

B. LaBorde x2225

Operations Division
Eastern Evaluation Section

JUN 18 2010

SUBJECT: (General Permit) NOD-20

BASE FILE: MVN-2010-1342-EOO (Deepwater Horizon Oil Discharge)

Marnie Winter Jefferson Parish Environmental Affairs 4901 Jefferson Highway, Suite E Jefferson, Louisiana 70121

Dear Ms. Winter:

This responds to your permit modification submitted on June 17, 2010 requesting an emergency authorization to install pilings for support barges to be stationed within Pass Abel and Four Bayou Pass, in Plaquemines and Jefferson Parishes, Louisiana, as a response to the ongoing Deepwater Horizon Oil Discharge Response.

We have reviewed your request and are authorizing this modification under (General Permit) NOD-20 for emergency operations. The attached drawings, dated June 17, 2010 and labeled A-D, hereby replace sheets 4-9 from the June 14, 2010 authorization. This approval is subject to the terms and conditions of the original permit, also numbered MVN-2010-1342-EOO. This authorization does not obviate you from acquiring a Louisiana Coastal Use Permit or any other federal, state, or local approvals that may be required by law.

This approval is subject to the terms and conditions of NOD 20, dated September 13, 2007, a copy of which is enclosed. Please note that a formal permit application and drawings must be submitted within the time limits stated in the attached general permit.

If you have any questions, please feel free to contact Brad LaBorde with this office at (504) 862-2225 or at brad.laborde@usace.army.mil.

Sincerely,

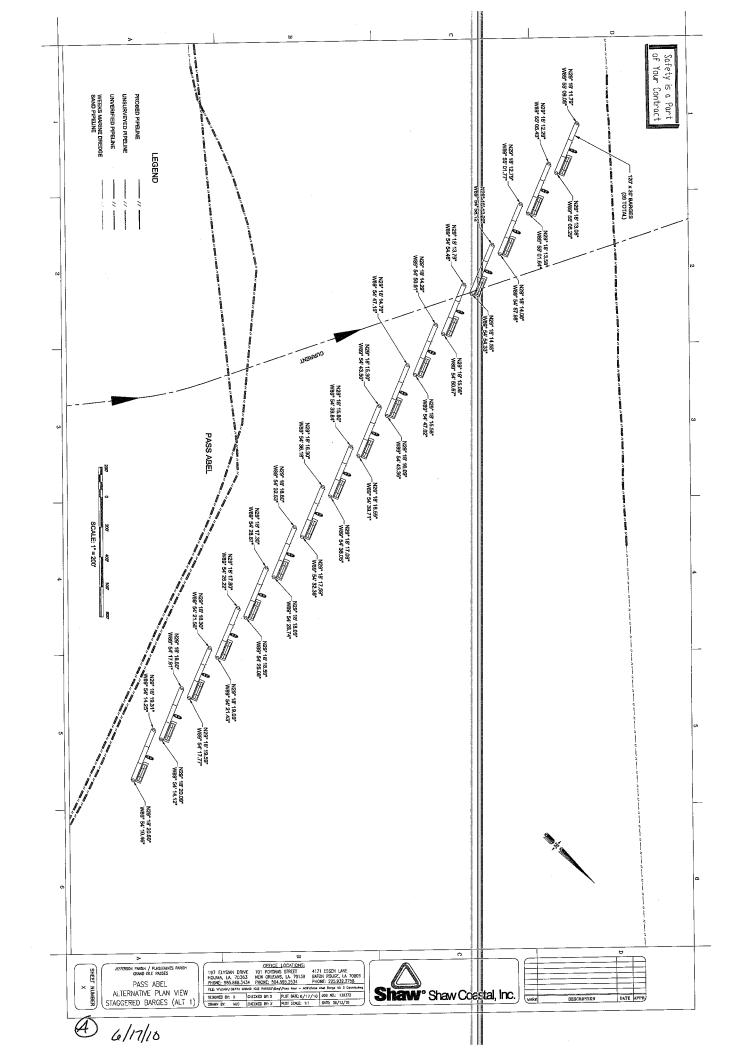
M.FARABEE

OD-SE

Pete Serio OI

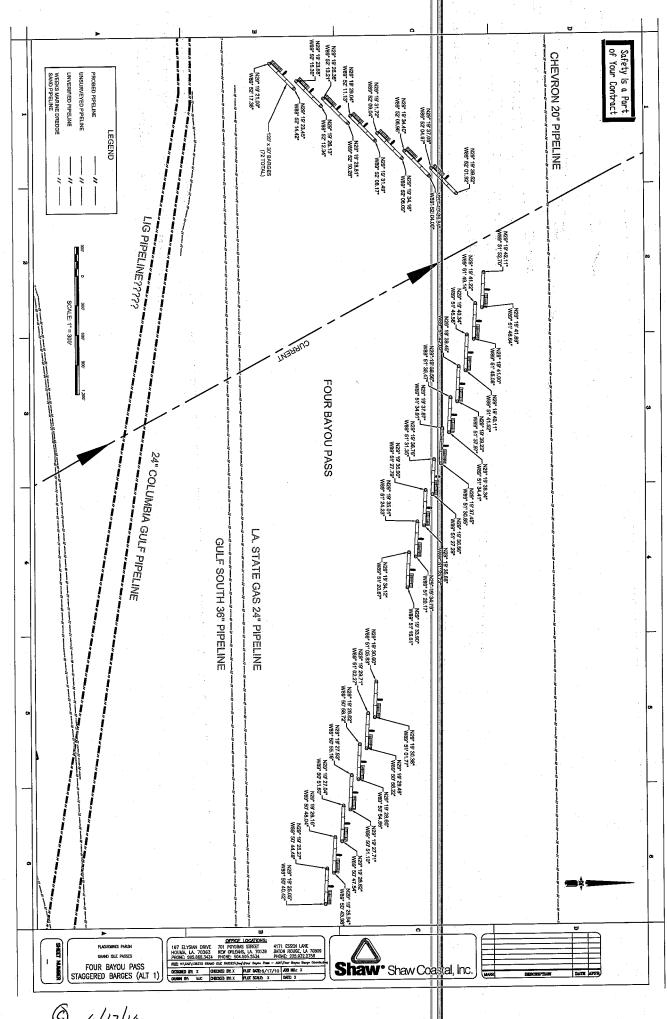
OD-S

Chief, Regulatory Branch

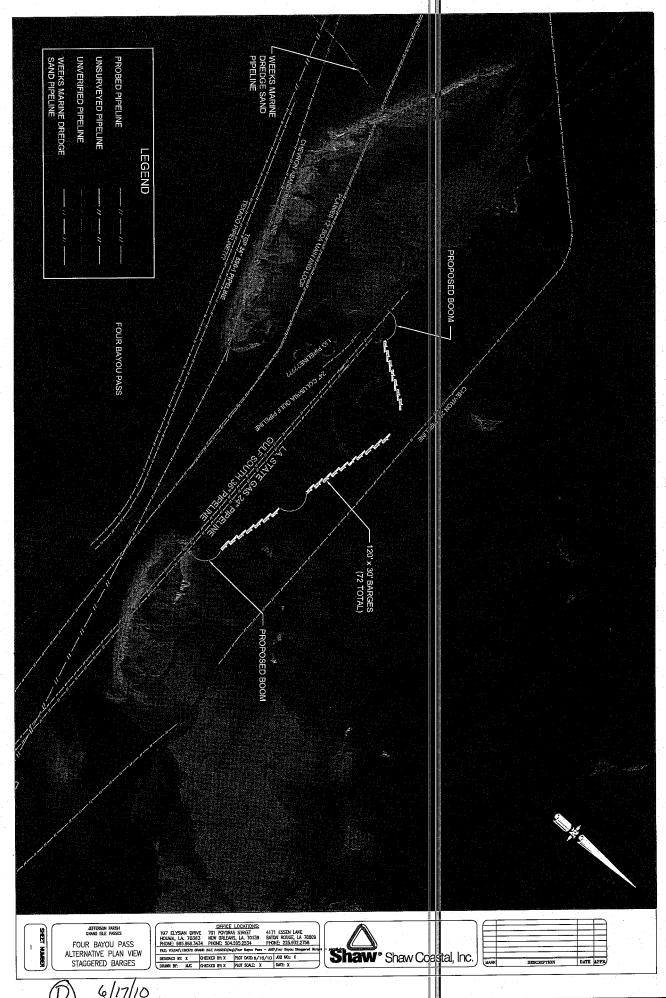




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JEFFERSON PARISH LOUISIANA

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

"Provide the services, leadership, and vision to improve the quality of life

Our Mission Is:

in Jefferson Parish."

MARNIE WINTER

DIRECTOR

June 16, 2010

STEVE J. THERIOT PARISH PRESIDENT

> Mr. Pete Serio, Chief Regulatory Branch U. S. Army Corps of Engineers New Orleans District P. O. Box 60267 New Orleans, Louisiana 70160-0267

Subject:

Emergency Authorization for Piling Installation
USACE Permit No. NOD 20: MVN-2010-1342-EOC
LDNR / OCM Permit No. EUA 10-057

· Dear Mr. Serio:

Attached please find revised permit drawings for the emergency work authorized by the subject permits to install pilings at certain passes in Jefferson and Plaquemines parishes as a response to the ongoing Deepwater Horizon Oil Discharge Response. A field reconnaissance and field surveys, including a magnetometer survey, conducted for Pass Abel and Four Bayou Pass on June 12, 2010, found more pipelines than previously anticipated. Therefore, the piling locations will be located farther inland at these two passes. The revised drawings are based on actual field location of existing oil and gas pipeline infrastructure as well as a dredge pipeline. Accordingly, sheets 4, 5, 6, 7, 8 and 9, dated June 11, 2010, should be replace with the attached sheets, Four Bayou Pass Alternative Plan View, dated June 15, 10.

The alternative plan is to stagger the barges as depicted on the drawings. Spud barges will be used to test the configuration, and other alternative layouts as deemed necessary based on actual field tests. Once the optimum alignment is determined, the spud barges will be replaced with barges held in place by pilings.

Please review the alternative plan view drawings and advise if this modification is acceptable under the emergency permit issued on June 11, 2010. Should you have any questions or need additional information, please contact me at

Regards.

Marnie Winter, Director

Jefferson Parish Environmental Affairs

Attachment

Hon. Steve Theriot, President, Jefferson Parish

Hon. Billy Nungesser, President, Plaquemines Parish

Hon. David Camardelle, Mayor, Town of Grand Isle

Hon. Tim Kerner, Mayor, Town of Jean Lafitte

Mr. Jose Gonzalez, COO, Jefferson Parish

Mr. Deano Bonano, Homeland Security Chief, Jefferson Parish

Mr. P.J. Hahn, Coastal Zone Management Director, Plaquemines Parish

Mr. Brad Laborde, USACE

Mr. Karl Morgan, LDNR/OCM



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MARNIE WINTER

DIRECTOR

frowings, now modified

June 16, 2010

STEVE J. THERIOT PARISH PRESIDENT

> Mr. Pete Serio, Chief Regulatory Branch U. S. Army Corps of Engineers New Orleans District P. O. Box 60267 New Orleans, Louisiana 70160-0267

Subject:

Emergency Authorization for Piling Installation USACE Permit No. NOD 20: MVN-2010-1342-EOO

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Marrie Winter, Director

Jefferson Parish Environmental Affairs

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Mr. P.J. Hahn, Coastal Zone Management Director, Plaquemines Parish

Mr. Brad Laborde, USACE

Mr. Karl Morgan, LDNR/OCM

4901 JEFFERSON HIGHWAY, SUITE E., JEFFERSON, LOUSIANA 70121 (504) 731-4612 FAX (504) 731-4607





B. LaBorde x2225

Operations Division
Eastern Evaluation Section

JUN 1 4 2010

SUBJECT: (General Permit) NOD-20

BASE FILE: MVN-2010-1342-EOO (Deepwater Horizon Oil Discharge)

Marnie Winter Jefferson Parish Environmental Affairs 4901 Jefferson Highway, Suite E Jefferson, Louisiana 70121

Dear Ms. Winter:

This responds to your letter dated June 11, 2010 requesting an emergency authorization to install three-pile and single-pile clusters to support 120'x30' barges extending across Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass, and Chenier Ronquille Pass, in Plaquemines and Jefferson Parishes, Louisiana, as a response to the ongoing Deepwater Horizon Oil Discharge Response.

We have reviewed your request and are authorizing the work under (General Permit) NOD-20 for emergency operations, as long as all conditions of this permit are met. This authorization does not obviate you from acquiring a Louisiana Coastal Use Permit or any other federal, state, or local approvals that may be required by law.

The following conditions are hereby made a part of this emergency authorization:

- 1. This emergency 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.
- 2. In issuing this permit, the Federal Government does not assume any liability for damages to persons, property or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit unless such damages are caused by the Federal Government in the exercise of their responsibilities under the Oil Pollution Act and the Deepwater Horizon Oil Discharge.
- 3. All activities authorized herein shall, if they involve, during their construction or operation, any discharge of pollutants into waters if 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), and applicable state and local laws.

- 4. 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.
- 5. Any change in vertical depth of barges within the water column will require additional coordination with Army Corps of Engineers, New Orleans District (CEMVN) Regulatory Branch. Permittee shall provide any proposed change to CEMVN Regulatory Branch, ATTN: Brad LaBorde, brad.laborde@usace.army.mil no later than 24 hours prior to any proposed change.
- 6. Permittee shall coordinate with CEMVN Regulatory Branch, ATTN: Brad LaBorde, brad.laborde@usace.army.mil prior to commencement of activities at Barataria Pass no later than 48 hours prior to such work.
- 7. Activities proposed for authorization under the NOD-20 must comply with all other necessary federal, state, and/or local permits, licenses, approvals, laws and regulations.
- 8. The permittee shall permit the District Commander or his authorized representative(s) or designee(s) to make periodic inspections of the project sites 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.
- 9. The permitted activity shall not obstruct the public's right to free navigation on all navigable waters of the United States.
- 10. 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 provided emergency 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.
- 11. You shall 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 structures.
- 12. If the proposed project, or future maintenance work, involves the use of floating construction equipment (barge mounted cranes, barge mounted pile driving equipment, floating dredge equipment, etc.,) you are advised to notify the U.S. Coast Guard so that a Notice to Mariners, if required, may be prepared. Notification with a copy of your

emergency authorization and any associated plats should be immediately forwarded to the U.S. Coast Guard, Sector New Orleans Command Center, 201 Hammond Highway, Metairie, Louisiana 70005. Telephone inquiries can be directed to (504) 846-5923.

- 13. As stated in the terms of the NOD-20, approval to perform work under this general permit does not replace normal permitting approval under our regulations. This authorization is a temporary approval to allow you to perform work under emergency operations. You must either restore the project to pre-project conditions or apply for a permit to maintain the work authorized under this general permit, within 30 days of the date of this authorization.
- 14. Prior to construction, a magnetometer survey should be completed to avoid all existing submerged structures, objects, and pipelines.
- 15. 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.
- 16. The Louisiana Natural Heritage Database indicates the presence of bird nesting colonies within one mile of the project area. Contact Michael Seymore, the Louisiana Natural Heritage Program Ornithologist at to obtain the most current information about the nesting chronology of individual bird colonies.
- 17. When practicable, the permittee shall avoid impacting the Federally threatened piping plover and its critical habitat from the dune/vegetation line to the mean low, low water, to the maximum extent possible.
- 18. Construction activity should be limited in critical habitat, in order to minimize disturbance to feeding and resting piping plovers.
- 19. To minimize disturbance to colonies containing gulls, terns, and/or black skimmers, all activity occurring within 650 feet of a colonial nest site shall be restricted to the non-nesting months (September 16th through April 1st). The CEMVN Regulatory Branch and USFWS should be notified of the existence and location of the nest sites and an observer should monitor each colony to determine the minimum distance at which construction can occur without disturbing nesting birds on an individual basis.
- 20. Pre (or concurrent) and post construction monitoring of the adjacent shorelines in the vicinity of the barges should be conducted to quantify the amount of impact to wetlands and other special aquatic sites. Monitoring should consist of Global-Position-Satellite (GPS) determination of the existing shorelines plotted on the most recent low altitude aerial photography presently available for the oil discharge response. Determination of the shoreline includes the passes and extending no less than gulf shorelines. At a minimum, the post monitoring plan should be submitted within six months of the removal of the barges and shall include: a detailed description of the work

accomplished; any observation of increased erosion; any observation of adverse environmental impacts; and a general description on the accomplishment of project purpose. The permittee is responsible for implementing this monitoring plan.

- 21. The permittee shall be responsible for mitigating all unavoidable adverse impacts to wetlands and special aquatic sites.
- 22. Mechanized land clearing, filling, or tracking of vegetative wetland areas for access, staging, and/or implementation of the proposed work is not authorized.
- 23. Additional dredging for barge placement is not authorized
- 24. This permit does not address the applicability of this proposed project to the spill response effort, which is a decision to be made by the National Incident Commander in consultation with Federal On-Scene Coordinator.
- 25. The Chitimacha Tribe of Louisiana has stated that the project area is part of the aboriginal Chitimacha homelands. If during the course of work at the site, prehistoric and/or historic aboriginal cultural materials are discovered, the applicant will contact the Chitimacha Tribe of Louisiana at P.O. Box 661, Charenton, LA 70523, and the CEMVN Regulatory Branch. CEMVN Regulatory Branch will initiate the required Federal, State, and Tribal coordination to determine the significance of the cultural materials and the need, if applicable, for additional cultural resource investigations.
- 26. No activity is authorized under this emergency 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 CEMVN, Regulatory Branch. The authorization shall be suspended until it is determined whether or not the activity will have an adverse effect on cultural resources. CEMVN will initiate the required Federal, State, and Tribal coordination to determine the significance of the cultural materials and the need, if applicable, for additional cultural resource investigations.
- 27. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office. 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.

This approval is subject to the terms and conditions of NOD-20, dated September 13, 2007, a copy of which is enclosed. Please note that a formal permit application and drawings must be submitted within the time limits stated in the attached general permit.

Your project is located within the Louisiana Coastal Zone, as such your formal permit application submittal must be sent through the Louisiana Department of Natural Resources. Should you require information on submitting your application through their office, please contact Mr. Karl Morgan at

If you have any questions, please feel free to contact Brad I aBorde with this office at (504) 862-2225 or at brad.laborde@usace.army.mil.

Sincerely,

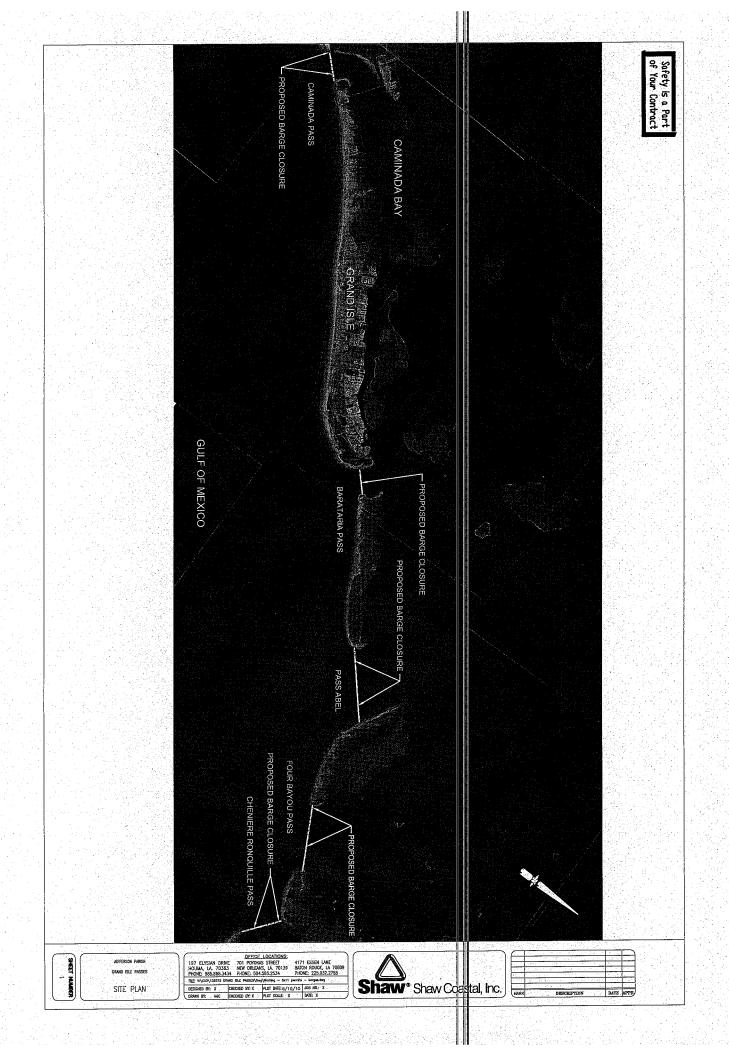
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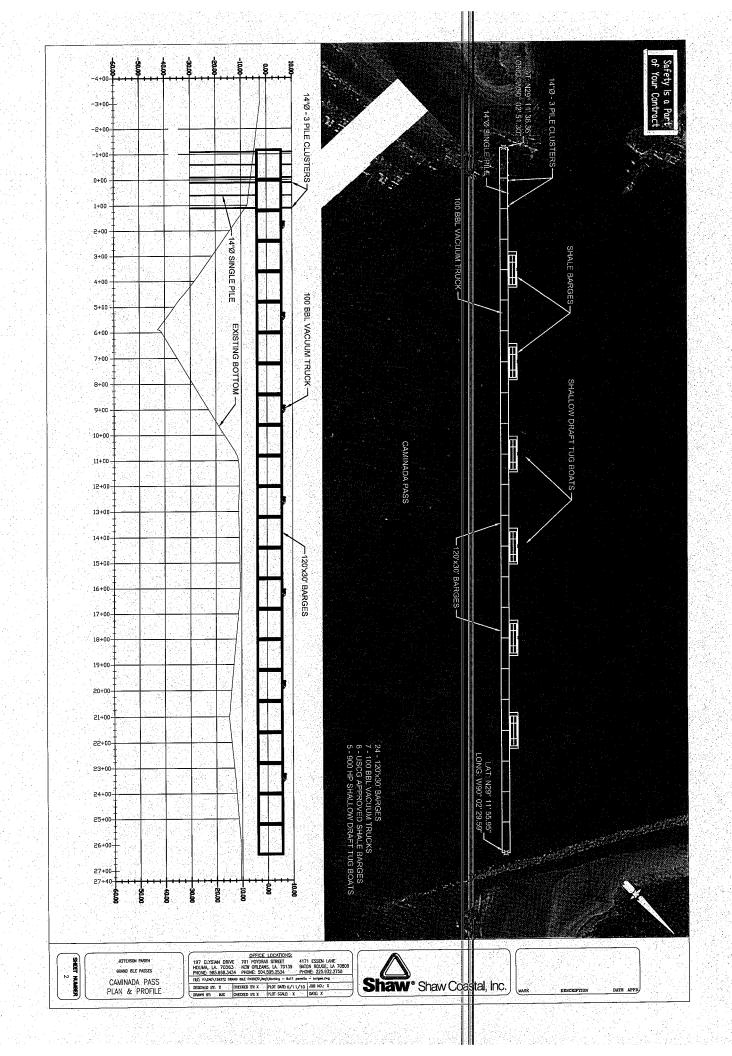
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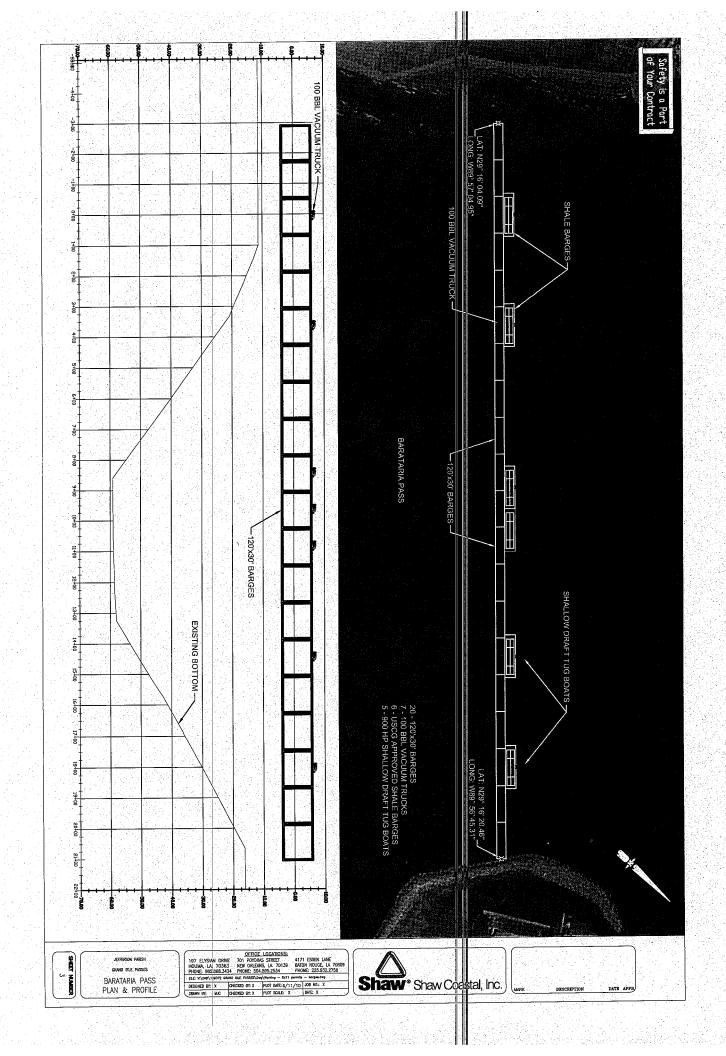
Pete Serio

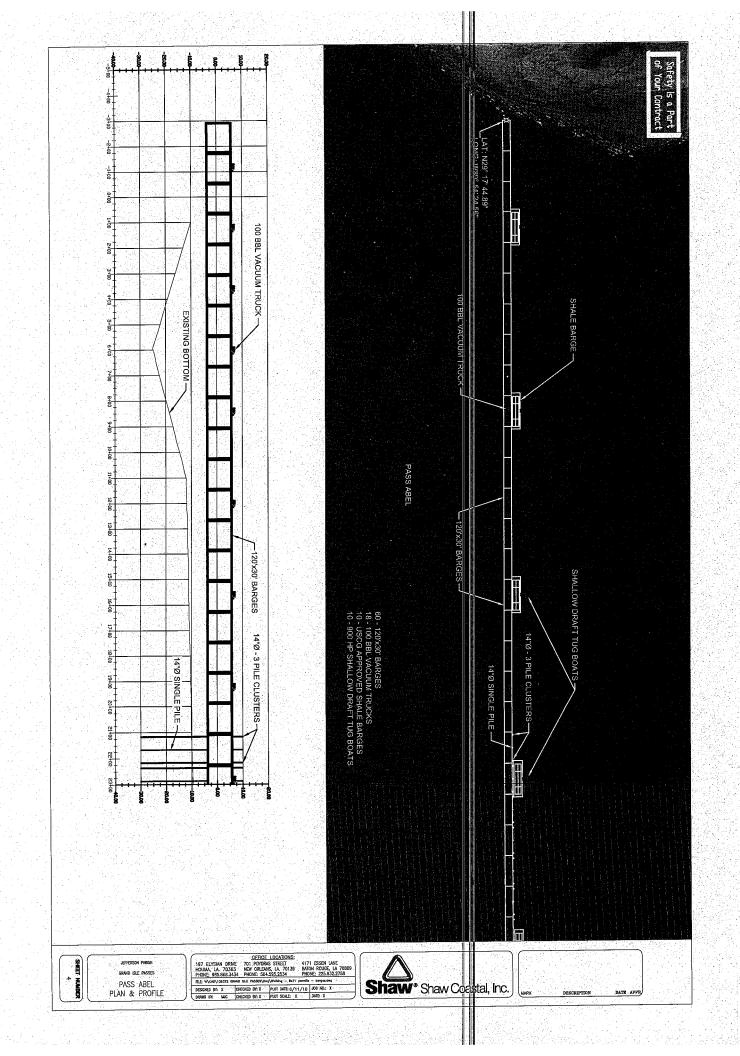
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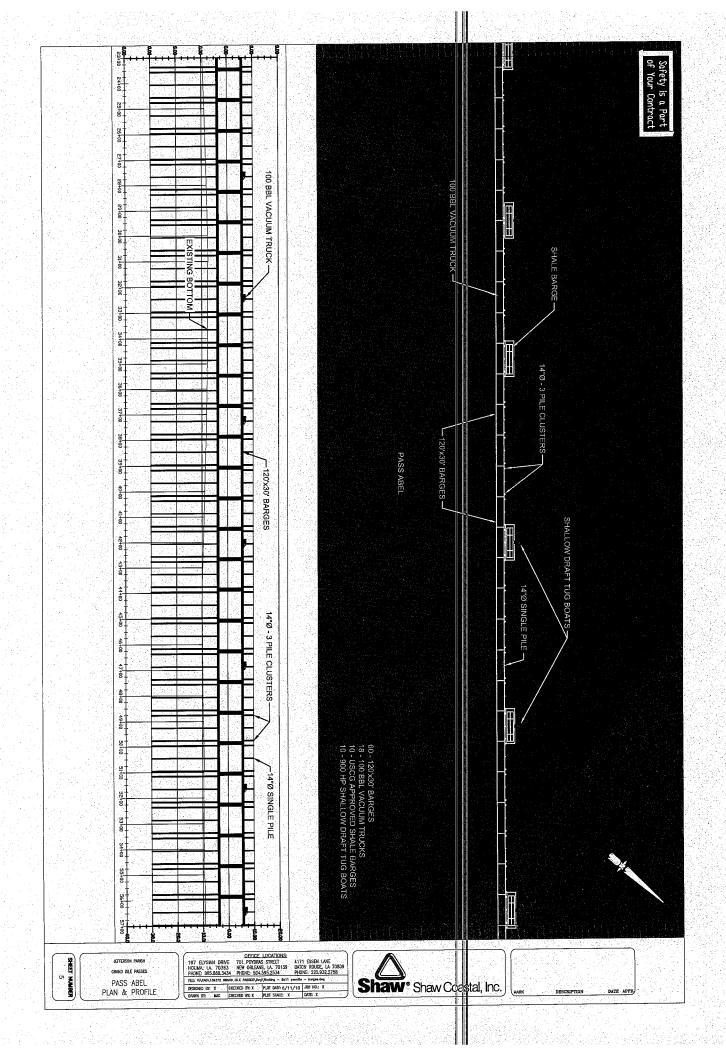
Chief, Regulatory Branch

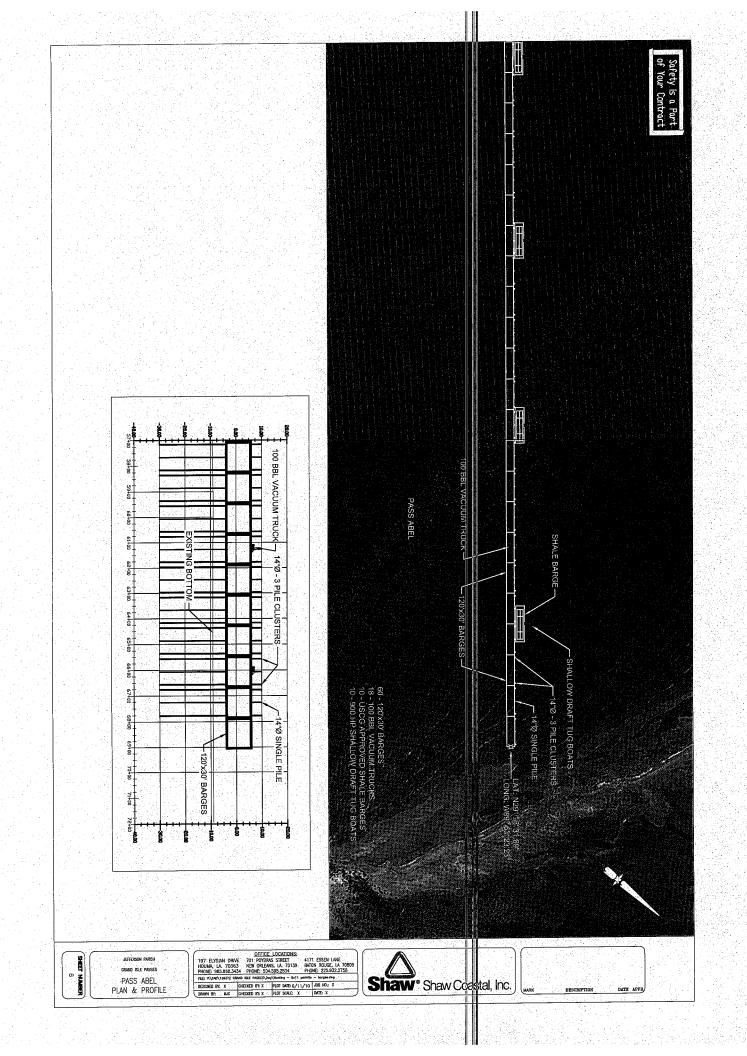


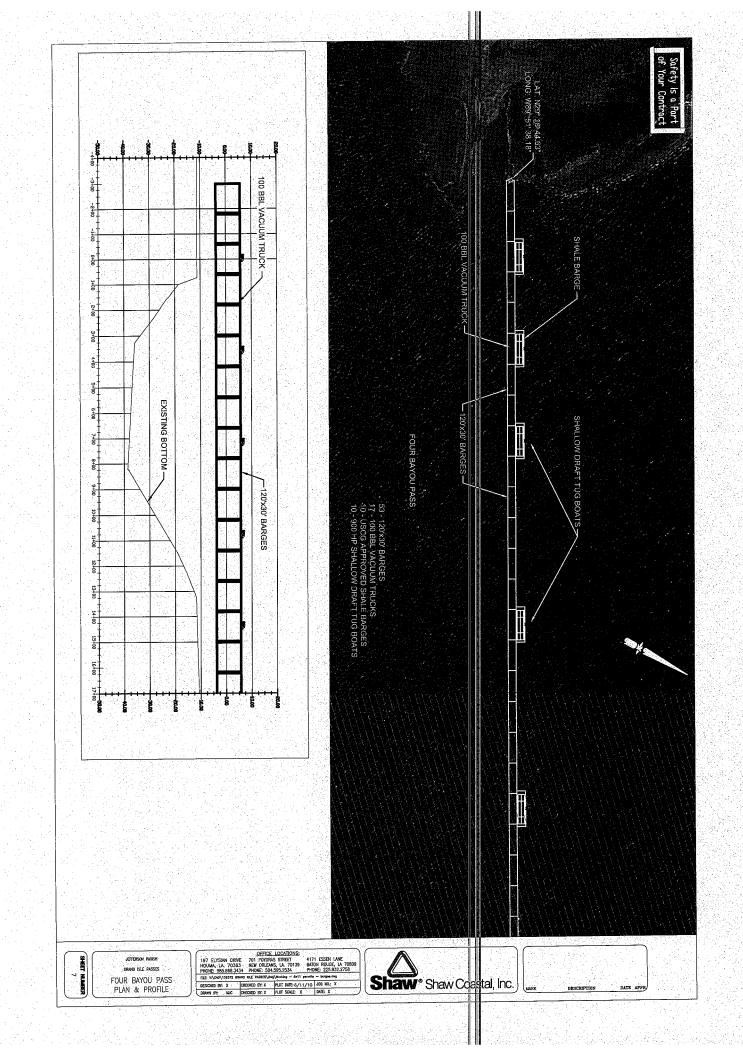


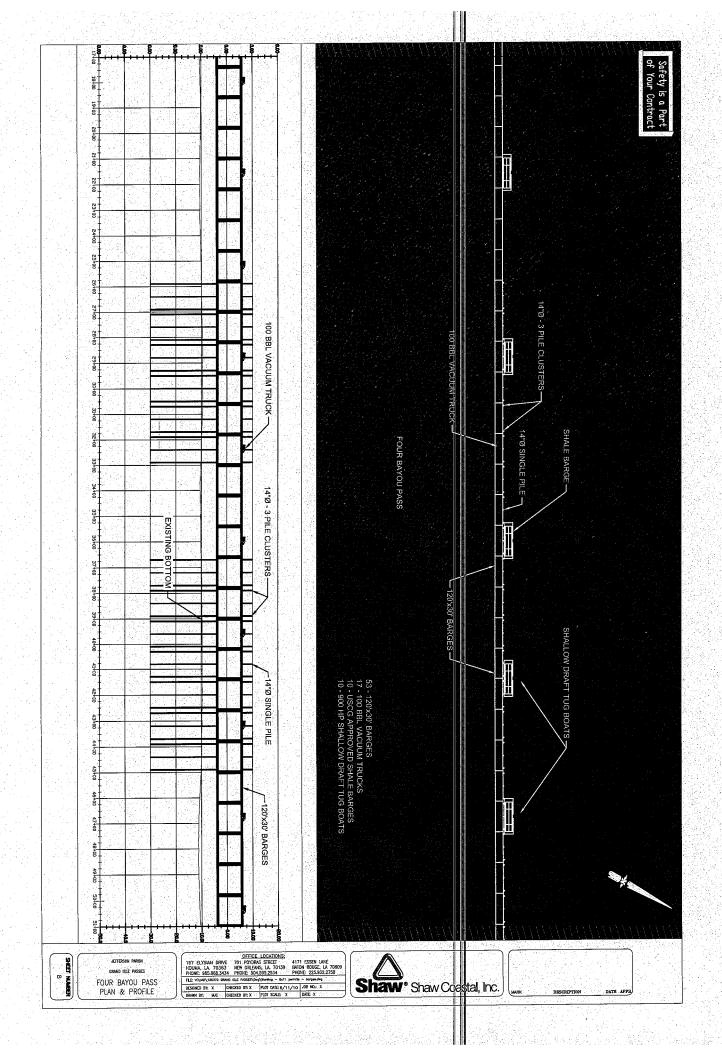


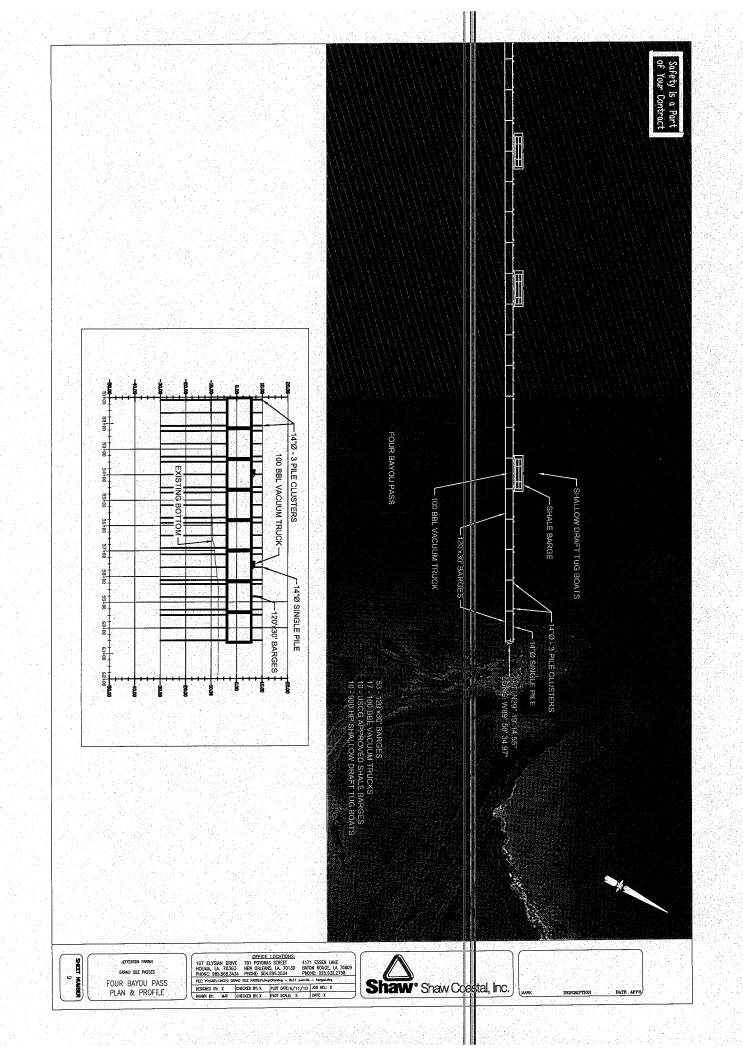


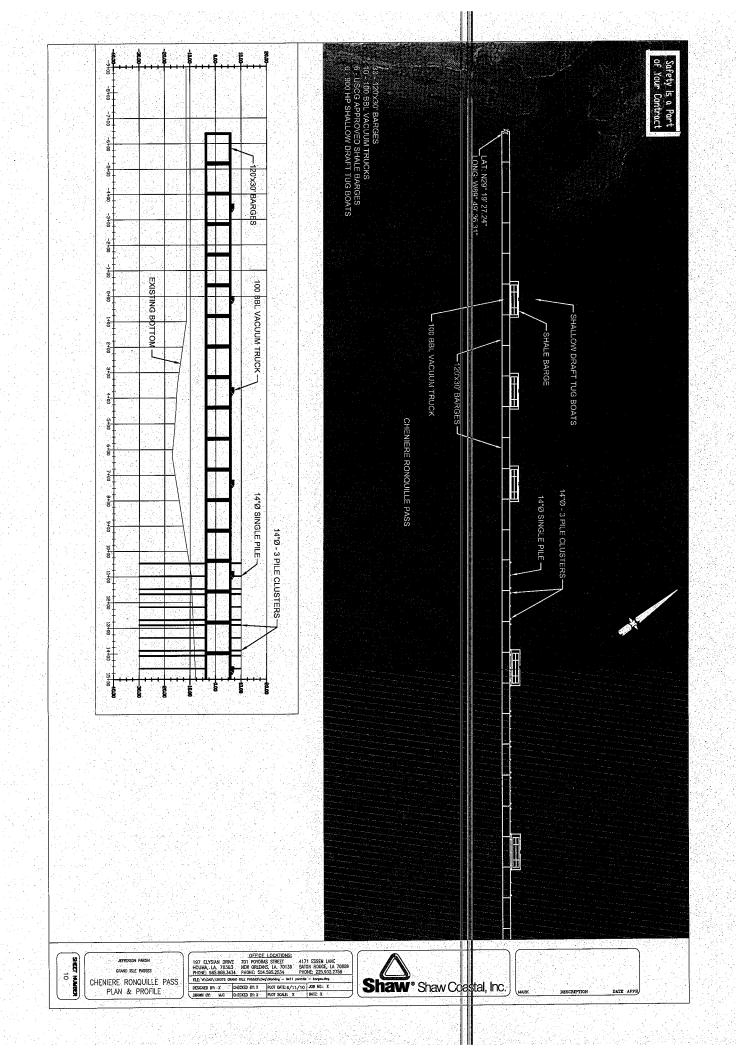


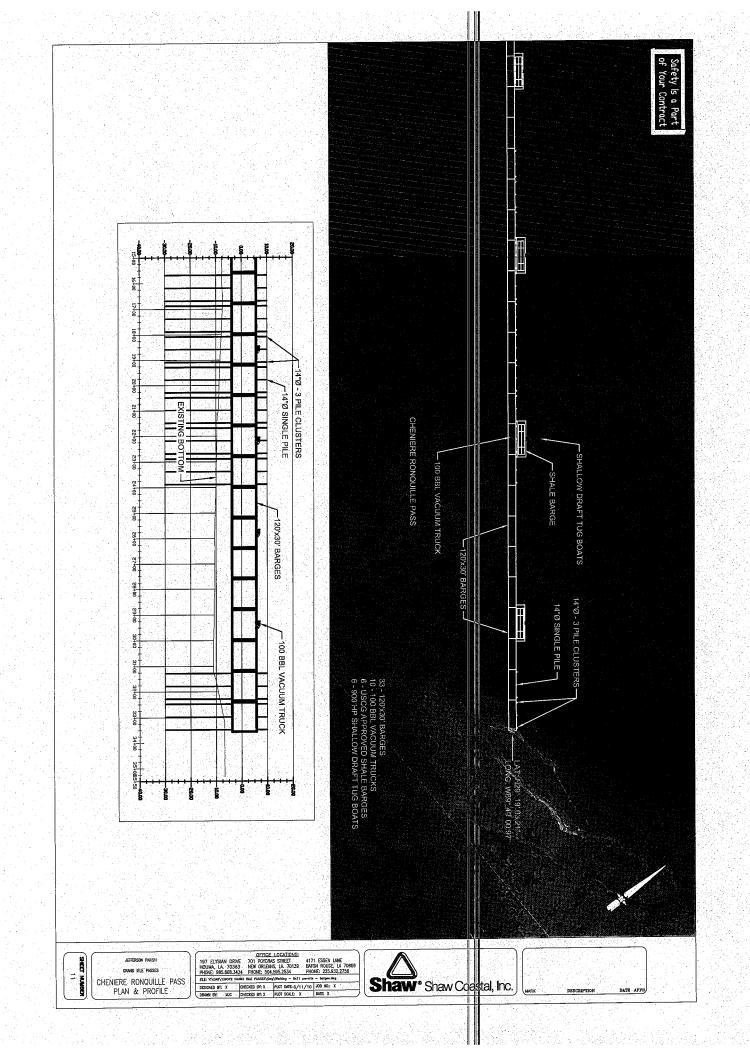












DECISION DOCUMENT FOR EMERGENCY PERMITTING VERIFICATION, NOD-20 ORM Number: MVN-2010-1342-EOO Applicant: Jefferson Parish Department of Environmental Affairs Project Location (Waterway, Section, Township, Range, City, County, State) At Pass Abel and Four Bayou Pass in Jefferson and Plaquemines Parishes, Louisiana. Complete: Yes No Receipt Date: June 11, 2010, modified June 16, 2010 Additional Information Requested Date: Application Complete Date: June 12, 2010 Waters of the US: yes *see Jurisdictional Determination form(s) dated: n/a Authority: Section 10 \(\subseteq \text{ Section 404 } \subseteq \text{ Section 103 } \subseteq \) Project Description (Describe activities in waters of the U.S. authorized by verification): To place pilings in Pass Abel and Four Bayou Pass for the installation of boom and 120'x30' barges to extend across the passes when the threat of oil is present. Project Purpose: Provide protection from the BP Deepwater Horizon Oil Discharge Type of Permit Verified: NOD-20 Pre-construction Notification Required: Yes No Coordination with Agencies/Tribes: Yes No Date: June 11 2010 Commenting Agencies: US Fish and Wildlife Service US Environmental Protection Agency National Marine Fisheries Service State Agency (if checked, list commenting state agencies) La. Dept. Wildlife and Fisheries, Department of Environemental Quality, Department of Natural Resources State Historic Preservation Office Other: Substantive Issues and Corps Resolution: Coordination conducted with all pertinent resource agencies. Special conditions incorperated as part of the emergency authorization. Compliance with Other Federal Laws (If specific law is not applicable write N/A in the

adjacent text box): N/A

a)	그러나 얼마나 하는 얼마나 하는 사람들은 사람들이 되었다면 하는 것이 되었다. 그 사람들은 사람들이 되었다면 하는 것이 되었다면 하는 것이 되었다면 하는 것이 없다면 하는 것이 없다면 하는 것이다면	
14 1	Name of species present: Piping Plover and Critical Habitat	
	Effects determination: When practicable, the permittee shall	avoid impacting
	the Federally threatened piping plover and its critical habita	
	In a federal ty time at the mage levy levy vistor to the may	mum oxtont
	dune/vegetation line to the mean low, low water, to the max	mum extent
	possible	
	Date of Service(s) concurrence:	
	Basis for "no effect" determination:	
	Additional information (optional):	
b)	Magnuson-Stevens Act (Essential Fish Habitat): The summ	arized comments
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	were provided on behalf of the EFH provisions of the Magn	
	Fishery Conservation and Management Act and the Fish and	
	Coordination Act. 1. The barge closure should be lighted in	accordance to
	USCG requirements. 2. Prior to construction, a magnotomet	
	be completed to aviod potential spill related impacts that con	
	rupturing pipelines during project construction. 3. No excav	
	authorized. 4. Pre and Post construction monitoring to quant	
	wetlands and special aquatic sites. 5. Removal of barges and	pilings after the
	threat has passed. 6. Within six months of the removal of the	barges, a
	monitoring report should be submitted. 7. Permittee respons	ble for mitigating
	all adverse impacts.	
	Name of species present: N/A	
	Effects determination: N/A	
	Date of Service(s) concurrence:	
	Basis for "no effect" determination:	
	Additional information (optional):	
	그런 하는 사람들은 사람이 하는 것이 되는 것 같아. 그리다	
c)	Section 106 of the National Historic Preservation Act:	
	Known site present: ☐ yes ☒ no	
	Survey required/conducted: yes no	
0.		
	Effects determination:	
	Rationale:	
	Date consultation complete (if necessary):	
	Additional information (optional):	
	그 사람들이 가게 되면 살아내는 그 그 그 그 그 나를 다니다.	
d)	Section 401 Water Quality Certification:	
	Individual certification required: ☐ yes ☒ no	
	Issued waived denied.	
_	Additional information (optional): Blanket approval from	■ 1. 化氯酸甲基氯化物 医原性 化氯化物 医动物 化二氢苯二氮氮
	partment of Environmental Quality (DEQ) for the NOD-20.	
201	tification requirements will be coodinated during the ATE pro	LCASC

e) Coastal Zone Management Act: Individual certification required: yes no
Issued 🖂 waived 🦳 denied 🔝
Additional information (optional): Issued on June 11, 2010 Our authorization
specifies that this authorization does not obviate the applicant from acquiring a
Louisiana Coastal Use Permit or any other federal, state, or local approvals that
may be required by law.
f) Wild and Scenic Rivers Act:
Project located on designated or "study" river: yes in no
Managing agency:
Date written determination provided that the project will no adversely affect the
Wild and Scenic River designation or study status:
Additional information (optional):
g) Others (Specify):
Special Conditions Required: yes no (If yes, provide rationale for each required condition):
General Conditions of the NOD-20 emergeny authorization incorporated into the NOD-20 permit
instrument. Special conditions were also added to address resource agency points of concern and
minimize impacts to the ecosystem. Specific conditions may be incorperated as part of the ATF
Individual Permit, pending submital and processing of the application.
Individual 1 ethins, pending submittal and processing of the approach.
Compensatory Mitigation Required: yes no (If yes, provide rationale for compensatory
mitigation required): A final decision on Compensatory Mitigation will be made upon completion of the
fortcoming ATF application process.
Torteonning 7.11 approducion process.
Determination: I have reviewed the proposed project and determined that the work will result in
minimal individual and cumulative adverse effects on the aquatic environment.
This project complies with all terms and conditions of the NOD-20 including any applicable Regional
Conditions.
\mathcal{Z}
Prepared by: Env. Resources Specialist
11/1/2011
Reviewed by: The Market Chief. D-SE
Date: 3 14, 2010
Date: 4.2010



JEFFERSON PARISH LOUISIANA

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

Our Mission Is:
"Provide the services, leadership, and vision to improve the quality of life

in Jefferson Parish."

STEVE J. THERIOT PARISH PRESIDENT

June 11, 2010

MARNIE WINTER DIRECTOR

Mr. Pete Serio, Chief Regulatory Branch U. S. Army Corps of Engineers New Orleans District P. O. Box 60267 New Orleans, Louisiana 70160-0267

Subject:

Emergency Authorization for Piling Installation

Dear Mr. Serio:

Jefferson Parish is hereby requesting emergency authorization to install pilings to secure boom and barges in five passes along the Jefferson Parish barrier islands to reduce inland movement of oil from the BP Deepwater Horizon Oil Spill. The pilings will be installed in Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass and Cheniere Ronquille Pass as shown in the attached drawings which depict a typical configuration using 120' x 30' barges held in place with three-pile and single-pile clusters. The closure plan also includes shale barges placed adjacent to the closure barges and held in place with shallow draft tug boats, vacuum trucks placed on the barges to suction off any gathered bil, and rigid boom also needed to direct and contain the oil. No wetlands will be impacted by the installation of pilings. Permit drawings are attached for your review.

Barges are already being staged at Bayou Rigaud and other areas in the vicinity of Grand Isle for deployment to close Pass Abel and Four Bayou Pass, which are the two passes approved for closure by the Coast Guard and the Unified Command Team. Accordingly, the most urgent need is for approval to install pilings at these two passes; review of the other three passes could occur separately if it would expedite the review.

Your prompt attention to this request is greatly appreciated. Should you have any questions or need additional information, please contact me at

Sincerely,

Marnie Winter, Director

Jefferson Parish Environmental Affairs

Marrieblite

Attachment

Hon. Steve Theriot, President, Jefferson Parish

Hon. Billy Nungesser, President, Plaquemines Parish

Hon. David Camardelle, Mayor, Town of Grand Isle

Hon. Tim Kerner, Mayor, Town of Jean Lafitte

Mr. Jose Gonzalez, COO, Jefferson Parish

Mr. Deano Bonano, Homeland Security Chief, Jefferson Parish

Mr. P.J. Hahn, Coastal Zone Management Director, Plaquemines Parish

Mr. Brad Laborde, U.S. Army Corps of Engineers

4901 JEFFERSON HIGHWAY, SUITE E., JEFFERSON, LOUS ANA 70121 (504) 731-4612 FAX (504) 731-4607

National Marine Fisheries Service Comments on Emergency Authorization Request fo Barge Closures

June 11, 2010

By electronic mail dated June 11, 2010, the U.S. Army Corps of Engineers, New Orleans District (NOD) requested natural resource agency review of the application by Jefferson Parish for emergency authorization to install and secure boom and barge closures in Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass, and Cheniere Ronquille Pass. The Corps of Engineers is considering emergency authorization of the proposal under provisions of General Permit NOD-20. Pilings in various numbers and spacing will be installed for mooring of the barges. The purpose of the proposal is to serve as a barrier for oil intrusion and provide a platform for oil recovery. Due to the limited time provided for agency review and response to the emergency authorization request, NMFS reserves the right to provide additional recommendations and permit conditions. Those recommendations could be provided during our review of a response to agency comments developed by the applicant, our review of proposed permit special conditions provided to NMFS by NOD personnel, or when a formal permit application is processed within 30 days of permit issuance as required by provisions of General Permit NOD-20.

General Comments

NMFS believes the barge proposal to be a lesser environmentally damaging and practicable alternative to the rock dike closure of these passes, although it is understood that this proposal is an interim measure and not a replacement of the proposed rock dike closures under concurrent, but separate consideration for emergency authorization.

Potential Adverse Impacts

- The proposed action could result in adverse direct and indirect impacts to near shore, surf zone, sand flats, and back barrier marshes designated as essential fish habitat (EFH). Unintentional direct impacts from dredging or proposashing may occur as a result installing those barges adjacent to the existing shorelines. Additionally, wave and water flow patterns and velocity may be altered in such a manner that shorelines may be indirectly impacted from scouring.
- The proposed features may pose a safety risk for navigation and could also result in adverse environmental impacts should construction activities rupture oil or natural gas pipelines.

Procedural Concerns

• It is unclear if all barges would be in place in each pass at all times, including prior to and after oiling threats. This point of clarification is requested as it may relate to sequencing of avoidance and minimization of impacts.

Specific Comments

If the NOD determines that emergency authorization for this effort is warranted, NMFS recommends the following conditions be included in any permit issued for this barge closure project. These comments are provided under the authority of the EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act and the Fish and Wildlife Coordination Act.

- ✓ 1. The barge closure should be lighted in accordance to U.S.C.G requirements with a notification to mariners as deemed necessary.
- 7 2. Prior to construction, a magnetometer survey should be completed to avoid potential spill related impacts that could result from rupturing pipelines during construction of this project.
- ✓ 3. No excavation should be authorized with this project unless approved by the NOD through coordination with NMFS and the other natural resource agencies.
- ✓ 4. Pre (or concurrent) and post construction monitoring of the adjacent shorelines in the vicinity of the barges should be conducted to quantify the amount of impact to wetlands and other habitat designated as EFH. Monitoring should consist of a Global-Position-Satellite determination of the existing shorelines plotted on the most recent low altitude aerial photography presently available for oil spill response or required under MVN-2010-01066-ETT for the authorized sand berm. Determination of the shoreline should include the passes and extending no less than 500 feet along the bay and gulf shorelines.
- ✓ 5. Barges and pilings should be removed after the threat of oil intrusion has passed.
- '6. Within six months of removal of the barges after conclusion of the emergency, the permittee shall submit a monitoring report to the NOD, NMFS, and other interested natural resource agencies that includes the monitoring data and results.
- 7. The permitted shall be responsible for mitigating all unavoidable adverse impacts to wetlands and other EFH. An acceptable mitigation p an should be developed through coordination with NOD, NMFS, and other interested natural resource agencies. Mitigation, if deemed necessary, should be required to be implemented as quickly as practicable or temporal loss of habitat function may be assessed and be required to be mitigated.

Farabee, Michael V MVN

Ettinger.John@epamail.epa.gov From: Friday, June 11, 2010 4:48 PM Sent:

Laborde, Brad MVN; Seth_Bordelon; Balkum, Kyle; lichard hartman; Jamie Phillippe; Patrick Williams; Butler, Dave; Joseph "Jay" Pecot; Christine Charrier; Walther, David; Karl Morgan Serio, Pete J MVN; Mayer, Martin S MVN; Farabee, Michael V MVN; To:

Cc: Watson.Jane@epamail.epa.gov; Woodka.Janet@epamail.epa.gov;

Honker.William@epamail.epa.gov; EOC_Water; Miller.Clay@epamail.epa.gov;

Landers.Timothy@epamail.epa.gov; McCormick.Kaien@epamail.epa.gov; Brittany Croll;

Re: NOD-20 request: Piling installation for barge placement within 5 passes in Plaquemines Subject:

and Jefferson Parishes

Brad,

EPA has reviewed the following emergency request submitted by Jefferson Parish Environmental Affairs to place pilings in Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass, and Chenier Ronquille Pass for the installation of 120'x30' barges to extend across the 5 passes when the threat of oil is

In addition to the pilings, shale barges and shall www draft tug boats will be placed on the bay side of the barrier for support. The 120' x 30' barges will be equipped with rigid boom and vacuum trucks (in select areas) for oil containment and removal.

This proposal is located in the exact locations of an earlier rock jetty proposal by Plaquemines and Jefferson Parishes which EPA and NOAA commented recommending denial. This proposal for pilings/barges/booms appears to be only a Section 10 Rivers and Harbors Act regulated activity. The proposal does not indicated a discharge of dredged or fill material and therefore would not require CWA Section 404 authorization

This proposal is a significant reduction in environmental impacts from the rock jetty proposal and is a less environmentally damaging alternative that meets the project purpose. EPA does not object to this barge/boom/pilings projectm. EPA vill defer to NOAA Fisheries and USFWS for any fish and wildlife concerns. EPA would advise that NOAA Fisheries and USFWS be consulted on these matters.

Thank you.

---- Original Message -----

From: "Laborde, Brad MVN" [Brad.Laborde@usace.army.mil]

Sent: 06/11/2010 12:07 PM EST

To: <Seth_Bordelon@fws.gov>; "Balkum, Kyle" <kbalkum@wlf.la.gov>; <richard.hartman@noaa.gov>; John Ettinger; "Jamie Phillippe" <Jamie.Phillippe@LA.GOV>; "Patrick Williams" <Patrick.Williams@noaa.gov>; "Butler, Dave" <dbutler@wlf.la.gov>; "Joseph \"Jay\" Pecot" <Jay.Pecot@LA.GOV>; "Christine Charrier" <Christine.Charrier@LA.GOV>; "Walther, David" <david_walther@fws.gov>; "Karl Morgan" <Karl.Morgan@LA.GOV>

Cc: "Serio, Pete J MVN" <Pete.J.Serio@usace.army.mil>; "Mayer, Martin S MVN" <Martin.S.Mayer@usace.army.mil>; "Farabee, Michael V MVN" <Mithael.V.Farabee@usace.army.mil> Subject: RE: NOD-20 request; Piling installation for barge placement within 5 passes in Plaguemines and Jefferson Parishes

Here are the attachments, sorry.

Brad LaBorde

In order to assist us in improving our service to you, please complete the survey found at: http://per2.nwp.usace.army.mil/survey.html

----Original Message----

From: Laborde, Brad MVN

Sent: Friday, June 11, 2010 12:05 PM

To: 'Seth_Bordelon@fws.gov'; 'Balkum, Kyle'; 'richard.hartman@noaa.gov'; 'John Ettinger - EPA'; 'Jamie Phillippe'; 'Patrick Williams'; 'Butler, Dave'; Joseph "Jay" Pecot'; 'Christine

Charrier'; Walther, David; 'Karl Morgan'

Cc: Serio, Pete J MVN; Mayer, Martin S MVN; Farabee, Michael W MVN

Subject: NOD-20 request; Piling installation for barge placement within 5 passes in

Plaquemines and Jefferson Parishes

Please review the attached emergency request submitted by Jefferson Parish Environmental Affairs to place pilings in Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass, and Chenier Ronquille Pass for the installation of 120'x30' barges to extend across the 5 passes when the threat of oil is

present. In addition to the pilings, shale barges and shallow draft tug boats will be placed on the bay side of the barrier for support. The 120' x 30' barges will be equipped with rigid boom and vacuum trucks (in select areas) for oil containment and removal.

Please provide your comments by 3:00 pm on Friday, June 11, 2010.

Thank you,

Brad LaBorde Environmental Resources Specialist Eastern Evaluation Section (504) 862-2225 (504) 862-2117 - fax

In order to assist us in improving our service to you, please complete the survey found at http://per2.nwp.usace.army.mil/survey.html

Laborde, Brad MVN

Jamie Phillippe [Jamie.Phillippe@LA.GOV] From:

Friday, June 11, 2010 3:00 PM Sent:

Laborde, Brad MVN To:

Chris Piehler, Dwight Bradshaw, Jeff Dauzat, Chery Nolan, Melvin "Mitch" Mitchell, Tom Cc: Killeen; Gary Aydell; Ronnie Bean; Betty Brousseau, Sanford Phillips; Rodney Mallett; DEQ-

BP Deepwater Horizon Oil Spill

RE: NOD-20 request; Piling installation for barge placement within 5 passes in Plaquemines Subject:

and Jefferson Parishes

Brad.

DEQ has no objection to this project.

Thanks, Jamie Phillippe Louisiana Department of Environmental Quality 401 Water Quality Certifications

-----Original Message-----

From: Laborde. Brad MVN [mailto:Brad Laborde@usace.army.mil]

Sent: Friday, June 11, 2010 12:07 PM

To: Seth_Bordelon@fws.gov; Balkum, Kyle; richard.hartman@noaa.gov; John Etlinger - EPA; Jamie Phillippe; Patrick Williams; Butler, Dave; Joseph "Jay" Pecot; Christine Charrier; Walther, David; Karl Morgan

Cc: Serio, Pete J MVN; Mayer, Martin S MVN; Farabee, Michael V MVN

Subject: RE: NOD-20 request; Piling installation for barge placement within 5 passes in Plaquemines and Jefferson

Parishes

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Brad LaBorde

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----Original Message----From: Laborde, Brad MVN

Sent: Friday, June 11, 2010 12:05 PM

To: 'Seth_Bordelon@fws.gov'; 'Balkum, Kyle'; 'richard.hartman@noaa.gov'; 'John Ettinger - EPA'; 'Jamie Phillippe';

'Patrick Williams'; 'Butler, Dave'; 'Joseph "Jay" Pecot'; 'Christine Charrier'; Walther, David; 'Karl Morgan'

Cc: Serio, Pete J MVN, Mayer, Martin S MVN, Farabee, Michael V MVN

Subject: NOD-20 request; Piling installation for barge placement within 5 passes n Plaquemines and Jefferson Parishes

Please review the attached emergency request submitted by Jefferson Parish Environmental Affairs to place pilings in Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass, and Chenier Ronguille Pass for the installation of 120'x30' barges to extend across the 5 passes when the threat of oil is

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vacuum trucks (in select

areas) for oil containment and removal.

Please provide your comments by 3:00 pm on Friday, June 11, 2010.

Thank you,

Brad LaBorde Environmental Resources Specialist Eastern Evaluation Section (504) 862-2225 (504) 862-2117 - fax

In order to assist us in improving our service to you, please complete the survey found at http://per2.nwp.usace.army.mil/survey.html

2257652625



DAVE BUTLER

BOBBY JINDAL GOVERNOR

State of Touisians

ROBERT J. BARHAM SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES OFFICE OF WILDLIFE

JIMMY L. ANTHONY ASSISTANT SECRETARY

June 11, 2010

Mr. Pete J. Serio, Chief Regulatory Branch United States Army Corps of Engineers P. O. Box 60267 New Orleans, LA 70160-0267

RE:

Application Number: Emergency Authorization for Piling Installation

Applicant: Jefferson Parish Environmental Affairs

Public Notice Date: June 11, 2010

Dear Mr. Serio:

The professional staff of the Louisiana Department of Wildlife and Fisheries (LDWF) has reviewed the above referenced emergency activity referenced above. Based upon this review, the following has been determined:

According to the Louisiana Department of Natural Resources (LDNR) Coastal Management Division, the proposed installation of pilings constitutes an emergency; therefore, LDWF will not object to LDNR's issuance of an emergency use authorization.

LDWF requests that the applicant notify each oyster lease holder affected within 500 feet of the proposed activity prior to commencement of the proposed activity.

The Louisiana Natural Heritage Database indicates the presence of bird nesting colonies within one mile of this proposed project. If the project will be occurring during the nesting season (Feb 16th-Sept. 15th) please consult with the Michael Seymour the Louisiana Natural Heritage Program Ornithologist at

Our Database also indicates that several federally listed or state rare species and natural communities are known to occur in the area. These species and communities include sea piping plover, grass beds, coastal mangroves, manatees, diamondback terrapin and sea turtles.

All structures must be marked/lighted in accordance with U.S. Coast Guard regulations. These markers/lights, if required, must be maintained until such time as all potential hazards to navigation are removed. All structures shall be removed upon the determination by State and Federal regulatory authorities that there is no longer a

Application Number: Emergency Authorization for Piling Installation

2257652625

June 11, 2010

significant risk of contamination from the BP Horizon O 1 spill to lands in this project area or within two (2) years from the date of this permit, whichever comes first, unless specifically directed to handle otherwise by the ATF permit for this activity.

The Louisiana Department of Wildlife and Fisheries appreciates the opportunity to review and provide recommendations to you regarding this proposed activity. Please do not hesitate to contact Habitat Section biologist Chris Davis at should you need further assistance.

Sincerely,

Jimmy L. Anthony Assistant Secretary

cd/cm/cm

c: Chris Davis, Biologist
Carolyn Michon, Biologist
Christy McDonough, Biologist

The U.S. Fish and Wildlife Service (Service) is in receipt of your June 11, 2010, electronic transmittal requesting comments pertaining to emergency authorization of Jefferson Parish Government's proposal to construct a barge barrier in 5 passes (Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass, and Chenier Ronquille Pass) along the efferson and Plaquemines Parish barrier island chain. Pilings would be driven in the passes to secure barges and booms. The comments below are submitted in accordance with the technical assistance provisions of the Fish and Wildlife Coordination Act (FWCA; 48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), but do not constitute the report of the Secretary of the Interior as required by Section 2(b) of that Act. In addition, these comments pertain to the Migratory Bird Treaty Act (MBTA) (40 Stat. 755, as amended; 16 U.S.C. 703 et seq.), and provide emergency informal consultation information under the authority of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) in anticipation of emergency consultation.

The Service is committed to the protection of Louisiana's wetlands from ongoing land loss and the added impact of the oil spill. We also remain committed to working closely with all agencies involved in spill response efforts to further explore alternatives and alternative features in order to reduce the current degree of risk and uncertainty associated with any oil spill response activities.

On May 12, 2010, the Service provided a memo transmitting ESA ethergency consultation recommendations to Federal Agencies. If the Corps determines that emergency authorization is warranted, in addition to the guidance provided in that memo, our office would like to add the following recommendations specifically designed to protect the Federally threatened piping plover and its critical habitat (CH):

1. Piping plover CH includes Elmer's Island, Grand Isle, and East Grand Terre. To the maximum extent possible, avoid impacts to island habitat from the dune/vegetation line to mean low low water (i.e., within CH). If this is not possible, in order to minimize disturbance to feeding and resting piping plovers, construction activity should be limited in CH to the maximum extent possible.

The Migratory Bird Treaty Act prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the U.S. Department of the Interior. While the Act has no provision for allowing unauthorized take, the Service realizes that some birds may be killed during emergency response activities even if all reasonable measures to protect birds are implemented. The Service's Office of Law Enforcement carries out its mission to protect migratory birds through investigations and enforcement, as well as by fostering relationships with individuals, companies, and industries that have taken effective steps to minimize their impacts on migratory birds, and by encouraging others to enact such programs. It is not possible to absolve individuals, companies, or agencies from liability even if they implement avian mortality avoidance or similar conservation measures. However, the Office of Law Enforcement focuses its resources on investigating and prosecuting individuals and companies that take migratory birds without regard for their actions or without following an agreement such as this to avoid take.

The Service suggests the following recommendations as mitigative measures to minimize project-associated impacts to migratory birds:

- 1. To minimize disturbance to colonies containing nesting gulls, terms, and/or black skimmers, the Service typically recommends that pile driving activity occurring within 650 feet of a colonial nest site be restricted to the non-nesting period (i.e., September 16 through April 1). The Service should be notified when colonial bird nest sites a eldentified, and no activity should occur within a recommended buffer zone during the nesting season. With the Service's assistance, a qualified observer should monitor each colonial nest site to determine the minimum distance at which construction can occur without disturbing nesting birds. That distance could be utilized as the construction zone buffer for that nesting area and a boom(s) could be placed in lieu of the barges within that buffer distance until nesting is complete, at which time the barges can be installed.
- 2. An additional precaution would include limiting pile driving activities that are closest to the nesting sites to the cooler parts of the day (i.e., morning and evening).

Laborde, Brad MVN

From:

Corbino, Jeffrey M MVN

Sent:

Friday, June 11, 2010 2:23 PM

To: Cc:

Brown, Jane L MVN Laborde, Brad MVN

Subject:

RE: NOD-20 request; Piling installation for barge placement within 5 passes in Plaquemines

and Jefferson Parishes

No comments from OD-T.

----Original Message----From: Brown, Jane L MVN

Sent: Friday, June 11, 2010 2:06 PM

To: Corbino, Jeffrey M MVN; Creef, Edward D MVN

Subject: FW: NOD-20 request; Piling installation for barge placement within 5 passes in Plaquemines and Jefferson

Parishes

Here's another one

----Original Message----From: Laborde, Brad MVN

Sent: Friday, June 11, 2010 12:11 PM

To: Baumy, Walter O MVN; Schindler, Paige P MVN; Brown, Jane L MVN

Subject: FW: NOD-20 request; Piling installation for barge placement within 5 passes in Plaquemines and Jefferson

Parishes

Please review the attached emergency request submitted by Jefferson Parish Environmental Affairs to place pilings in Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass, and Chenier Ronquille Pass for the installation of 120'x30' barges to extend across the 5 passes when the threat of oil is present. In addition to the pilings, shale barges and shallow draft tug boats will be placed on the bay side of the barrier for support. The 120' x 30' barges will be equipped with rigid boom and vacuum trucks (in select areas) for oil containment and removal.

Please provide your comments by 3:00 pm on Friday, June 11, 2010.

Thank you,

Brad LaBorde **Environmental Resources Specialist** Eastern Evaluation Section (504) 862-2225 (504) 862-2117 - fax

In order to assist us in improving our service to you, please complete the survey bund at http://per2.nwp.usace.army.mil/survey.html

Laborde, Brad MVN

From:

Brown, Jane L MVN

Sent:

Friday, June 11, 2010 2:06 PM

To:

Laborde, Brad MVN

Subject:

FW: NOD-20 request; Piling installation for barge placement within 5 passes in Plaquemines

and Jefferson Parishes

Attachments:

Barge & Pilings permit drawings_all sheets 8x11 - 6 11 10.pdf; Request to COE for

Emergency Authoriz. Pilings Barges 06-11-10.pdf

I have no objection to closing Pass Abel, Four Bayou Pass, Caminada Pass, Chenier Ronquille Pass. I did want to get Don's opinion on Barataria since it is a federal navigation channel. I will email you his response. Thanks

----Original Message-----From: Laborde, Brad MVN

Sent: Friday, June 11, 2010 12:11 PM

To: Baumy, Walter O MVN; Schindler, Paige P MVN; Brown, Jane L MVN

Subject: FW: NOD-20 request; Piling installation for barge placement within 5 passes in Plaquemines and Jefferson

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Please provide your comments by 3:00 pm on Friday, June 11, 2010.

Thank you,

Brad LaBorde Environmental Resources Specialist Eastern Evaluation Section (504) 862-2225 (504) 862-2117 - fax

In order to assist us in improving our service to you, please complete the survey bund at http://per2.nwp.usace.army.mil/survey.html



JEFFERSON PARISH LOUISIANA

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

June 11, 2010

Our Mission Is:

"Provide the services, leadership, and vision to improve the quality of life in Jefferson Parish."

MARNIE WINTER DIRECTOR

STEVE J. THERIOT PARISH PRESIDENT

> Mr. Pete Serio, Chief Regulatory Branch U. S. Army Corps of Engineers New Orleans District P. O. Box 60267 New Orleans, Louisiana 70160-0267

Subject:

Emergency Authorization for Piling Installation

Dear Mr. Serio:

Jefferson Parish is hereby requesting emergency authorization to install pilings to secure boom and barges in five passes along the Jefferson Parish barrier islands to reduce inland movement of oil from the BP Deepwater Horizon Oil Spill. The pilings will be installed in Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass and Cheniere Ronquille Pass as shown in the attached drawings which depict a typical configuration using 120° x 30° barges held in place with three-pile and single-pile clusters. The closure plan also includes shale barges placed adjacent to the closure barges and held in place with shallow draft tug boats, vacuum trucks placed on the barges to suction off any gathered oil, and rigid boom also needed to direct and contain the oil. No wetlands will be impacted by the installation of pilings. Permit drawings are attached for your review.

Barges are already being staged at Bayou Rigaud and other areas in the vidinity of Grand Isle for deployment to close Pass Abel and Four Bayou Pass, which are the two passes approved for closure by the Coast Guard and the Unified Command Team. Accordingly, the most urgent need is for approval to install pilings at these two passes; review of the other three passes could occur separately if it would expedite the review.

Your prompt attention to this request is greatly appreciated. Should you have any questions or need additional information, please contact me at

Sincerely,

Marnie Winter, Director

Jefferson Parish Environmental Affairs

Attachment

Hon. Steve Theriot, President, Jefferson Parish

Hon. Billy Nungesser, President, Plaquemines Parish

Hon. David Camardelle, Mayor, Town of Grand Isle

Hon. Tim Kerner, Mayor, Town of Jean Lafitte

Mr. Jose Gonzalez, COO, Jefferson Parish

Mr. Deano Bonano, Homeland Security Chief, Jefferson Parish

Mr. P.J. Hahn, Coastal Zone Management Director, Plaquemines Parish

Mr. Brad Laborde, U.S. Army Corps of Engineers

4901 JEFFERSON HIGHWAY, SUITE E., JEFFERSON, LOUS A NA 70121 (504) 731-4612 FAX (504) 731-4607 BOBBY JINDAL GOVERNOR



ROBERT D. HARPER **SECRETARY**

State of Louisiana

DEPARTMENT OF NATURAL RESOURCES OFFICE OF COASTAL MANAGEMENT

June 11, 2010

CERTIFIED MAIL NO. <u>0082570909</u>

Jefferson Parish, Department of Environmental Affairs 4901 Jefferson Highway

Suite E

Jefferson, LA 70121

Attn: Marnie Winter

EUA 10-057; Emergency Use Authorization

Description: Proposed temporary installation of fifteen (5) three and five (5) one pile clusters, 190 - 120'x 30' barges attached together across the POB/POE of each pass, 38 shale barges attached to the 120'x 30' barge string, 59 - 10 barrel vacuum trucks strategically placed on the 120'x 30' barges and thirty-six (36) shallow draft tugs to reduce the inland movement of oil from the BP Deepwater Horizon spill across Caminada Pass, Barataria Pass, Pass Abel, Four Bayou Pass, and Cheniere Ronquille Pass. Location: Caminada Pass Jetty 1 – POB: Lat. 29° 11' 36 36" N; Long. 90° 2' 51.30" W.; POE: 29° 11' 55.95" N; 90° 2' 29.59" W.; Barataria Pass letty 1 – POB: Lat. 29° 16' 04.9" N; Long. 89° 57' 04.95" W.; POE: 29° 16' 20.46" N; 89° 56' 45.31" W.; Pass Abel Jetty 1 – POB: Lat. 29° 17' 44.89" N; Long. 89° 54' 24.56" W.; POE: 29° 18' 31.69" N; 89° 53' 23.23" W.; Four Bayou Pass Jetty 1 – POB: Lat. 29° 18' 44.63" N; Long. 89° 51' 38.18" W.; POE: 29° 19' 14.55" N; 89° 50' 34.97" W.; Cheniere Ronquille Pass Jetty 1 -POB: Lat. 29° 19' 27.24" N; Long. 89° 49' 36.31" W.; POE: 29° 19' 03.21" N; 89° 49

Jefferson Parish, LA

Dear Ms. Winter:

00.97" W.

We have reviewed the information presented to the Office of Coastal Management (OCM) in your Emergency Use Authorization request dated June 11, 2010. Pursuant to the provisions contained in the LAC (Title 43, Part I, Chapter 7 §723.B.3.), the Emergency Use Authorization request is hereby granted. This Emergency Use Authorization provides only for that work necessary to accomplish the above referenced purpose and is contingent upon acceptance of the following conditions.

,111N 1 6 2010

- 1. This Emergency Use Authorization is strictly limited to the activity as described in your request and accompanying plats.
- 2. Dredge and fill activities for site access are not authorized unless specifically described in the work statement of this letter.
- 3. The applicant agrees, by virtue of the commencement of authorized activities, to submit to OCM, a complete application packet (\$100 application fee, Joint Application Form, vicinity plats, plan plats, cross section plats, etc.) for the activity not more than thirty (30) days from the date of this authorization. You may obtain a free application packet by calling our office at (225) 342-7591 or (800)-267-4019; or by visiting our website at http://www.dnr.state.la.us/crm/coastme/cup/cup.asp.
- 4. The applicant agrees, by virtue of the commencement of authorized activities, to avoid to the maximum extent practicable, vegetated wetland impacts, and if necessary to mitigate for those una voidable adverse impacts to vegetated wetlands, including submerged aquatics, should OCM determine that mitigation is necessary. Should OCM deem mitigation to be necessary, the applicant agrees, by virtue of the commencement of authorized activities, to submit and fulfill a mitigation plan that has been approved by OCM.
- 5. The applicant agrees, by virtue of the commencement of authorized activities, to adjust, alter, or remove any structure or other evidence of the authorized emergency use if, in the opinion of OCM, it proves to be beyond the scope of the authorized activity or is a landoned.
- 6. The applicant agrees, by virtue of the commencement of authorized activities, to hold and save the State of Louisiana, the Department of Natural Resources (DNR), and their officers and employees harmless from any damage to persons or property which might result from the emergency use.

- 7. The applicant agrees, by virtue of the commencement of authorized activities, to certify that the emergency use has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved by OCM as referenced herein. OCM may, when appropriate, require such certification by given by a registered engineer.
- 8. The applicant agrees, by virtue of the commencement of authorized activities, to ensure that this Emergency Use Authorization, or a copy thereof, shall be available for inspection at the work site at all times during operations.
- 9. The applicant agrees, by virtue of the commencement of authorized activities, to notify OCM of the date on which initiation of the authorized emergency activity began. The applicant shall notify CMD by mailing the enclosed green initiation card on the date of initiation of the authorized activities.
- 10. The applicant agrees, by virtue of the commencement of repair activities, to ensure that the authorized activity does not result in the blockage of any natural or manmade streams or sloughs. A follow-up investigation of the authorized work will be conducted by employees of OCM to determine compliance with this condition.
- 11. The area where the project is located is all part of the aboriginal homelands of the Chitimacha Tribe of Louisiana. As such, large villages, burial sites, and sacred sites were in place in that entire area. If at any time during the course of the work, any traditional cultural properties are discovered, Permittee shall immediately contact Kimberly S. Walden (Cultural Director) or Melanie Aymond (Research Coordinator) at (Cultural Director) or Melanie Aymond cultural properties are Monday through Thursday from 7:30 A.M. 5:00 P.M. and on Friday between 7:30 A.M. 11:30

 A.M. If traditional cultural properties are discovered on the weekend or after business hours, the notification shall be made the next business morning.

- 12. In order to ensure the safety of all parties, the permittee shall contact the Louisiana DOTTIE System (1-800-272-3020) a minimum of 48 hours prior to the commencement of any excavation (digging, dredging, jetting, etc.) or demolition activity.
- 13. The Louisiana Natural Heritage Program database indicates the presence of bird nesting colonies within one mile of this proposed project. If the project will be occurring during the nesting season (Feb. 16th Sept. 15th) please consult with Michael Seymour, the Louisiana Natural Heritage Program Ornithologist at Our database also indicates that several federally sted or rare species and natural communities occur in the area. These species and plover, sea grass beds, coastal mangroves, manatees, diamondback terrapin and sea turtles
- 14. All structures must be marked/lighted in accordance with U.S. Coast Guard regulations. These markers/lights, if required, must be maintained until such time as all potential hazards to navigation are removed. All structures shall be removed upon the determination by State and Federal regulatory authorities that there is no longer a significant risk of contamination from the BP Horizon Oil spill to lands in this project area or within two (2) years from the date of this permit, whichever comes first, unless specifically directed to handle otherwise by the ATF permit for this activity.
- All structures built under the authorization and conditions of this Emergency Use Authorization shall be removed from the site within 6 months of the end of the emergency clean-up activities, or when these structures fall into a state of disrepair such that they can no longer function as intended
- 16. The applicant agrees, by virtue of the commencement of authorized activities, to notify each affected oyster lease holder within 500 feet of the proposed activity prior to commencement of the proposed activity.

- 17. Unless otherwise specified, this Emergency Use Authorization will expire 30 days from the date of this letter, if the work has not been initiated or if the applicant has not submitted a complete Coastal Use Permit Application to CMD for the authorized activity. This expiration condition will be waived only if the applicant notifies CMD of the reason(s) for the delay and proposes an acceptable schedule for initiation of the work, or submits a complete Coastal Use Permit Application.
- 18. This authorization is not valid unless the applicant agrees to the terms and conditions provided for herein by executing in the space provided below.

Should you have any questions or need additional help, please feel free to contact Mrs. Christine Charrier, Acting Program Manager, at

Sincerely,

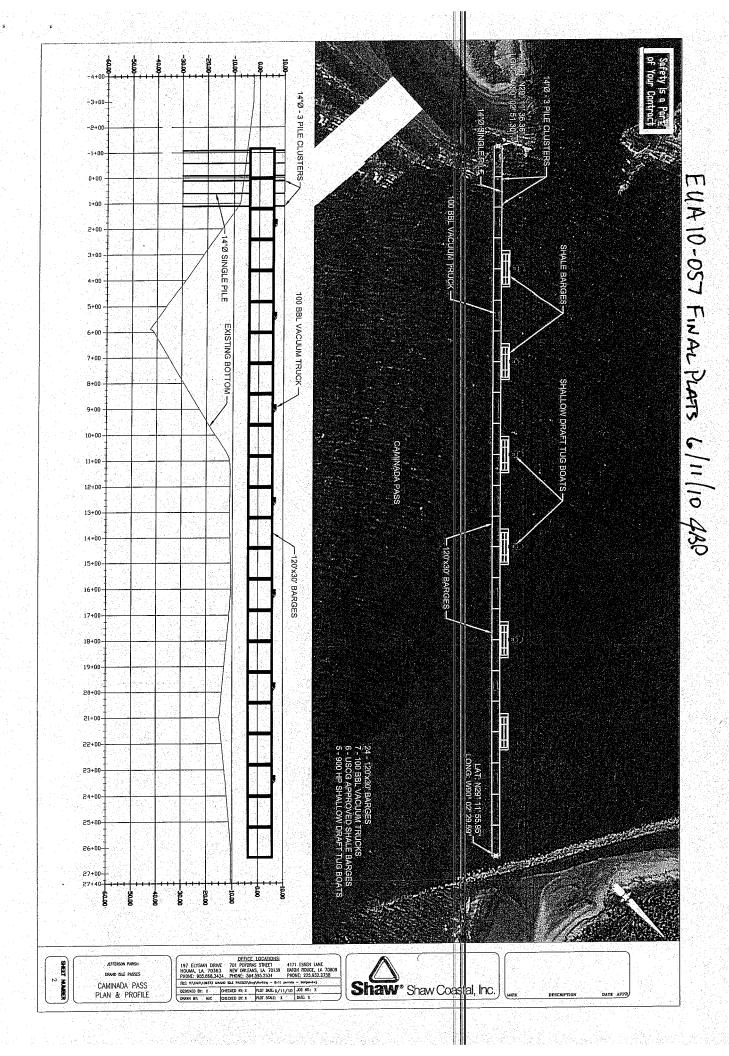
Karl Morgan

Karl L Mon

Acting Administrator

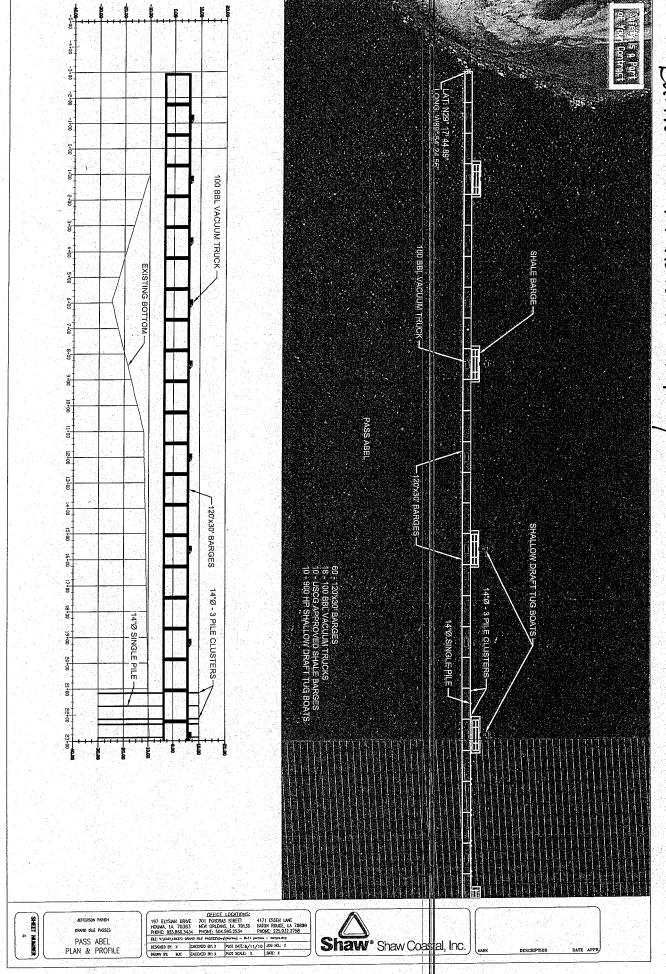
AGREED TO AND ACCEPT of	ГЕD by, 200			this	day
KM/jbp Attachments (green card and)	plats)				
CC: Pete Serio, COE W/pla David Butler, LDWF	w/plats				
Karl Morgan, CMD/S Frank Cole, CMD/FI					
Jason Smith, Jeffersor		3			

Safety is a Part of Your Contract PROPOSED BARGE CLOSURE CAMINADA PASS CAMINADA BAY ENA 10-057 FINAL PLATS 6/11/10 98P GULF OF MEXICO - PROPOSED BARGE CLOSURE BARATARIA PASS PROPOSED BARGE CLOSURE PASS ABEL PROPOSED BARGE CLÓSURE FOUR BAYOU PASS CHENIERE RONQUILLE PASS SHEET HUMBER JETTERSON PARISH GRAND ISLE PASSES Shaw Shaw Coasal, Inc. SITE PLAN

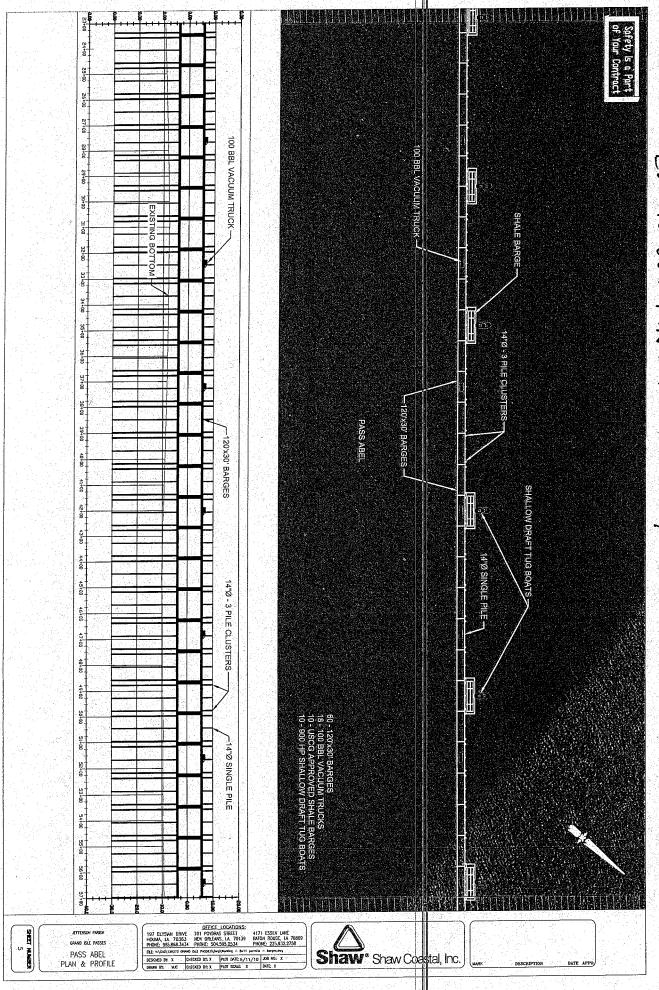


Safety is a Part of Your Egntract 100 BBL VACUUM TRUCK EUA10-057 FWA PLATS 6/11/10 989 LAT: N29° 16' 04.09" LONG: W89° 57' 04.95" 100-BB⊫VACUUM=TRUCK---BARATARIA PASS 120×30' BARGES-120'x30' BARGES SHALLOW DRAFT TUG BOATS EXISTING BOTTOM . 20 - 120×30' BARGES 7 - 100 BBL VACUUM TRUCKS 6 - USCG APPROVED SHALE BARGES 5 - 900 HP SHALLOW DRAFT TUG BOATS LAT: N29° 16' 20.46" LONG: W89° 56' 45.31" OFFICE LOCATIONS: 701 POYDRAS STREET NEW ORLEANS, LA. 70139 PHONE: 504.595.2534 SHEET NUMBER 4171 ESSEN LANE BATON ROUGE, LA 7080 PHONE: 225.932.2758 BARATARIA PASS Shaw Shaw Coa stal, Inc. PLAN & PROFILE

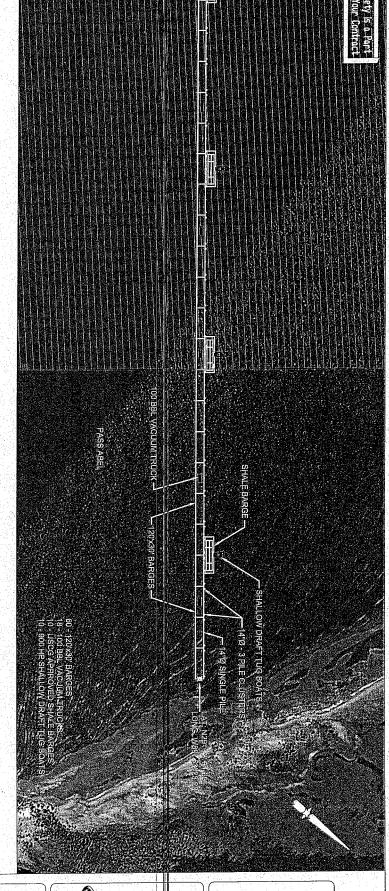
EUA10-057 FINAL PLATS 6/11/10 GBP

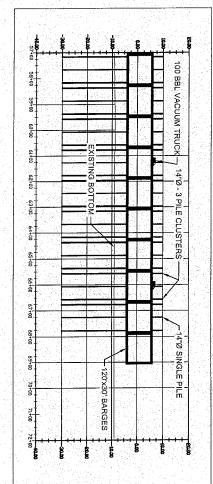


EUA10-057 FINAL PLATS 6/11/10 /60



EUA 10-057 FINAL PLATS 6/11/10 48P





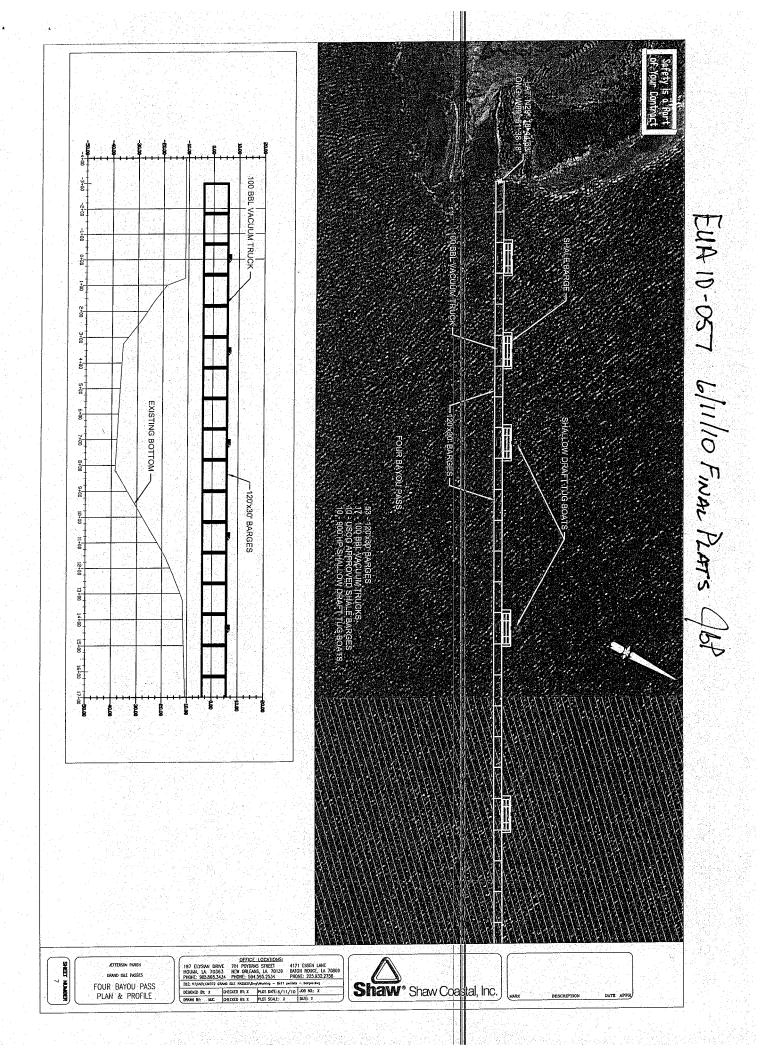
SHEET NUMBER

PASS ABEL PLAN & PROFILE

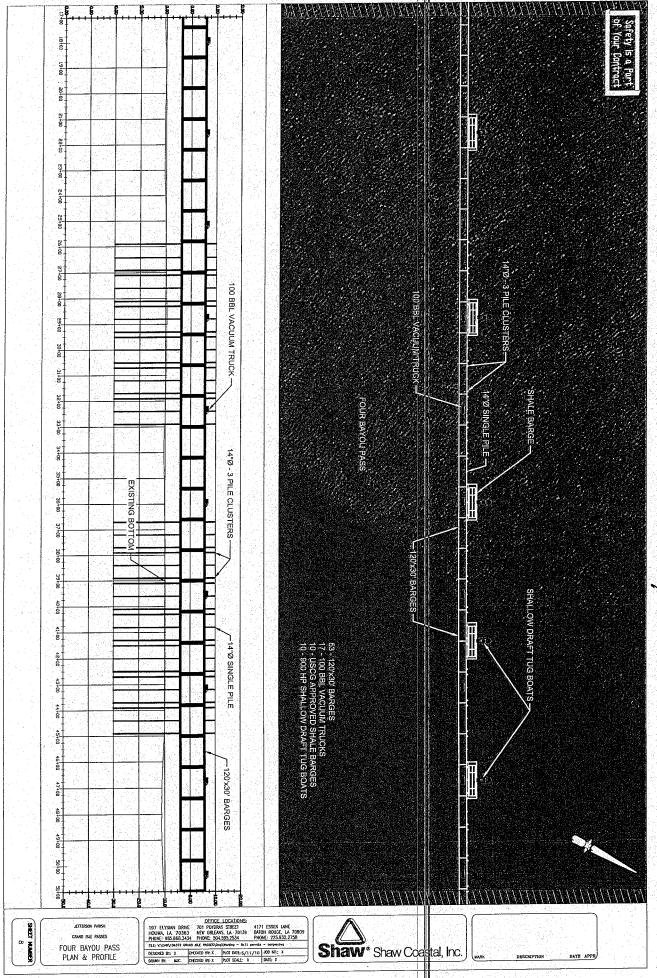


Shaw Shaw Coastal, Inc.

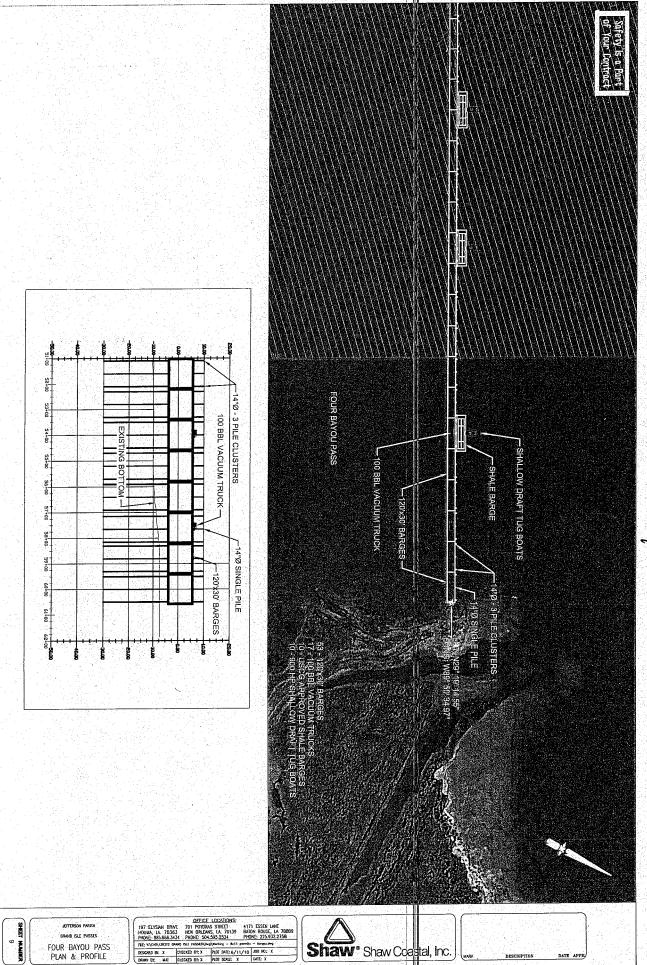




EUR10-057 FINAL PLATS 6/11/10 980



EUA 10-057 FINAL PLATS 6/11/10 489



120 x30 BARGES 100 BBL VACUUM TRUCKS ISOG APPROVED SHALE BARGES 100 HP SHALLOW DRAFT TUG BOATS EUA 10-057 FINAL PLATS 6/11/10 480 120'x30' BARGES EXISTING BOTTON 100 BBL VACUUM TRUCK —SHALLOW DRAFT TUG BOATS — 100 BBL VACUUM TRUCK -120'x30" BARGES-CHENIERE RONQUILLE PASS 14"Ø - 3 PILE CLUSTERS 14"Ø SINGLE PILE 14"Ø - 3 PILE CLUSTERS-14400 GRAND ISLE PASSES CHENIERE RONQUILLE PASS PLAN & PROFILE Shaw Coasial, Inc.

EUA 10-057 Final PLATS 6/11/10 GBP

