

JOINT PUBLIC NOTICE

August 19, 2013

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, Louisiana 70160-0267

(504) 862-2227
stephen.d.pfeffer@usace.army.mil
Project Manager
Stephen Pfeffer
Permit Application Number
MVN-2008-03065-MS

State of Louisiana
Department of Environmental Quality
ATTN: Water Quality Certifications
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

(225) 219-3225
Project Manager
Jamie Phillippe
WQC Application Number
WQC 080916-03

State of Louisiana
Department of Natural
Resources, Office of Coastal
Management
Post Office Box 44487
Baton Rouge, Louisiana
70804-4487
(225) 342-8917
sara.krupa@la.gov
Project Manager
Sara Krupa
Permit Application Number
P20130609

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the U.S. Army Corps of Engineers pursuant to: [X] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

Application has also been made to the Louisiana Department of Environmental Quality, Water Quality Certifications, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

Hydraulic dredge and fill on the north side of Lake Borgne to construct Phase III of the Chef Menteur Pass Mitigation Bank in Orleans Parish

NAME OF APPLICANT: Chef Menteur Credit Co., LLC, c/o John Chance Land Surveys, Inc., 900 South College Road, Lafayette, Louisiana, 70503.

LOCATION OF WORK: The project site is located along the north side of Lake Borgne near Alligator Bend approximately 15 miles northeast of Chalmette in Orleans Parish, Louisiana.

CHARACTER OF WORK: The proposed project includes hydraulically dredging 2,698,220 cubic yards of native material from 118 acres of waterbottoms in Lake Borgne for placement within 567.8 acres of open water and broken marsh all for the development of Phase III of the Chef Menteur Pass Mitigation Bank. An additional 22.1 acres of brackish marsh will be utilized for construction rights-of-way.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **30 days** from the date of this joint public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit and/or this WQC request and must be mailed so as to be received before or by the last day of the comment period. Letters concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be mailed to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH**. **Similar letters concerning the Water Quality Certification must reference the applicant's name and the WQC Application number and be mailed to the Louisiana Department of Environmental Quality at the address above.**

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined during weekdays between 8:00 a.m. and 4:30 p.m. Copies may be obtained upon payment of costs of reproduction.

Corps of Engineers Permit Criteria

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public, federal, state, and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to make, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New Orleans District is unaware of properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

Our initial finding is that the proposed work is Not Likely to Adversely Affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as

critical to the survival and recovery of any endangered species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of **707.9** acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, Water Quality Certifications, before a permit is issued.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Martin S. Mayer
Chief, Regulatory Branch

Enclosure



LOCATION MAP

REPRODUCED FROM USGS 1:250,000 QUADRANGLE
 LOCATED APPROXIMATELY 16.5 MILES SOUTHEASTERLY OF SLIDELL, LA.

CHEF MENTEUR CREDIT CO, LLC

PROPOSED MITIGATION AREA

CHEF MENTEUR PASS MITIGATION AREA
 LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
 ORLEANS PARISH, LOUISIANA

JOHN CHANCE
 LAND SURVEYS, INC.



GEODETIC DATUM: NAD27 & NAD83
 PROJECTION: LOUISIANA SOUTH
 GRID UNITS: US SURVEY FEET

SCALE 0 20,000'
 IN FEET

Proj. Mgr.: PMC
 Revised:
 Printed: 5/21/07

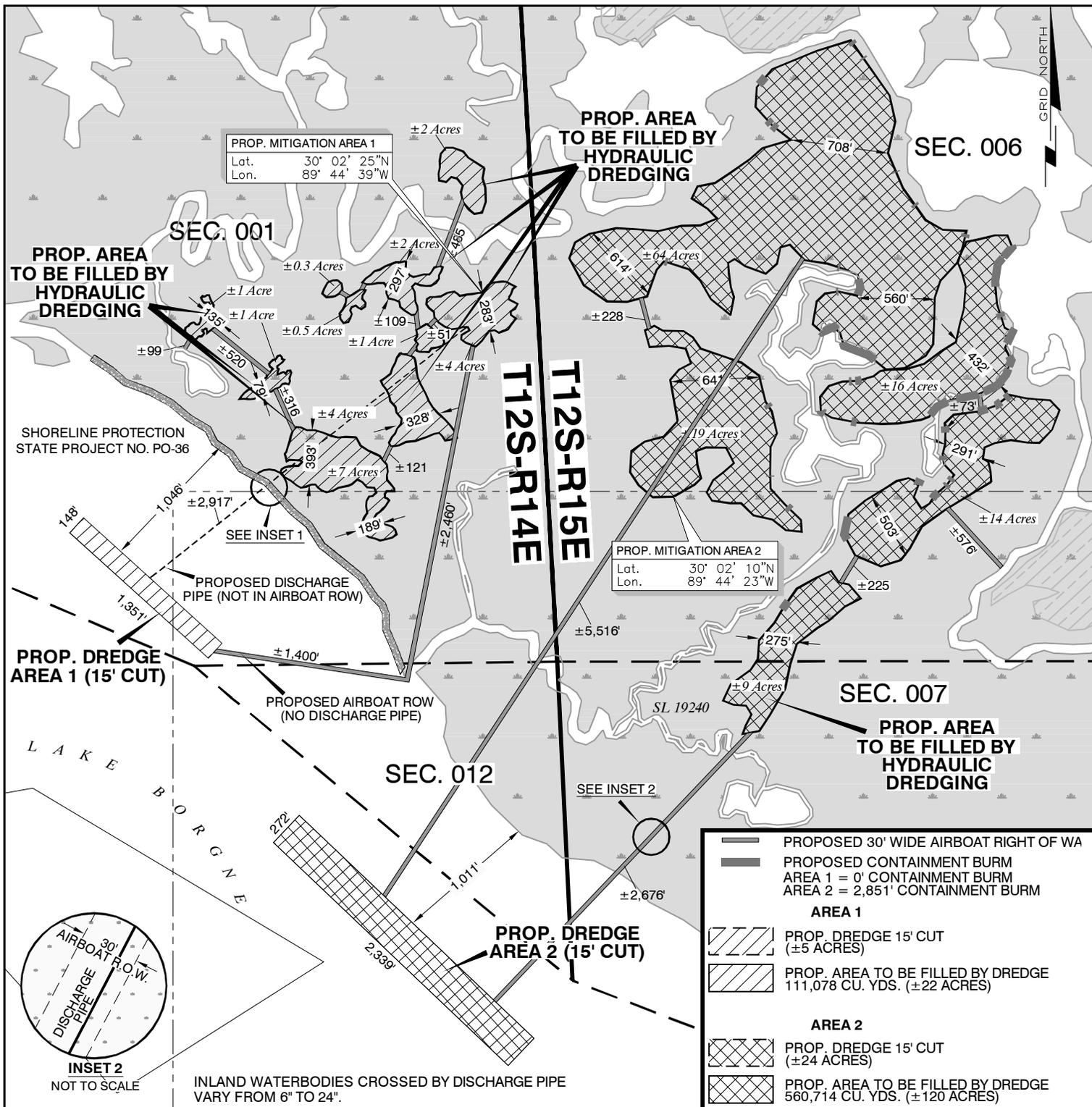
Job No.: 13-0146 Date: 7/16/13

Drwn: AGJ

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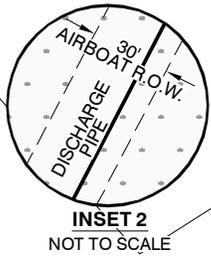
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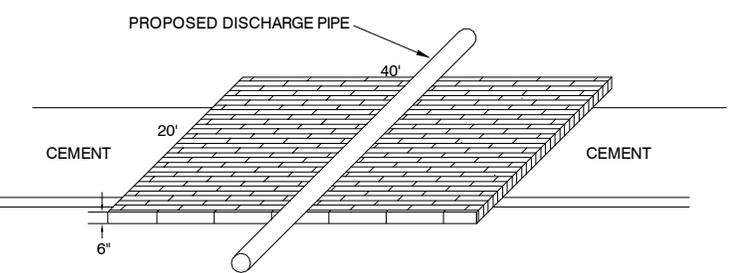
PROP. MITIGATION AREA 1
 Lat. 30° 02' 25"N
 Lon. 89° 44' 39"W

PROP. MITIGATION AREA 2
 Lat. 30° 02' 10"N
 Lon. 89° 44' 23"W

- PROPOSED 30' WIDE AIRBOAT RIGHT OF WA
- PROPOSED CONTAINMENT BURM
- AREA 1 = 0' CONTAINMENT BURM
- AREA 2 = 2,851' CONTAINMENT BURM
- AREA 1**
- PROP. DREDGE 15' CUT (±5 ACRES)
- PROP. AREA TO BE FILLED BY DREDGE 111,078 CU. YDS. (±22 ACRES)
- AREA 2**
- PROP. DREDGE 15' CUT (±24 ACRES)
- PROP. AREA TO BE FILLED BY DREDGE 560,714 CU. YDS. (±120 ACRES)



INLAND WATERBODIES CROSSED BY DISCHARGE PIPE VARY FROM 6" TO 24".



TYPICAL BOARD AREA FOR DISCHARGE PIPE

CHEF MENTEUR CREDIT CO, LLC

PROPOSED MITIGATION AREA
 CHEF MENTEUR PASS MITIGATION AREA
 LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
 ORLEANS PARISH, LOUISIANA

JOHN CHANCE
 LAND SURVEYS, INC.

GEODETTIC DATUM: NAD27 PROJECTION: LOUISIANA SOUTH GRID UNITS: US SURVEY FEET		SCALE IN FEET	Job No.: 13-0146	Date: 4/23/13	Drwn: JLP/ECD/BPM	Chart: Of:
Proj. Mgr.: PMC Revised: Printed: 7/18/13		Dwgfile: L:\2013\130146\CAD\C130146A		2		10

T12S-R15E

ALLIGATOR BEND

PROP. DREDGE AREA 4 (15' CUT)

PROP. DREDGE AREA 2 (15' CUT)

PROP. DREDGE AREA 3 (15' CUT)

PROP. AREA TO BE FILLED BY HYDRAULIC DREDGING

SEC. 006

SEC. 005

PROP. MITIGATION AREA 3
Lat. 30° 02' 02"N
Lon. 89° 43' 35"W

±33 Acres

SEC. 007

SEC. 008

PRODUCTIVE OYSTER SEED GROUND

GRID NORTH

INLAND WATERBODIES CROSSED BY DISCHARGE PIPE VARY FROM 6" TO 24".

- PROPOSED 30' WIDE AIRBOAT RIGHT OF WAY
- PROPOSED CONTAINMENT BURM
AREA 3 = 255' CONTAINMENT BURM

AREA 3



PROP. DREDGE 15' CUT (±4 ACRES)



PROP. AREA TO BE FILLED BY DREDGE 101,237 CU. YDS. (±33 ACRES)

CHEF MENTEUR CREDIT CO, LLC

PROPOSED MITIGATION AREA
CHEF MENTEUR PASS MITIGATION AREA
LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
ORLEANS PARISH, LOUISIANA

JOHN CHANCE
LAND SURVEYS, INC.



GEODETIC DATUM: NAD27
PROJECTION: LOUISIANA SOUTH
GRID UNITS: US SURVEY FEET

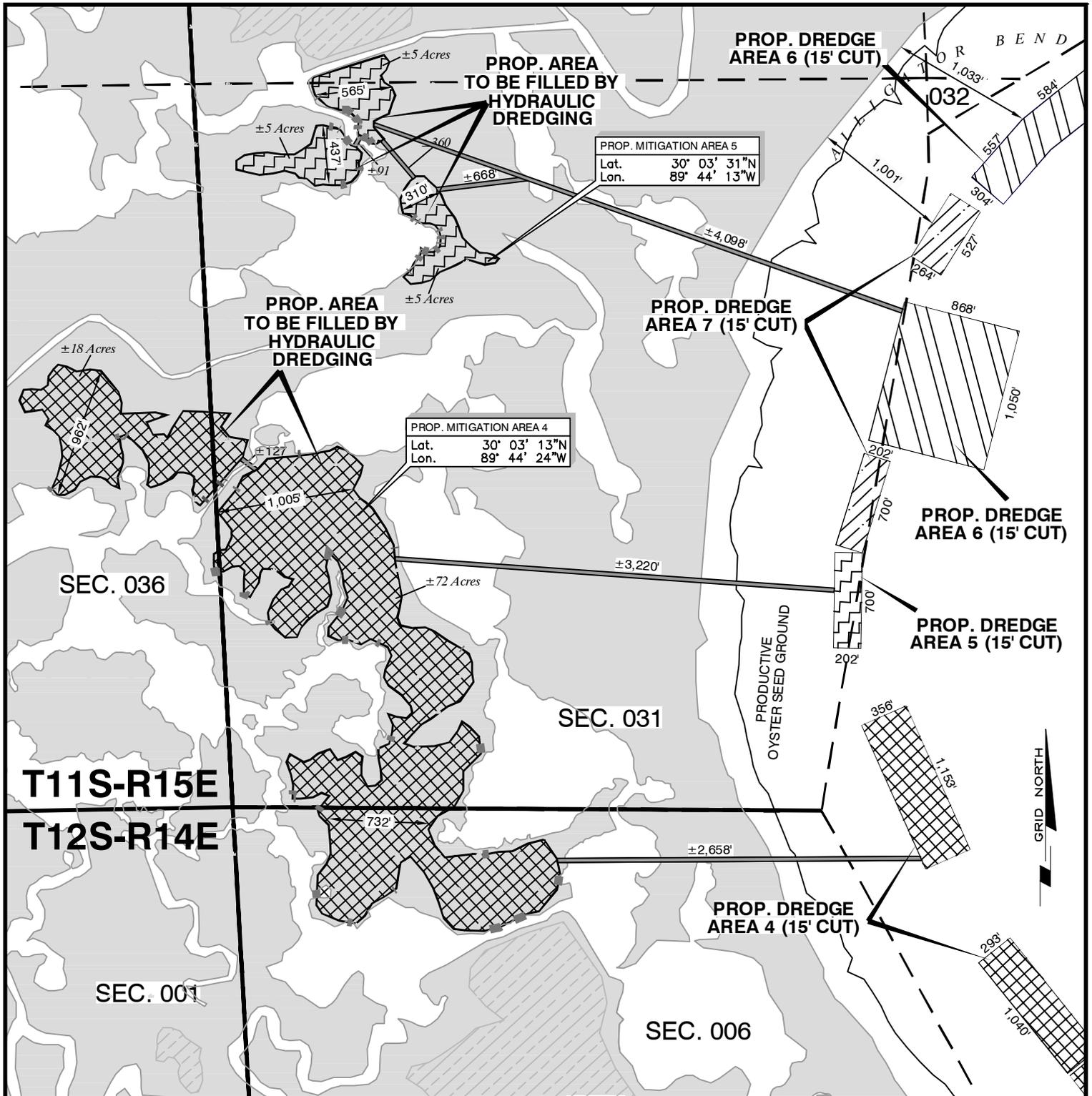
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Proj. Mgr.: PMC
Revised:
Printed: 7/9/13

Job No.: 13-0146 Date: 4/23/13
Dwgfile: L:\2013\130146\CAD\C130146B

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INLAND WATERBODIES CROSSED BY DISCHARGE PIPE VARY FROM 6" TO 24".

- PROPOSED 30' WIDE AIRBOAT RIGHT OF WAY
- PROPOSED CONTAINMENT BURM
- AREA "D" = 1,145' CONTAINMENT BURM
- AREA "E" = 662' CONTAINMENT BURM
- AREA 4**
- PROP. DREDGE 15' CUT (±16 ACRES)
- PROP. AREA TO BE FILLED BY DREDGE 397,203 CU. YDS. (±90 ACRES)
- AREA 5**
- PROP. DREDGE 15' CUT (±3 ACRES)
- PROP. AREA TO BE FILLED BY DREDGE 77,440 CU. YDS. (±15 ACRES)

CHEF MENTEUR CREDIT CO, LLC

PROPOSED MITIGATION AREA
 CHEF MENTEUR PASS MITIGATION AREA
 LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
 ORLEANS PARISH, LOUISIANA

JOHN CHANCE
 LAND SURVEYS, INC.



GEODETIC DATUM: NAD27
 PROJECTION: LOUISIANA SOUTH
 GRID UNITS: US SURVEY FEET

SCALE
 IN FEET

Job No.: 13-0146

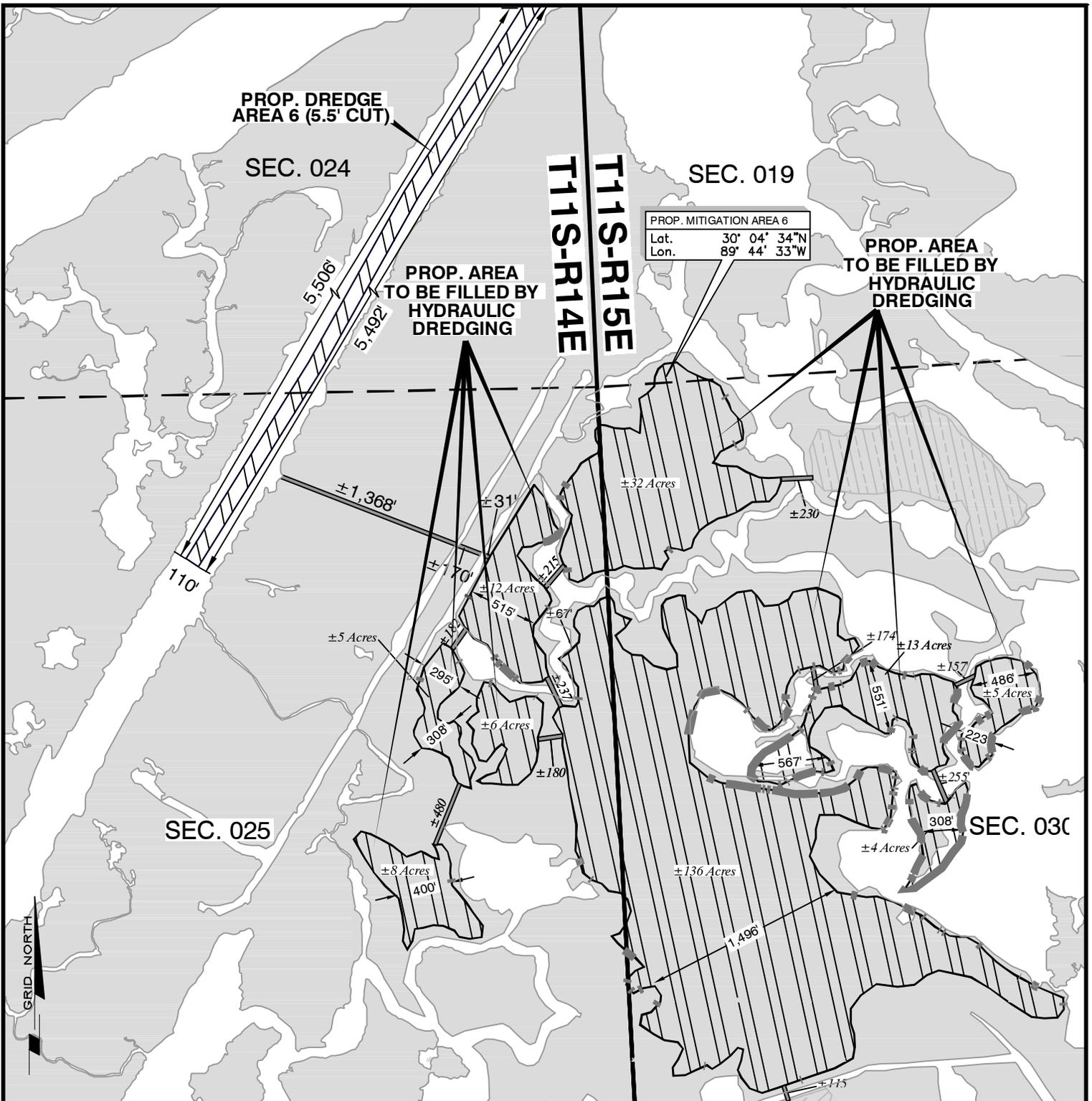
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 Revised:
 Printed: 7/9/13

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INLAND WATERBODIES CROSSED BY DISCHARGE PIPE VARY FROM 6" TO 24".

-  PROPOSED 30' WIDE AIRBOAT RIGHT OF WAY
-  PROPOSED CONTAINMENT BURM
- AREA 6 = 7,057' CONTAINMENT BURM

AREA 6

-  PROP. DREDGE 5' CUT (±14 ACRES)
-  PROP. AREA TO BE FILLED BY DREDGE 1,164,988 CU. YDS. (±223 ACRES)

CHEF MENTEUR CREDIT CO, LLC

PROPOSED MITIGATION AREA
 CHEF MENTEUR PASS MITIGATION AREA
 LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
 ORLEANS PARISH, LOUISIANA

JOHN CHANCE
 LAND SURVEYS, INC.



GEODETIC DATUM: NAD27
 PROJECTION: LOUISIANA SOUTH
 GRID UNITS: US SURVEY FEET

SCALE IN FEET  1,000'

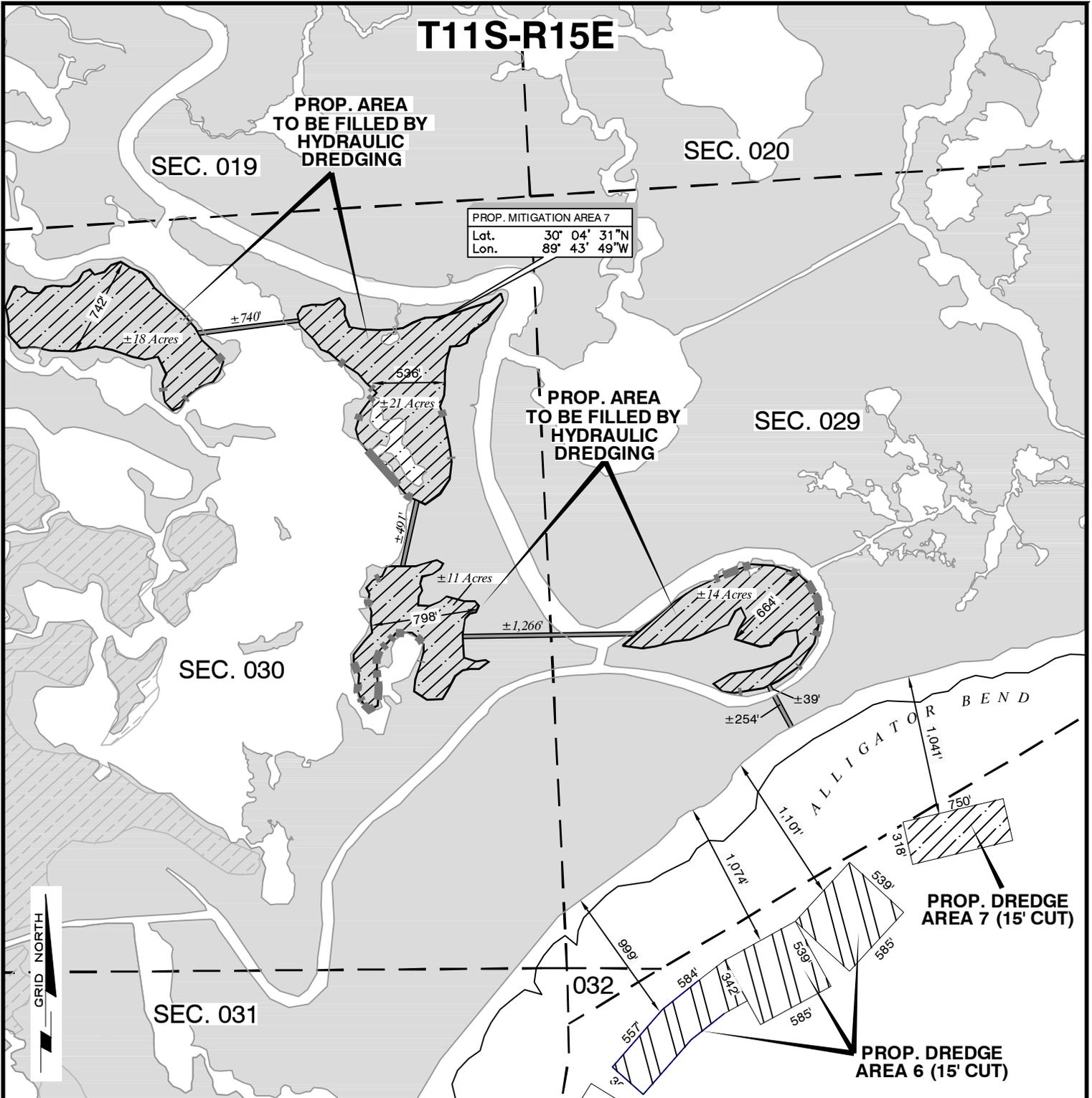
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 Revised:
 Printed: 7/9/13

Job No.: 13-0146 Date: 4/23/13
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Drwn: JLP/ECD/BPM

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T11S-R15E



INLAND WATERBODIES CROSSED BY DISCHARGE PIPE VARY FROM 6" TO 24".

PROPOSED 30' WIDE AIRBOAT RIGHT OF WAY

PROPOSED CONTAINMENT BURM
AREA 7 = 2,193' CONTAINMENT BURM

AREA 6
PROP. DREDGE 15' CUT
(±43 ACRES)

AREA 7
PROP. DREDGE 15' CUT
(±8 ACRES)

PROP. AREA TO BE FILLED BY DREDGE
285,560 CU. YDS. (±65 ACRES)

Proj. Mgr.: PMC
Revised:
Printed: 7/9/13

CHEF MENTEUR CREDIT CO, LLC

PROPOSED MITIGATION AREA
CHEF MENTEUR PASS MITIGATION AREA
LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
ORLEANS PARISH, LOUISIANA

JOHN CHANCE
LAND SURVEYS, INC.



GEODEIC DATUM: NAD27
PROJECTION: LOUISIANA SOUTH
GRID UNITS: US SURVEY FEET

SCALE
IN FEET

Job No.: 13-0146

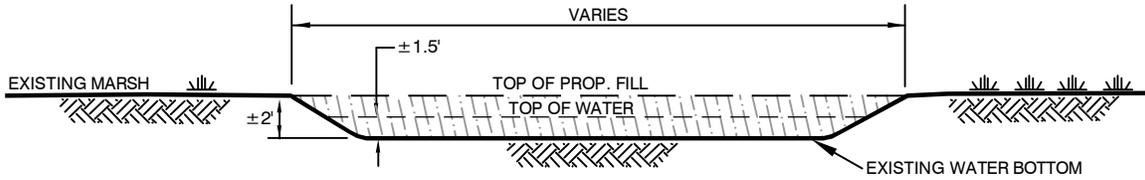
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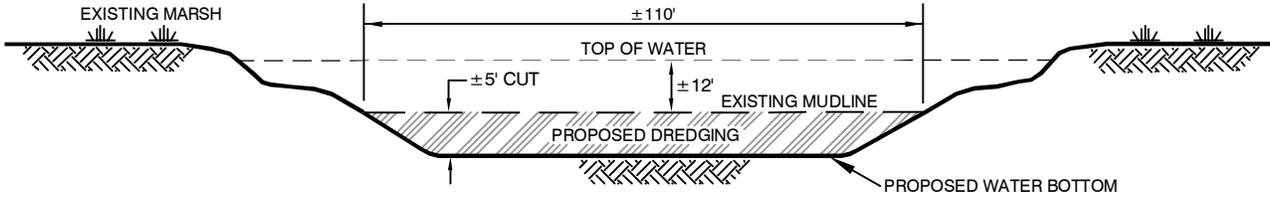
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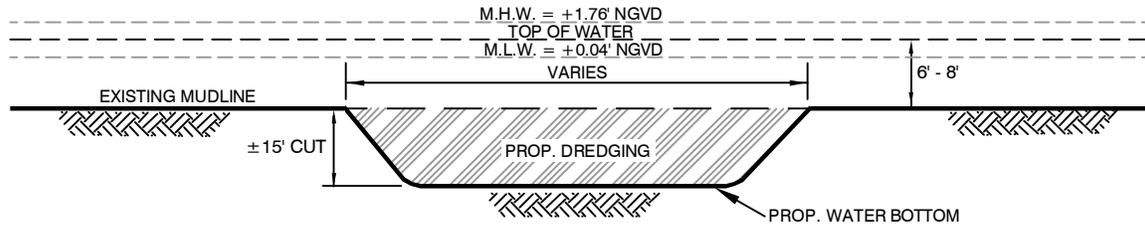
M.H.W. = +1.76' NGVD
M.L.W. = +0.04' NGVD



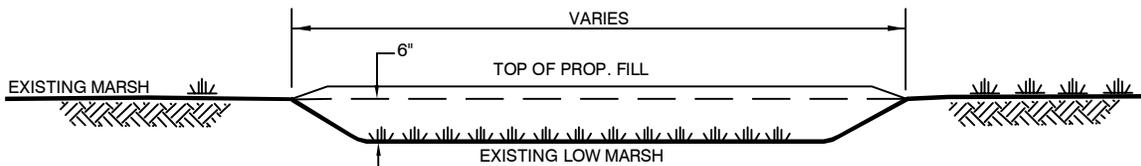
**CROSS SECTION
PROPOSED FILL**
NOT TO SCALE



**CROSS SECTION
DREDGING IN CANAL**
NOT TO SCALE



**CROSS SECTION
DREDGING IN OPEN WATER**
NOT TO SCALE



**CROSS SECTION
MARSH NOURISHMENT/PROPOSED FILL**
NOT TO SCALE

Permittee shall contact the Louisiana One Call at 1-800-272-3020 forty-eight hours prior to excavation or demolition

NOTE:

APPROXIMATELY 2,698,220 TOTAL CU. YARDS REQUIRED FOR PROPOSED FILL.

APPROXIMATELY 2,558,102 TOTAL CU. YARDS REQUIRED FOR PROPOSED MARSH RE-ESTABLISHMENT.

APPROXIMATELY 140,118 TOTAL CU. YARDS REQUIRED FOR PROPOSED MARSH ENHANCEMENT.

APPROXIMATELY 567.8 TOTAL ACRES TO BE FILLED.

APPROX. 118 ACRES OF WATER BOTTOM IMPACTED BY DREDGING.

CHEF MENTEUR CREDIT CO, LLC

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LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
ORLEANS PARISH, LOUISIANA

JOHN CHANCE
LAND SURVEYS, INC.



GEODETIC DATUM: NAD27
PROJECTION: LOUISIANA SOUTH
GRID UNITS: US SURVEY FEET

SCALE AS SHOWN

Proj. Mgr.: PMC
Revised:
Printed: 4/23/13

Job No.: 13-0146

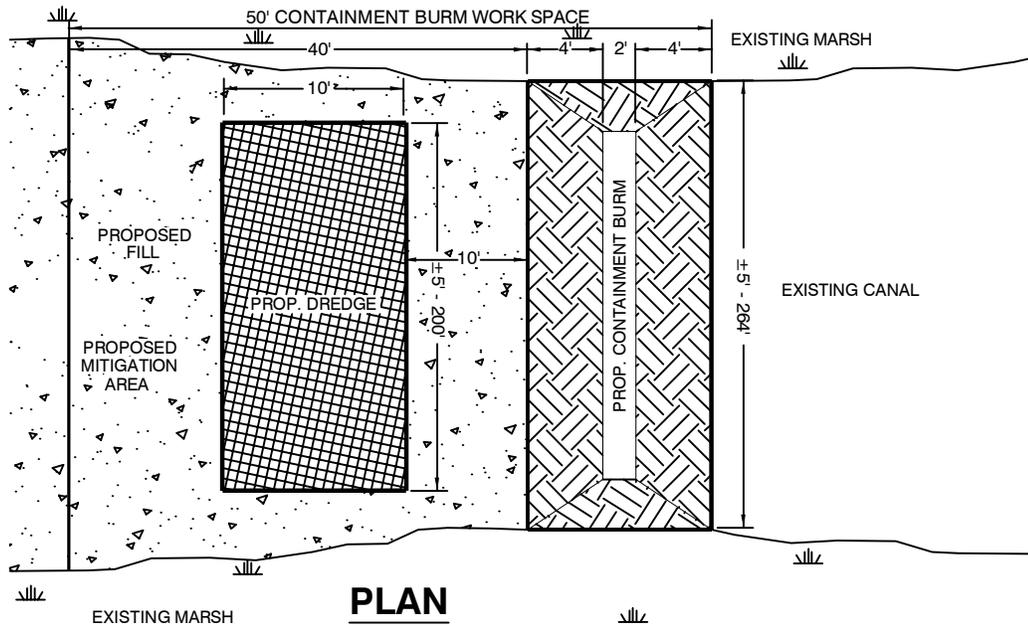
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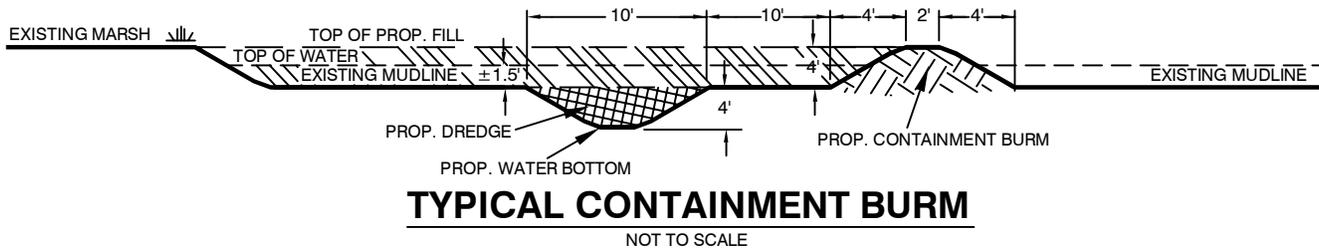
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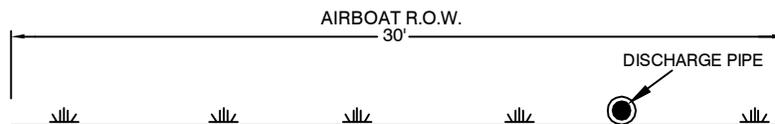
7 10



PLAN
NOT TO SCALE



TYPICAL CONTAINMENT BURM
NOT TO SCALE



TYPICAL AIRBOAT RIGHT OF WAY
NOT TO SCALE

Permittee shall contact the Louisiana One Call at 1-800-272-3020 forty-eight hours prior to excavation or demolition

All structures, facilities, well and pipelines/flowlines shall be removed within 120 days of abandonment of the facilities for the herein permitted use. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities. All structures will be marked in accordance with U.S. Coast Guard regulations. As-built drawings shall be submitted within 30 days of completion of this project to the Louisiana Department of Natural Resources, Coastal Management Division, P. O. Box 44487, Baton Rouge, LA. 70804-4487.

Proj. Mgr.: PMC
Revised:
Printed: 4/23/13

CHEF MENTEUR CREDIT CO, LLC

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CHEF MENTEUR PASS MITIGATION AREA
LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
ORLEANS PARISH, LOUISIANA

JOHN CHANCE
LAND SURVEYS, INC.



GEODETIC DATUM: NAD27
PROJECTION: LOUISIANA SOUTH
GRID UNITS: US SURVEY FEET

SCALE AS SHOWN

Job No.: 13-0146	Date: 4/23/13	Drwn: JLP/ECD/BPM	Chart: Of:
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**Louisiana Department of Wildlife and Fisheries (LDWF) Fur and Refuge Division
STANDARD CONDITIONS FOR OYSTER LEASING AREAS**

Revised February 28, 2007

The following standard conditions are for activities in oyster leasing areas.

1. Applicant shall not discharge any drilling and/or workover effluent except for flocculated filtered water.
2. Applicant shall not discharge any human waste which does not meet or exceed the requirements of the Louisiana Department of Health and Hospitals.
3. Applicant shall not discharge any produced waters.
4. Applicant is subject to all applicable state laws related to damages which are demonstrated to have been caused by this proposed action.
5. Applicant shall use any dredged material beneficially to create/restore emergent wetlands or place the material in open water in such a manner not to decrease the water depth greater than six inches.
6. Applicant will provide to LDWF a water bottom assessment (unless waived by LDWF) that meets LDWF protocol prior to commencement of the activity. Applicant may be required, at the request of LDWF, to modify the project if the proposed location unnecessarily impacts an oyster reef.

Permittee shall contact the Louisiana One Call at 1-800-272-3020 forty-eight hours prior to excavation or demolition

ACRES			
AREAS	CREATED	ENHANCED	TOTAL
AREA 1	16.5	5.7	22.2
AREA 2	82.1	38.3	120.4
AREA 3	13.2	19.9	33.1
AREA 4	57.5	32.4	89.9
AREA 5	11.3	3.3	14.6
AREA 6	174.5	48.2	222.7
AREA 7	41.3	23.6	64.9

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JOHN CHANCE
LAND SURVEYS, INC.



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**Standard LDWF Provisions for Coastal Use Permits (CUPs) in
Currently Productive and Unproductive Public Oyster Seed Grounds**

(LDWF retains the right to amend permit provisions as needed)

1. Applicant shall be liable for, and shall compensate the state for, any damages to the oyster grounds caused by Applicant or Applicant's contractors during any work done under this permit. Prior to commencement of the permitted activity, applicant will also provide Louisiana Department of Wildlife and Fisheries with the name of an individual in authority who can be contacted regarding any work done under the permit.
2. Compensation for impacts to the public oyster seed grounds shall be in the form of the planting cultch material (i.e. crushed concrete, limestone, oyster shell, etc) at the rate of 1 cubic yard per acre of impacted area for barren, non-supportive areas of the seed grounds, 50 cubic yards per acre of impacted area for supportive areas, and 187 cubic yards per acre of impacted area for reef areas plus the value of any living oyster resources destroyed. Applicant shall bear the expense of acquisition and deposition of cultch. The cultch shall be deposited by the Applicant, its contractor or subcontractor, under the direct supervision of the Louisiana Department of Wildlife and Fisheries, and shall be deposited at a time, place, and in a manner prescribed by the Department. In lieu of planting cultch material, the Applicant may make payment directly to the Public Oyster Seed Ground Development Account.
3. Applicant shall not discharge any drilling and/or workover effluent except for flocculated filtered water into the waters in the areas of the proposed activity. Discharge rate of water shall not exceed the rate of filtering.
4. Applicant shall not discharge any produced waters into the waters in the areas of proposed activity.
5. Applicant, Applicant's contractors and sub-contractors shall not discharge any human waste from any vessel that does not meet or exceed the requirements of the Department of Health and Hospitals.
6. If access route traverses a currently productive public oyster area, the Applicant shall secure approval of the access route from LDWF and shall ingress and egress to the project location only along the approved route.
7. Applicant shall establish and maintain, until the permitted activity is complete, along the access route appropriate access route markings for vessels traveling to and from the project location. These markings may be subject to applicable local, state, and federal night operations as well as in any climatic and sea condition which may occur during permitted activities.
8. Applicant shall provide legal representation and indemnification to the Louisiana Department of Wildlife and Fisheries for any and all lawsuits and legal claims that may be filed or made against the Department of Wildlife and Fisheries as a result of activities by Applicant.
9. This permit specifically does not authorize prop washing, wheel washing, dredging, or jetting beyond what is shown in the application and drawings. Any changes or variances in the location, access route, volume of material moved and/or magnitude of the area of impact shall require formal application to, and prior written authorization from, the Department of Natural Resources (DNR). The decision by DNR with the Louisiana Department of Wildlife and Fisheries in strict adherence to all applicable provisions of the February 3, 2005 Memorandum of Agreement between those two agencies.
10. Applicant shall have at the project location float booms for containing any spills.
11. At the discretion of the Secretary or Assistant Secretary of the Louisiana Department of Wildlife and Fisheries, any activities may be suspended until more favorable conditions prevail.
12. Applicant shall provide a letter of completion and as-built drawings of the completed project to the Department of Wildlife and Fisheries no later than 60 days following completion of the permitted activity.
13. At the discretion of the Louisiana Department of Wildlife and Fisheries, a post project bottom contour and side-scan survey may be required. The results of these surveys will be made available to the Department.
14. Applicant shall remove or spread any dredged material which is greater than 0.5 feet above original bottom contours.
15. At the discretion of the Louisiana Department of Wildlife and Fisheries, the Applicant may be required to return all or part of water bottoms to pre-project conditions.
16. All vessels utilized under this permit shall be of such size and loaded in such a manner as to not impact the water bottoms over which they pass.
17. Applicant will provide to the Louisiana Department of Wildlife and Fisheries a water bottom assessment (unless waived by LDWF) that meets LDWF protocol prior to commencement of the permitted activity.

Permittee shall contact the Louisiana One Call at 1-800-272-3020 forty-eight hours prior to excavation or demolition

CHEF MENTEUR CREDIT CO, LLC

PROPOSED MITIGATION AREA
CHEF MENTEUR PASS MITIGATION AREA
LAKE BORGNE AREA, T12S-R14E, T11S-R14E, T12S-R15E & T11S-R15E
ORLEANS PARISH, LOUISIANA

JOHN CHANCE
LAND SURVEYS, INC.



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SCALE AS SHOWN

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Revised:
Printed: 4/23/13

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