

# ST MARY LEVEE DISTRICT OPERATING PERMIT APPLICATION PROCEDURES

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The St. Mary Levee District (SMLD) oversees approximately 126 miles of levees and structures which exist to protect lives and property in the parish. The Atchafalaya River, the Wax Lake Outlet, and the Charenton Canal, among other water bodies, all flow through St. Mary Parish. The associated levee inspections and the necessary maintenance require a clear access. Additionally, both federal and state laws require us to continuously ensure this access and to work to preserve the structural integrity of our flood protection system.

The United States Army Corps of Engineers (USACOE) and the State of Louisiana have established distances for certain types of work that can adversely affect the structural integrity of levees and structures. *Title 33, Section 208.10 of the Code of Federal Regulations (33 CFR §208.10)* and state statutes, including *La. R.S. 38:225*, give delegated authorities, such as the St. Mary Levee District, wide latitude to protect the levees and flood control structures. Accordingly, the St. Mary Levee District has established the following distances and river stage elevations for flood control permits within its boundary:

Permits are required for any proposed activity, whether business or personal which:

- a. takes place on any portion of the levee, the levee right-of-way, the shoreline or the batture; or
- b. requires any objects/materials to be placed on, over or within 300' of the levee centerline (surface work); or,
- c. involves any subsurface work within 1,500 feet of the levee centerline - subsurface work includes excavations (digging deeper than 3 feet below ground level), ponds, swimming pools, drainage ditches, soil borings, wells, shafts, pile driving, drilling, etc.; or,
- d. involves seismic surveys and demolition using explosives within 5,000 feet of levees or flood control structures.

Applicants must fully complete all applications, supply all of the required documentation and fees, and agree to all of the terms and conditions.

**I. Operating permits are required when any proposed activity will:**

- A. Take place on, over, or adjacent to any portion of the of the levee right-of-way; examples include but are not limited to: livestock grazing, etc.
- B. Take place on, under, or over the batture or shoreline between the levee and the water;
- C. Require pilings to be driven, excavations made, or wells drilled within 300' of the landside levee toe or flood control structure for long term use;

- D. Place any object or material, which interferes with safety, inspection, or maintenance of a levee within 15' of the landside levee toe; or,
- E. Create or maintain any levee crossing, including aerial crossings, crossings under the levee and over the levee and ramp crossings.
  - i. All crossings over the levee including but not limited to aerial crossings, crossings under the levee, over the levee & ramp crossings:
    - i. **For Levee Crossings:** Any levee crossing that penetrates the levee, including but not limited to pipelines, utility crossings, waterways, and or drainage crossings – **Applicant must submit** “as built” drawings certified by a professional engineer registered in Louisiana to this office within thirty days of the completion of the project. The drawings must show the actual location and profile of the pipelines, cables, or conduits, etc. and the cross section of the levee or canal. Certification by a professional engineer that the installation does not exceed the limits shown on the approved plans must also be furnished.
    - ii. **For Aerial Crossings:** The vertical clearance of any non-utility aerial crossing of the levee crown or floodwall is not less than 15 feet under all temperature condition, and that any utility aerial crossing of the levee crown or floodwall is not less than 18 feet under all temperature conditions if the voltage is 0.0 K.V. – 75.0 K.V.; not less than 20 feet under all temperature conditions if the voltage is 0.76 K.V. – 15.0 K.V.; not less than 22 feet if the voltage is 15.1 K.V.; for voltage exceeding 50.0 K.V. the clearance shall be increased at a rate of 0.4 inches for each 1.0 K.V. of excess.

***NOTE: First the applicant must contact the U.S. Army Corps of Engineers-Regulatory – Mike Farabee at 504-862-2292 for Corps’ specific permit requirements. For any ramps and/or driveways in plans contact DOTD Highway Right-of-Way Section at 504-437-3130 and the Coastal Protection and Restoration Authority (CPRA) at 337-898-3877 for their permit requirements. Also, contact the Parish or City Code Enforcement Building Permit Section in which you are intending to operate in for their permit & occupational license requirements. After getting this information, complying with their instructions and receiving permits:***

**II. Applicant must submit the following information to the St. Mary Levee District:**

7327 Hwy 182E                      Phone # 985-380-5500  
 PO BOX 2079  
 Morgan City, LA 70381

- a. Complete St. Mary Levee District Operating Permit Application
- b. Letter of Request- Detailed description of project
- c. Survey of property showing the levee right of way line and any and all servitudes.

- d. Plans/Specs/Full size construction drawings certified by a professional engineer registered in the State of Louisiana. Drawings are to be to scale.
- e. Vicinity map showing the project location and its relationship to the levee, with distances to the levee crown centerline or levee toe and a levee station number nearest to the project. Additional information such as, river mile, street names, subdivision and lot number are important.
- f. "Terms and Conditions" signed by both the applicant and the Property Owner.
- g. Current Certificate of Liability Insurance (\$1,000,000) naming District as additional insured
- h. Copy of Current Occupational License
- i. Copy Lease/Sub-Lease or Act of Sale
- j. If drainage is impacted show the means proposed for handling intercepted drainage
- k. Copies of special geotechnical work or reports that were completed for this project
- l. Approval from CORPS-Regulatory
- m. Approval from DOTD or OCPH Highway Right-of-Way Section
- n. Approval from the Parish or City in which you are operating
- o. Copy of Hurricane Emergency Plans & Emergency Contact Names & Phone #'s
- p. List of Officers & Directors of Officers & Owners
- q. Annual \$300 Permit Fee – **Operating Permits Must Be Renewed Annually**

**III. Submit the following information to the CORPS Permit Section:**

- i. Copy of St. Mary Levee District Permit Application
- ii. Copy of Letter of Request
- iii. Copy of Vicinity Map
- iv. Survey of the property showing the levee right-of-way and servitudes.
- v. Plans/Specs/Full Size construction drawings
- vi. Approval from CORPS-Regulatory
- vii. Approval from DOTD Highway Right-of-Way Section
- viii. Approval from the Parish/City in which you intend to operate

**IV. Submit the following information to the Coastal Protection and Restoration Authority (CPRA) Permit Section:**

Rick Dugas                      PHONE# (337) 482-0658  
 PO BOX 62027  
 Lafayette, LA 70595

1. Copy of St. Mary Levee District Permit Application
2. Copy of Letter of Request
3. Copy of Vicinity Map

4. Survey of the Property showing the levee right-of-way and servitudes.
5. Certified Plans/Specs/Full size construction drawings
6. Approval from CORPS-Regulatory
7. Approval from DOTD Highway Right-of-Way Section
8. Approval from the Parish/City in which you are operating

**V. General Permit Information:**

- A. Permit Fee: \$300 Payable by check or money order to the St. Mary Levee District
- B. Insurance requirements: A Certificate of Liability Insurance naming St. Mary Levee District as additional insured. Surety bonds or their equivalent may be required for long-term facilities or activities.
- C. Processing time: Two (2) to eight (8) weeks.

***\*NOTE: Incomplete applications or omitted material will delay the permitting process.***

# ST. MARY LEVEE DISTRICT 2013 OPERATING PERMIT APPLICATION

<b>A NAME &amp; ADDRESS OF APPLICANT:</b>  _____ _____ _____  E-MAIL ADDRESS: _____		<b>ADDRESS OF OPERATIONS:</b>  _____ _____ _____	
<b>PHONE # &amp; CELL #</b>	<b>FAX#:</b>	<b>DATE:</b>	
<b>B DETAILED DESCRIPTION:</b>  _____ _____ _____ _____ _____			
<b>C APPLICANT IS:</b>  <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> LIMITED LIABILITY CO. <input type="checkbox"/> OTHER		<b>D PROOF OF OWNERSHIP:</b> <b>ATTACH A COPY OF CURRENT LEASE, SUBLEASE OR ACT OF SALE</b>  NAME, ADDRESS, PH# OF LANDOWNER:  _____ _____ _____	
<b>E ACTIVITY DATES:</b>  FROM: ____/____/____ TO: ____/____/____		<b>F PERMIT FEE: CHECK OR MONEY ORDER PAYABLE TO ST. MARY LEVEE DISTRICT</b>  _____ \$300 ANNUAL PERMIT FEE	
<b>G HURRICANE EMERGENCY PLAN:</b>  <input type="checkbox"/> COPY OF HURRICANE EMERGENCY OPERATION PLAN  <b>PLANS SHOULD DETAIL ALL ACTIONS, PARTICULARLY THOSE ACTIONS PERTAINING TO VESSELS IN THE WATER.</b>		<b>H INSURANCE CERTIFICATES:</b>  <input type="checkbox"/> CERTIFICATE OF INSURANCE NAMING SLMD AS "ADDITIONAL INSURED"  <input type="checkbox"/> PUBLIC LIABILITY INSURANCE FOR \$1,000,000	

**APPLICANT IS RESPONSIBLE FOR OBTAINING ALL PERMITS REQUIRED BY LAW.**

\_\_\_\_\_  
Applicant Print Name

\_\_\_\_\_  
Applicant Signature                      Date

\_\_\_\_\_  
Landowner Print Name

\_\_\_\_\_  
Landowner Signature                      Date

**ALL OPERATING PERMITS WILL EXPIRE ON DECEMBER 31 AND MUST BE RENEWED ANNUALLY**

**ST MARY LEVEE DISTRICT  
2013 LETTER OF REQUEST**

DATE: \_\_\_\_\_

SITE ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RE: DETAILED DESCRIPTION OF PROPOSED ACTIVITY**

I am requesting an Operating Permit from the St. Mary Levee District to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Phone #

## ST. MARY LEVEE DISTRICT “TERMS & CONDITIONS”

The Permit automatically includes the following conditions, as if they were fully stated in the Permit and each applicant agrees to be fully and continuously in compliance.

1. A copy of the permit must be posted onsite at all times and available for viewing by the St. Mary Levee District, the United States Army Corps of Engineers and the Office of Coastal Protection and Restoration.
2. The area from the toe of the levee on the land side to a point forty (40) feet from the toe of the levee on the water side must be kept clean and free of any trash. Any damage in this area resulting from the Applicant's /Owner's activities must be repaired at the Applicant's/Owner's expense.
3. **No pile driving and/or excavations of any kind may be performed when the Mississippi River attains or exceeds +11 ft. NGVD on the Carrollton Gage at New Orleans without prior written documented approval from the U.S. Army Corps of Engineers.** Information concerning current river stages may be obtained at [www.mvn.usace.army.mil](http://www.mvn.usace.army.mil) or by calling (504) 862-2461.
4. Applicant/Owner acknowledges that this Permit **does not allow any clearing or filling** on the bature or flood side of the levee unless specified in the application. If clearing or filling is not specified in the application, then, a separate Construction Permit is required for those activities.
5. Should Applicant/Owner, for any reason, cease to maintain continuous construction progress, then the previously issued permit may be revoked, requiring that any or all structures and materials in the area of operation be removed at the Applicant's/Owner's expense. And, the Applicant/Owner shall be required to obtain a new permit.
6. Applicant/Owner agrees to hold harmless, indemnify, and defend the St. Mary Levee District and staff against any and all damages which arise from the activities of the Applicant/Owner, or Tenants/Lessees.
7. Should changes in the location or the section of the existing levee and/or waterway, or in the generally prevailing conditions in the vicinity, be required in the future, Applicant/Owner shall make any and all necessary changes to the permitted operation including the removal of all structures and the cessation of all operations, as may be necessary to satisfactorily meet the situation and Applicant/Owner shall bear the cost thereof.
8. If Applicant/Owner is an entity, then the signatory warrants he/she possesses full authority to bind the entity.

9. Permitted **new or existing levee crossings/ramps are constructed and maintained by applicant/owner** in accordance with the "Standard Road Crossing over Levee" Plan M-702-02, prepared by the Department of Transportation and Development Division of Public Works and Flood Control and to the satisfaction of the St. Mary Levee District.
10. The proposed work must not restrict the Levee District's maintenance operations, or any potential flood fight activities at the levee, nor shall it obstruct or impede drainage, or create areas of standing water on the levee or the batture. The applicant/owner must employ and maintain at the project site suitable erosion protection measure to the satisfaction of the St. Mary Levee District.
11. As part of the proposed work, the ground surface must be swaled or contoured to properly drain to subsurface drainage inlets and away from the levee to the satisfaction of the St. Mary Levee District.
12. Stockpiles are maintained in accordance with the Limits of Permissible Stockpile on River Banks, H-18-24850, prepared by the U.S. Army Corps of Engineers.
13. Applicant/Owner shall submit Hurricane Emergency Plans Annually.
14. This permit is not transferable even by operation of law without the expressed written consent of the St. Mary Levee District and must be renewed annually.
15. This Permit is issued subject to the St. Mary Levee District's rights and authority granted by state and federal laws.
16. Any unauthorized encroachments onto the Levee District's Right-of-Way must be promptly removed at the Applicant's/Owner's expense.
17. Applicant agrees to comply with all federal, state and local laws and regulations.
18. Violations of these Terms and Conditions may result in Permit revocation.

Applicant and owner by signature below affirm that all information in the Permit Application is true and correct and hereby acknowledges that he/she has read and accepts the Terms and Conditions of this application.

ACCEPTED BY:

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
\*Landowner Signature

\_\_\_\_\_  
Date