to 16 feet x 24 feet, with a maximum of 388 square feet of surface area being disturbed.
- C. This general permit provides for the dredging of up to 100 cubic yards of material to construct a boat slip up to a 20 feet x 20 feet x 6 feet, with a maximum of 400 square feet of surface area being disturbed.
- D. This general permit provides for the placement of approximately 50 cubic yards of fill in to construct a storage building up to 20 feet x 20 feet, with a base of up to 24 feet x 24 feet, with a maximum of 576 square feet of surface area being disturbed.
- E. This general permit provides for up to 100 cubic yards of dredging and up to 100 cubic yards of fill to construct a bulkhead or place rip-rap to stabilize the shoreline within the boat slip and up to 25 feet on both sides of the boat slip on the waterway shoreline. However, if the adjacent waterway is a state-owned waterbottom, the

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March 1, 2004

bulkhead must be placed landward of the mean low water level on rivers, bayous, streams, and passes, and landward of the mean high water level on lakes, bays, and arms of the sea.

- F. Written authorization from the State Lands Office and the Louisiana Department of Wildlife and Fisheries must be obtained prior to authorization by CMD under the authority of this general permit if the proposed activity is to occur partially or wholly on State owned waterbottoms. Comments may be made and received verbally via telephone from the Louisiana Department of Wildlife and Fisheries when necessary.
- G. The purpose of this general permit is for the construction of individual residential home sites. A developer may serve as agent for the acquisition of authorization under the authority of this general permit for the proposed activities, but the applicant must be an individual who is proposing the construction of a private residence.
- H. An applicant shall not receive approval under the authority of this general permit more than once in a five year period.

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

I affix my signature and issue this permit this 1<sup>st</sup> day of March, 2004.

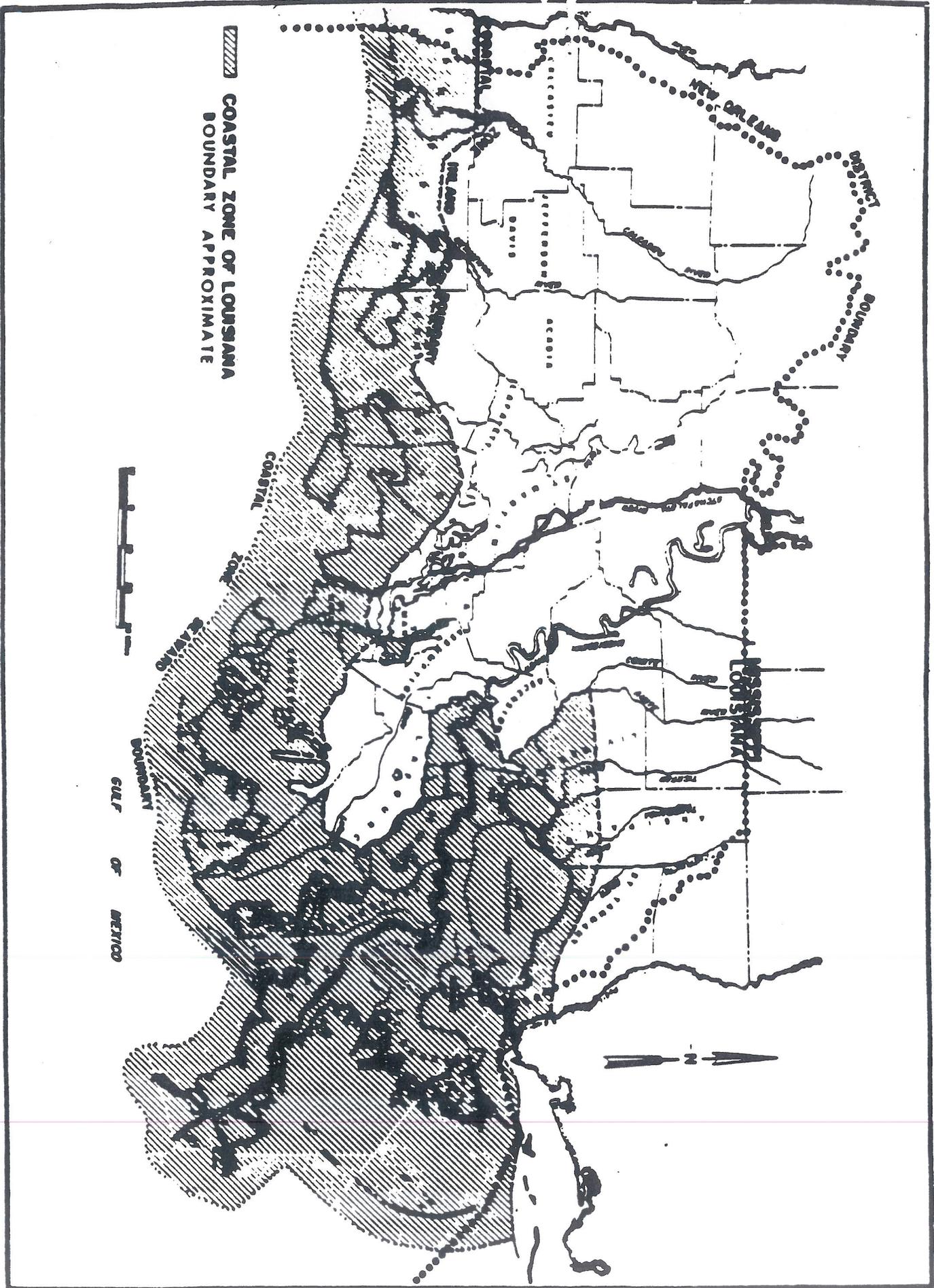
DEPARTMENT OF NATURAL RESOURCES

David W. Frugé

David Frugé, Administrator  
Coastal Management Division



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



COASTAL ZONE OF LOUISIANA  
BOUNDARY APPROXIMATE



GULF OF MEXICO



CAMP/HOUSE PLAN VIEW

PLEASE INDICATE NORTH



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

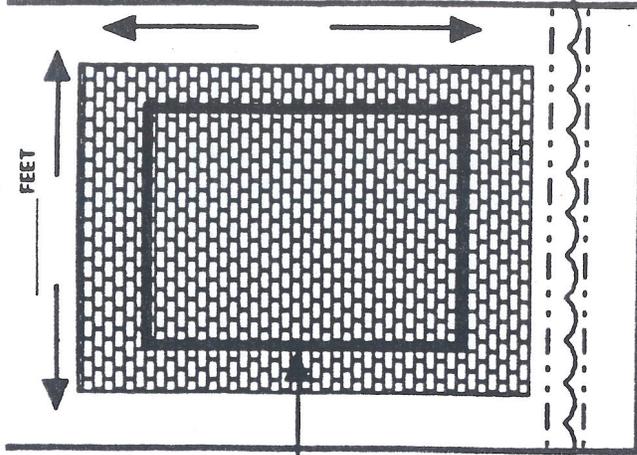
NAME OF WATER BODY INVOLVED:

\_\_\_\_\_

PROPOSED CAMP/HOUSE

WIDTH OF LOT:

FEET



DEPTH OF LOT:

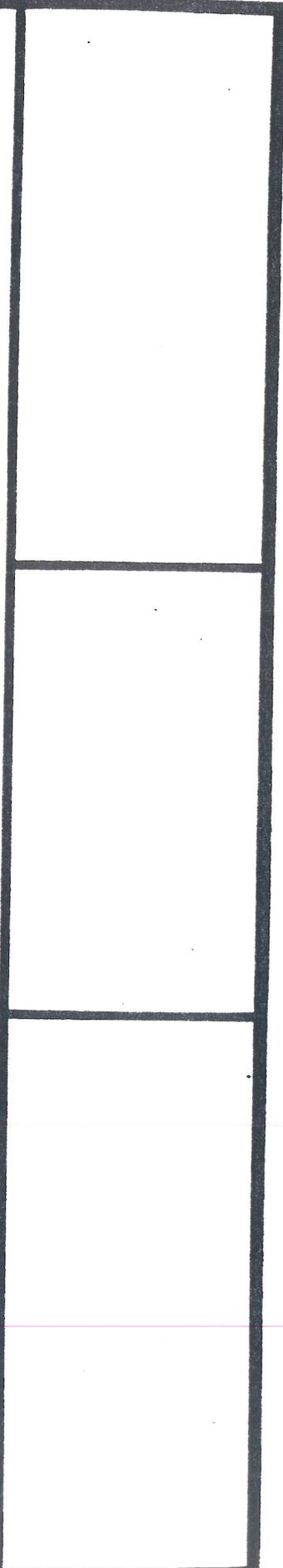
FEET

AVERAGE SHORELINE AT MEAN SEA LEVEL

MEAN HIGH WATER  
MEAN SEA LEVEL  
MEAN LOW WATER



AREAS TO BE FILLED



**BULKHEAD PLAN VIEW**

PLEASE INDICATE NORTH



WIDTH OF LOT:  
\_\_\_\_\_ FEET

DEPTH OF LOT:  
\_\_\_\_\_ FEET

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

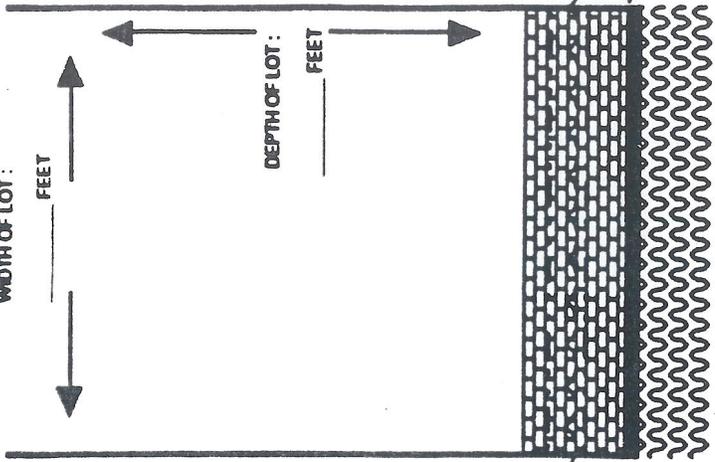
NAME OF WATER BODY INVOLVED:  
\_\_\_\_\_

AVERAGE SHORELINE  
AT MEAN SEA LEVEL

MEAN HIGH WATER  
MEAN SEA LEVEL  
MEAN LOW WATER

PROPOSED BULKHEAD

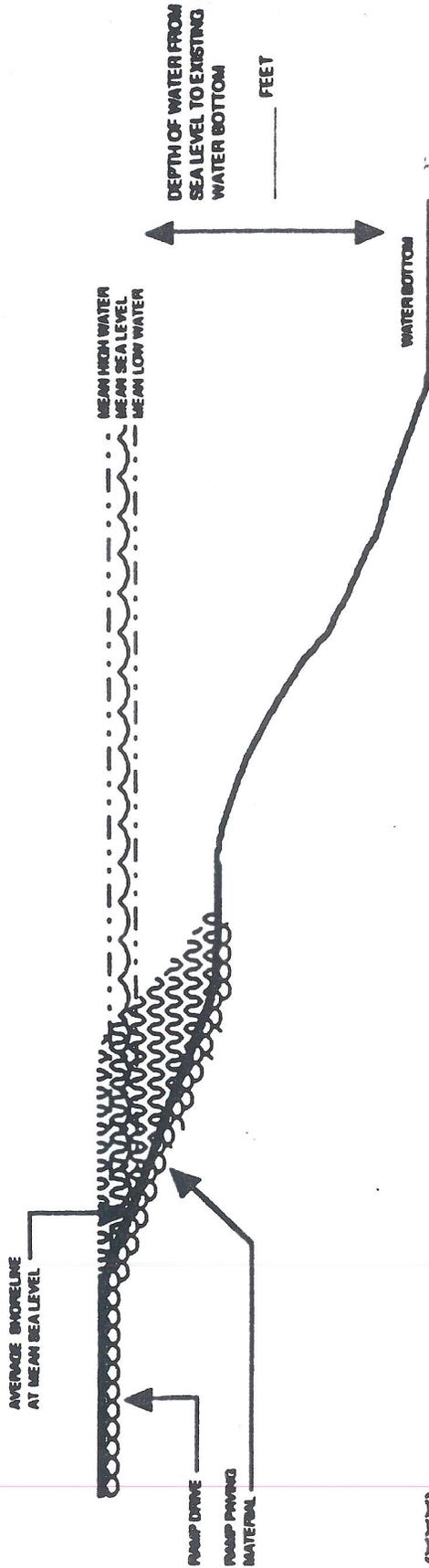
AREAS TO BE FILLED  
AREAS TO BE DREDGED




# BOAT RAMP X-SECTION

DISTANCE BETWEEN AVERAGE SHORELINE AT MEAN SEA LEVEL AND END OF BOAT RAMP: \_\_\_\_\_ FEET

DISTANCE BETWEEN END OF BOAT RAMP AND CENTER OF WATERWAY: \_\_\_\_\_ FEET



NUMBER OF CUBIC YARDS TO BE DREDGED AND DIMENSIONS OF AREA IN FEET, 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, IN FEET, TO BE FILLED AND AMOUNT OF FILL USED, IN CUYD, FOR RAMP DRIVE / PAVING MATERIAL:  
 \_\_\_\_\_ X \_\_\_\_\_ AREA IN FEET  
 \_\_\_\_\_ CUYD OF FILL USED

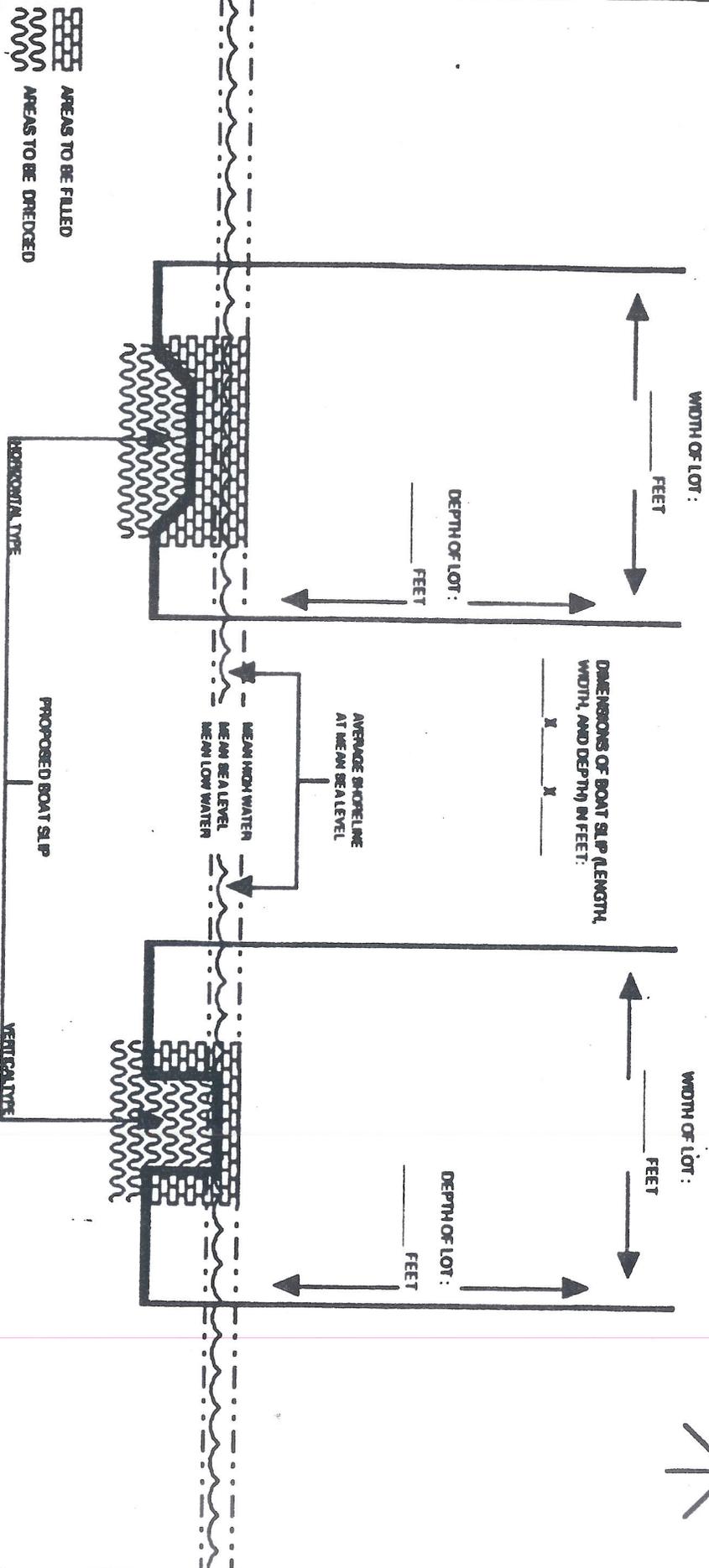
TYPES OF MATERIAL TO BE USED FOR RAMP DRIVE / PAVING MATERIAL:  
 \_\_\_\_\_  
 \_\_\_\_\_


BOAT SLIP PLAN VIEW

PLEASE INDICATE, BY ILLUSTRATION, ANY SURROUNDING STRUCTURE, FAPPLCABLE

NAME OF WATER BODY INVOLVED:

PLEASE INDICATE NORTH



AREAS TO BE FILLED  
AREAS TO BE DREDGED

HORIZONTAL TYPE

PROPOSED BOAT SLIP

VERTICAL TYPE

WIDTH OF LOT:  
FEET

DEPTH OF LOT:  
FEET

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

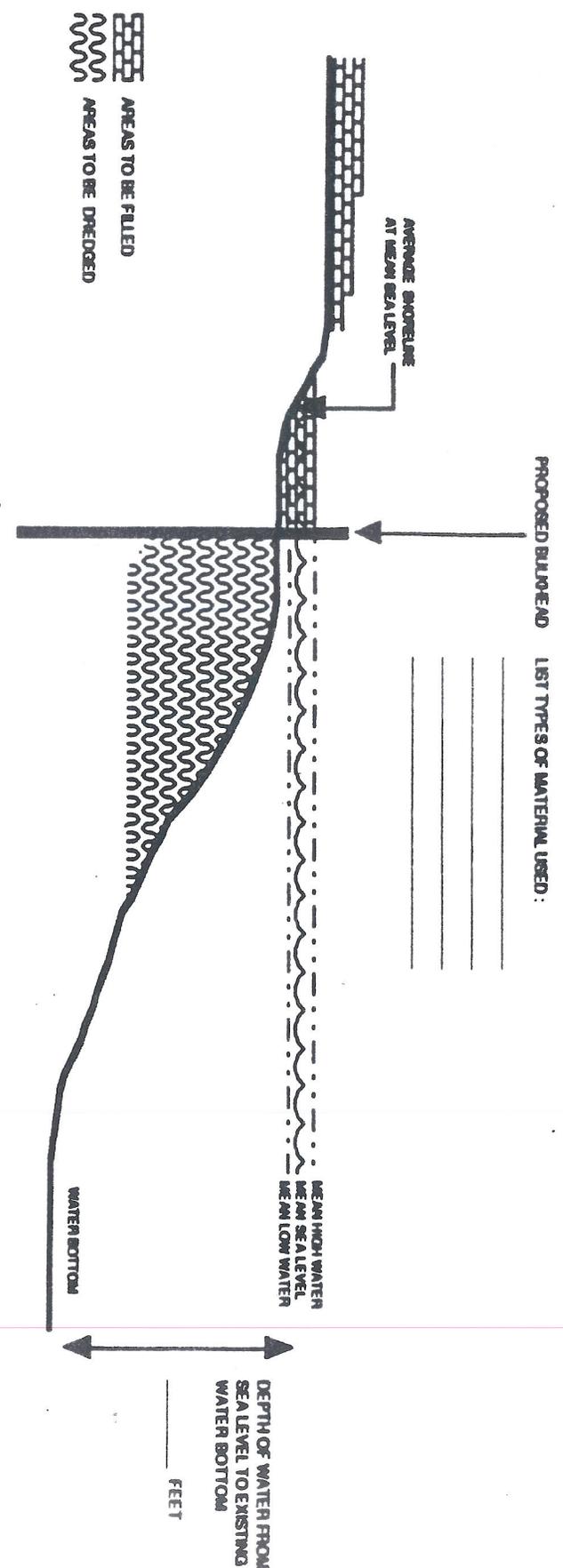
AVERAGE SHORELINE  
AT MEAN SEA LEVEL

MEAN HIGH WATER  
MEAN LOW WATER

WIDTH OF LOT:  
FEET

DEPTH OF LOT:  
FEET

**BULKHEAD X-SECTION**



PROPOSED BULKHEAD LIST TYPES OF MATERIAL USED:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DIMENSIONS OF AREA, IN FEET, TO BE DREDGED AND NUMBER OF CUBIC YARDS TO BE DREDGED, IF APPLICABLE:

X X AREA IN FEET

\_\_\_\_\_ CUBD TO BE DREDGED

PROPOSED USE OR DISPOSAL OF DREDGED MATERIAL, IF APPLICABLE:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DIMENSIONS OF AREA, IN FEET, TO BE FILLED AND AMOUNT OF FILL USED, IF APPLICABLE:

X X AREA IN FEET

\_\_\_\_\_ CUBD OF FILL USED

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