



FLOOD PROTECTION AUTHORITY

Your Flood Defense System

Lake Borgne Basin Levee

Permit No. LB2024-00026 Amendment

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EAST JEFFERSON LEVEE DISTRICT
1100 Rev. Richard Wilson Drive
Kenner, LA 70062
504.469-7522

LAKE BORGNE BASIN LEVEE DISTRICT
P.O. Box 216
6136 E. St. Bernard Highway
Violet, LA 70092
504.682.5941

ORLEANS LEVEE DISTRICT
6920 Franklin Ave
New Orleans, LA 70122
504.286.3100

In consideration of the referenced request, the Southeast Louisiana Flood Protection Authority – East (a.k.a. SLFPA-E or FPA), does hereby grant permission to Evans-Graves Engineers (“Permittee”) on behalf of Port of New Orleans to perform a pile load test for Louisiana International Terminal Design near Hwy 46 on the landside and flood side of the left descending Mississippi River levee, vicinity of second order levee station 481+23, at Violet, Louisiana, in St. Bernard Parish. **AMENDED to shift two of the three landside pile load test clusters slightly south, to add additional reaction piles to each of the three landside test clusters, and to use a 42” casing to install one of the test piles in each of the three landside clusters near Hwy 46 on the landside and flood side of the left descending Mississippi River levee, vicinity of second order levee station 481+23, at Violet, Louisiana, in St. Bernard Parish.**

1. Applicant(s), Owner(s), Permittee(s), Designated Agent(s), Contractor(s), Company(ies) performing work, and/or their Agents shall henceforth be known as “Letter Holders”. The Permittee shall ensure all Letter Holders are properly notified, provide all Letter Holders with an executed copy of this agreement, and have all Letter Holders agree in writing to be bound by Terms and Conditions of this agreement.
2. Notwithstanding any provision hereof that may seem to impose an obligation on any Letter Holder individually, it is hereby understood and agreed that all such obligations shall be deemed joint and several. Thus, any reference to any one of these parties shall be taken to mean and include all of these parties, each of whom shall be equally bound by the terms and conditions of this agreement. Each party acknowledges and agrees that they are collectively and individually responsible for the performance of all obligations under this agreement.
3. A copy of this Levee Safety Permit, along with a set of approved plans must be kept on the job site for the duration of the Work and made readily available for any inspector to determine that the Work taking place has been permitted by the Southeast Louisiana Flood Protection Authority –East (SLFPA-E), and is being conducted in accordance with approved plans. Failure to do so may result in the revocation of the Levee Safety Permit (“the Permit) or construction delays. The Levee District has the option to reserve its rights to inspect area prior to construction.
4. All work is performed in strict accordance with the provisions set forth in the Coastal Protection and Restoration Authority’s (CPRA) Letter of No Objection (LNO) #23749 dated September 9, 2024 and #24168 dated September 30, 2024 and the U.S. Army Corps of Engineers (USACE) LNO #2023-0924 dated August 12, 2024 and Amended #2023-0924 dated December 4, 2024, attached and made a part hereof.
5. By signing this permit, Permittee acknowledges they are the property owner, have permission from the property owner to perform the proposed work/access, or they have legal right to perform the proposed work/access by means of an easement/servitude or other legally recorded agreement.
6. No work or related activity shall be conducted within SLFPA-E Right-of-Way (ROW).
7. Should changes in the location or section of the existing levee and/or river, or in the generally prevailing conditions in the vicinity, be required in the future in the public interest, the Letter Holders shall make changes in the project concerned or in the arrangement thereof, as may be necessary to satisfactorily meet the situation and must bear the cost thereof.

8. That all subsurface work is performed and backfilled prior to the Mississippi River attaining or exceeding + 11.0 feet NGVD, on the Carrollton Gage at New Orleans, unless the Letter Holders receive documented approval to the contrary from the USACE.
9. This Permit does not obviate the Letter Holders from obtaining permits required from any other federal, state, and local authorities, or the U.S. Army Corps of Engineers, the State Land Office, the Louisiana Department of Transportation and Development, and/or the Louisiana Department of Natural Resources-Coastal Management Division. Letter Holders are responsible for obtaining all such permits and adhering to their provisions.
10. SLFPA-E is not responsible for ensuring that the Letter Holders comply with rules, regulations or laws imposed by other governmental entities/agencies in regard to requirements for permitted activities, and does not enforce permits or regulations required by any of those entities. The Letter Holders are to provide copies of all city, state and federal permits to SLFPA-E prior to commencing work.
11. The SLFPA-E will not interpret or provide comments on any local codes, laws, zoning or ordinances concerning property rights, operations, or any other activities governed by any Permit that is not a SLFPA-E Permit.
12. Structures, obstructions, paving, vegetation, Works, etc. (henceforth known as Encroachment) within 15 feet of a levee toe, floodwall, or flood control structure.
 - a. The FPA is not responsible for any damage done to any portion of an Encroachment (even those that are existing and/or permitted) within 15 feet of the levee toe, floodwall, or flood control structure, due to normal levee maintenance, emergency response, or other operations.
 - b. Any portion of an Encroachment within 15 feet of the levee toe, floodwall, or flood control structure is in violation of LA RS 38:225 and may be required to be removed at Owner's expense.
 - c. The Letter Holders are responsible for ensuring that they are not encroaching within the SLFPA-E Right-of-Way (ROW) or within 15 feet of the levee toe, floodwall, or flood control structure. No unauthorized work or related activity shall be conducted in the SLFPA-E ROW. All unpermitted and unauthorized Encroachment within 15 feet of a levee toe, floodwall, or flood control structure shall be removed immediately, at no cost to the SLFPA-E.
 - d. Any permitted Encroachment within 15 feet of a levee toe, floodwall, or flood control structure may be removed by order of SLFPA-E or by SLFPA-E's own forces, for maintenance or emergency purposes, at no cost to the SLFPA-E.
13. SLFPA-E does not review or ensure the proposed work is within the limits defined in the permit or that the Letter Holders have sufficient rights to perform work at the proposed location. It is the responsibility of the Letter Holders to ensure they are remaining in the legal property boundary lines specified and have adequate written or legally recorded permission to gain access and/or perform work to said locations.
14. The permission granted under this Permit is being granted to the Permittee and is not transferable to any other person, company or agency.
15. This Permit does not constitute an approval of the engineering design or any opinion as to the feasibility of the Work.
16. The Work must be constructed in accordance with the submitted details set forth in the Levee Safety Permit Application number LB2024-00026 dated June 18, 2024 and Amendment request dated November 4, 2024 by the Permittee, the drawings and specifications accompanying the application or via email correspondence, and all other provisions contained herein. This permit shall automatically expire if construction of the permitted work has not started within six (6) months of the date the Permit is approved.

17. Any changes to the limits or scope of the proposed Work must be submitted to SLFPA-E, USACE, and CPRA for additional review prior to commencement of work covered by the proposed changes.
 - a. **To submit a revision/modification**, send an email with the Permit Number, USACE LNO number, and CPRA LNO number in the subject line. Address email to permit@floodauthority.org, cprarequest@la.gov, and to the individual's email address that issued the USACE LNO. Attach appropriate documents.
 - b. Revisions submitted after a permit is approved will likely require a new permit to be submitted. The previous permit should be referenced in the new permit application.
18. Construction activities must be completed within one (1) year of the date of this Levee Safety Permit's approval. Extension to a permit may be requested at permit@floodauthority.org, include the permit number in the subject line of the extension request and confirm there is no change in the Scope of Work (SOW). Not all permits are eligible for extensions, permittee may be required to file for a new permit to ensure a proper and thorough review with the USACE, CPRA, and SLFPA-E.
19. The Letter Holders agree and bind themselves to hold harmless, indemnify and defend the Lake Borgne Basin Levee District and the FPA, its commissioners, staff, employees, and agents from and against any and all claims, damages, losses and expenses, including attorney's fees, and all other claims of any kind or nature whatsoever, including claims for contribution, and/or indemnity arising out of or resulting from the performance, nonperformance or mal-performance of the work for which permission was granted provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, death or property damage of whatsoever nature, including the loss of use resulting therefrom caused in whole or in part by any negligent or willful acts or omissions of permittee, contractor, its subcontractors or anyone employed by any of them or anyone from whose acts any of them may be liable and excluding any claims caused by the negligence of the owner and/or strict liability of the owner, its agents and employees, or third parties over whom Contractor does not have control.
 - a. Additionally, **Permittee is responsible** for ensuring that the Letter Holders (all contractors, and all subcontractors) employed to complete the Work must provide a completed SLFPA-E Hold Harmless Agreement (attached with application) signed by a legally authorized representative of each Letter Holder. A signed copy of the Hold Harmless Agreement must be delivered (emailed (permit@floodauthority.org), or uploaded to SLFPA-E's Portal) prior to work being performed. **Contractors, subcontractors, and other Letter Holders that do not comply with this requirement must not be allowed access to the levee right-of-way.**
20. In addition to any other provisions provided herein, Letter Holders specifically assume any and all responsibility for property damage to SLFPA-E or any of its levee districts' property, and to personal injury to the any of its officers, agents, servants or employees caused by, resulting from, arising out of or connected with the use of the Premises and/or any buildings and improvements thereon or caused by the activities of Letter Holders and/or its invitees and/or licensees on the subject property.
21. All contractors, subcontractors, or other Letter Holders employed to complete work in the Right-of-Way must provide Certificates of Insurance (COI) as proof of compliance with SLFPA-E Levee Safety Permit Insurance Requirements, attached and made a part hereof. Permittee is responsible for ensuring that contractors, subcontractors, and other Letter Holders that do not comply with this requirement must not be allowed access to the levee right-of-way.

The following must be named as Certificate Holders and the Additional Insured on general liability, automobile liability, aviation liability and marine insurance:

Southeast Louisiana Flood Protection Authority
– East and Lake Borgne Basin Levee District
6920 Franklin Avenue
New Orleans, LA 70122

- a. Failure to provide the appropriate certificates of insurance may result in a revocation of the Permit and/or construction delays.
22. The SLFPA-E permit office must be given notice, in writing at least three (3) days (excluding weekends and holidays) prior to commencement of any work, and given notice at the end of activities, so that appropriate inspections can be made. The Permittee, contractor, or an authorized representative may send notification via email. However, the entity providing notification is responsible for verifying receipt of notification.
23. The Letter Holders must provide SLFPA-E with photographs of the completed work, which must show the relationship of the work and its relative location to the flood control structure making this Permit necessary.
24. The proposed Work must not restrict SLFPA-E's maintenance operations or any potential flood fighting activities along the levee, nor shall it obstruct or impede drainage, nor shall it create areas of standing water on the levee, along the levee toe, or within the levee batture.
25. All works shall ensure positive drainage from the levee system and that no water will be allowed to pond post construction. This requirement shall be met even if poor drainage existed prior to the work covered under this permit.
26. No equipment, vehicles or materials of any kind may be parked or stored on the levee or its slopes without prior written approval from SLFPA-E.
27. An "After-the-Fact" Permit request will be reviewed as though no work had been initiated and any work found not to be acceptable for permitting must be removed at the Permittee's expense. The Permittee is responsible for maintaining the existing level of flood protection at all times, and must employ and maintain, at the project site, suitable erosion protection measures, to the satisfaction of SLFPA-E.
28. The Permittee, contractor(s), and other Letter Holders are responsible to preserve and protect all Levee Monuments. If pavement is being installed next to a Levee Monument, contractor must install a sleeve and cap at each monument locations to allow access to the monument through the pavement.
29. Any structural facilities constructed at the flood side of the levee and/or floodwall will be anchored sufficiently so as to resist flotation, collapse or lateral movement in the event of flooding or inundation. Alternatively, in lieu of the above-referenced anchorage of installations and facilities they must be capable of immediate removal from the floodway upon request of the USACE or the SLFPA-E.
30. All temporary materials, false work, debris, etc. associated with the proposed Work must be removed from the area upon completion of the project and the area must be returned to its original state of existence or better.
31. Any damage done to the levee, floodwall or other flood control structure, revetment, or surrounding project area, resulting from the proposed Work must be repaired or replaced by Letter Holders at the Letter Holders' expense and to the satisfaction of the SLFPA-E.

32. That no stockpiling of material or vehicles or equipment is allowed on the levee/floodwall system nor is it allowed within 15-feet of the "protected side" levee toe/floodwall, or within 40-feet of the "flood-side" levee toe/floodwall. Note: The berm is considered part of the levee/floodwall system and the toe of a berm may be considered the toe of a levee. Letter Holders shall consult with the SLFPA-E for direction, if locations or offsets are unclear.
33. Excavated areas shall be backfilled as expeditiously as possible, using clay material (NOT SAND), which has a composition and density equal to or exceeds that of the areas adjacent to it, and along the perimeter of the excavation boundary, or with native material.
34. The Letter Holders must provide a set of As-Built Plans to the SLFPA-E upon completion of the Work.
35. If for any reason the Letter Holders ceases to maintain operations, the Letter Holders must obtain a modification of this Permit, which may require that any or all structures, materials, equipment, etc. in the area of operation be removed at the Permittee's and/or Owner's expense.
36. The SLFPA-E may revoke this Levee Safety Permit if it determines that the provisions contained in this permit are not being met, or if the permitted activities damage the levee or flood protection system.
37. It is further hereby expressly agreed that the obligations of the Permittee, Owner, and other Letter Holders under this Permit shall survive the expiration and/or termination of this Permit.
38. If any term or provision should be determined invalid or unenforceable for any reason, that invalidity or unenforceability shall not affect the validity or enforceability of the remainder of the terms or provisions of this permit.

Agent/Applicant

Southeast Louisiana Flood Protection
Authority - East

AGREES TO THE CONDITIONS HEREIN

11 Dec 2024

Date



Signature

17 Dec 2024

Date



Christopher G. Humphreys, P.E.
Director of Engineering



State of Louisiana

September 9, 2024

JEFF LANDRY
GOVERNOR

Lake Borgne Basin Levee District
6920 Franklin Ave.
New Orleans, LA 70122
Attention: Mr. Chris Humphreys

PERMIT REQUEST LETTER OF NO OBJECTION

This Letter of No Objection is not a regulatory permit and does not authorize the implementation of any project without documented approval from all appropriate regulatory authorities.

Permit Applicant: Port of New Orleans

Date of Request: 06-18-2024

Agent: Evans-Graves Engineers, Inc.

Applicant's Request: Approval to amend Letter of No Objection No. 23639. It is amended by: Three test pile clusters will be installed on the floodside of the Mississippi River Levee and three will be installed between the MRL and La. Highway 46. Each floodside cluster will be comprised of one instrumented 36-inch square concrete test pile, one 36-inch square concrete indicator pile, and twelve 36-inch diameter steel pipe reaction/indicator piles. These pile clusters will have a maximum tip elevation of -200-feet below ground surface and will be installed no closer than 400-feet from the floodside toe of the MRL. Additional individual 36-inch square concrete indicator piles and 36-inch diameter steel pipe reaction piles will be installed with and adjacent to the footprint of the proposed LIT Wharf. Installation of floodside piles will be completed using a crane on a barge in the river. The barge will be anchored in place during pile installation using either existing site anchorage for the existing Violet Dock, 24-inch diameter steel pipe anchor piles or anchor lines tied to bulldozers placed within the batture area. All bulldozers temporarily placed in the batture area will be less than HS-20 Loading. Piles penetrating the Poydras Revetment will have riprap placed around them as addressed in the Corps of Engineers Standard Drawing, "Repair Procedures Required When Penetrating Revetments with Piles, Caissons and/or Pile Clusters", File No. H-18-45204. There will be no spudding into the exiting revetment. Barges used for pile driving will maintain a minimum of three feet of clearance over the underwater revetment during any river stage. Any damage to the revetment as the result of the applicants activities will be repaired at the applicants expense. Each test pile cluster between the MRL and La. Hwy. 46 will be comprised of up to one 24-inch instrumented square concrete test pile, one 24-inch square concrete indicator pile, and eight 36-inch diameter steel pipe reaction piles with a maximum tip elevation of -140-feet below ground surface installed no closer than 130-feet from the landside toe of the MRL. Additionally, stone work pads may be required to provide safe operation of equipment within each pile test cluster work area. These areas would be up to 10,000-square feet at each land side work sites. The nearest work locations will be approximately on the crown of the 40 Arpent Levee and 85-feet from the Mississippi River Levee toe.

Received 6/20/24
SLFPAE Permit Number: LB2024-00026

Project Location: All work will take place on the protected side of the left-descending Mississippi River Levee and the crown and protected side of the Non-Federal Forty Arpent Canal Levee in Violet St. Bernard Parish, Louisiana.

Project Coordinates:..... 29° 53' 10.940" , -89° 53' 43.400"

2024-09-09

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1. That all provisions cited in our previous correspondence, Letter of No Objection No. 23639 dated 5/28/24, regarding the applicants initial and related request, are applied to this most recent amended request and are strictly adhered to.
2. This Letter of No Objection (LNO) is conditioned upon the applicant/agent providing the following to CPRA, USACE, and the levee district, before commencing any activity allowed under the LNO. Final work products deemed necessary for granting of this Letter of No Objection associated with this project shall be stamped (construction ready drawings, designs, reports, as-builts differing significantly from final plans, etc...) by each professional engineer responsible for their relevant field of practice for the project. Failure to provide information requested or failure to abide by the conditions and requirements contained herein shall constitute grounds for rescinding this Letter of No Objection. In such an event, CPRA will provide notice to USACE and the levee district that the LNO has been rescinded.

Yours very truly,



for Glenn Ledet, Jr., Executive Director
Coastal Protection and Restoration Authority of Louisiana

23749/mc/tj/rd

cc:

U.S. Army Corps Of Engineers-Levees
U.S. Coast Guard



State of Louisiana

September 30, 2024

JEFF LANDRY
GOVERNOR

Lake Borgne Basin Levee District
6920 Franklin Ave.
New Orleans, LA 70122
Attention: Mr. Chris Humphreys

PERMIT REQUEST LETTER OF NO OBJECTION

This Letter of No Objection is not a regulatory permit and does not authorize the implementation of any project without documented approval from all appropriate regulatory authorities.

Permit Applicant: Port of New Orleans

Date of Request: 09-24-2024

Agent: Evans-Graves Engineers, Inc.

Applicant's Request: Approval to amend Letter of No Objection No. 23749 dated 9/9/24. It is amended by shifting two of the three landside pile load test clusters slightly south, add additional reaction piles to each of the three landside test clusters, and use a 42-inch diameter casing to install one of the test piles in each of the three landside clusters.

Received 9/24/24

SLFPAE Permit Number: LB2024-00026

Project Location: All work will take place on the protected side of the left-descending Mississippi River Levee and the crown and protected side of the Non-Federal Forty Arpent Canal Levee in Violet St. Bernard Parish, Louisiana.

Project Coordinates:..... 29° 53' 10.940" , -89° 53' 43.400"

1. That all provisions cited in our previous correspondence, Letter of No Objection No. 23749 dated 9/9/24, regarding the applicants initial and related request, are applied to this most recent amended request and are strictly adhered to.

Yours very truly,

for Glenn Ledet, Jr., Executive Director
Coastal Protection and Restoration Authority of Louisiana

24168/mc/jr/rd

cc:

U.S. Army Corps Of Engineers-Levees

From: [Carlos, Madeline M CIV USARMY CFMVN \(USA\)](#)
To: [Permits; CPRA](#)
Cc: chris.gilmore@portnola.com; [Lee Walker](#); [Powell, Amy F CIV USARMY CFMVN \(USA\)](#)
Subject: Amended LNO 2023-0924 (Lake Borgne Basin Levee District) -Evans-Graves Engineers, Inc. on behalf of Port of New Orleans
Date: Monday, August 12, 2024 11:33:58 AM
Attachments: [H-18-45204 \(4\).pdf](#)
[E2023-0924.2.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lake Borgne Basin Levee District,

We have received a copy of the application from Evans-Graves Engineers, Inc. on behalf of Port of New Orleans, dated June 18, 2024, concerning permission to perform a pile load test for Louisiana International Terminal Design near Hwy 46 on the landside and flood side of the left descending Mississippi River levee, vicinity of second order levee station 481+23, at Violet, Louisiana, in St. Bernard Parish. (LB2024-00026)

Please take this email as our Letter of No Objection for the project. **No work shall commence until a permit is received from Lake Borgne Basin Levee District.**

We have no objection provided:

- a. The work is accomplished in accordance with the above referenced application and accompanying drawings.
- b. No piles are driven and no pile load tests are performed when the stage of the Mississippi River is above +11 feet on the Carrollton gage, at New Orleans, Louisiana. If the subsurface work and testing is not completed prior to the river exceeding this stage, then the applicant must cease all subsurface work and testing at the direction of the Corps of Engineers. No river stage waiver will be granted due to subsurface conditions at this location (flow failure area). Information concerning current river stages may be obtained on our website at www.rivergages.com.
- c. Riprap is placed around all piles that penetrate through the revetment in accordance with the Corps of Engineers standard drawing, "Repair Procedures Required When Penetrating Revetments With Piles, Caissons and/or Pile Clusters", file No. H-18-45204.
- d. The applicant must not spud or anchor into the existing revetment.
- e. All vessels maintain a minimum of three feet of clearance over the underwater revetment during any river stage.
- f. Any damage to the revetment resulting from applicant's activities shall be repaired in accordance with USACE guidelines at the applicant's expense.
- g. Any piles (test, reaction or indicator) that are to be removed after testing may not be pulled, but

cut 3 feet below the mudline in areas outside the revetment and at the mudline within the revetment.

h. Any damage to the levee resulting from applicant's activities shall be repaired in accordance with USACE guidelines at the applicant's expense.

i. Heavy equipment greater than HS-20 loading (72,000lbs) is not allowed over the levee or in the batture without an approved stability analysis.

j. The applicant must provide written notification to this office of the construction timeline to include the proposed start and end dates. Additionally, the applicant must notify this office prior to commencement and upon completion of the work permitted herein.

This letter of no objection is based upon engineering criteria and potential impacts to the flood risk reduction system only, and no interpretation or comments regarding local drainage or traffic issues, local laws, zoning, or ordinances concerning property rights, etc., have been made. This letter of no objection does not constitute a response to a Section 404/10 permit application, if required.

If you have any questions, please contact me. Additionally, future correspondence concerning this project should reference our Letter of No Objection number 23-0924. This will allow us to more easily locate records of previous correspondence, and thus provide a quicker response.

Thanks,

Madeline C. Carlos
New Orleans District - CEMVN - ODS-W
(504) 862-1630
U.S. Army Corps of Engineers
7400 Leake Avenue
New Orleans, LA 70118
(504) 862-1630
Madeline.c.carlos@usace.army.mil

From: [Carlos, Madeline M CIV USARMY CEMVN \(USA\)](#)
To: [Permits; CPRA](#)
Cc: chris.gilmore@portnola.com; [Lee Walker](#); [Clement, Karen L CIV USARMY CEMVN \(USA\)](#)
Subject: Revised LNO 2023-0924 (Lake Borgne Basin Levee District) -Evans-Graves Engineers, Inc. on behalf of Port of New Orleans
Date: Wednesday, December 4, 2024 10:13:57 AM
Attachments: [Amended LNO 2023-0924 \(Lake Borgne Basin Levee District\) -Evans-Graves Engineers, Inc. on behalf of Port of New Orleans.pdf](#)

Lake Borgne Basin Levee District,

Please reference our letter of no objection dated August 12, 2024 regarding a permit request from Evans-Graves Engineers, Inc. on behalf of Port of New Orleans, concerning permission to perform a pile load test for Louisiana International Terminal Design near Hwy 46 on the landside and flood side of the left descending Mississippi River levee, vicinity of second order levee station 481+23, at Violet, Louisiana, in St. Bernard Parish. (LB2024-00026)

Subsequently, we received a request from Evans-Graves Engineers, Inc. on behalf of Port of New Orleans, dated November 4, 2024, to shift two of the three landside pile load test clusters slightly south, add additional reaction piles to each of the three landside test clusters, and use a 42" casing to install one of the test piles in each of the three landside clusters near Hwy 46 on the landside and flood side of the left descending Mississippi River levee, vicinity of second order levee station 481+23, at Violet, Louisiana, in St. Bernard Parish. (LB2024-00026)

Please take this email as our Letter of No Objection for the project. **No work shall commence until a permit is received from Lake Borgne Basin Levee District.**

We have no objection provided:

- a. The work is accomplished in accordance with the updated plans dated 2024-11-18 reflecting no casing and removal of material within casing will be performed for the test piles.
- b. That all provisions of our original Letter of No Objection dated August 12, 2024, not affected by this LNO, remain in effect.
- c. No piles are driven and no pile load tests are performed when the stage of the Mississippi River is above +11 feet on the Carrollton gage, at New Orleans, Louisiana. If the subsurface work and testing is not completed prior to the river exceeding this stage, then the applicant must cease all subsurface work and testing at the direction of the Corps of Engineers. No river stage waiver will be granted due to subsurface conditions at this location (flow failure area). Information concerning current river stages may be obtained on our website at www.rivergages.com.
- d. Any piles (test, reaction or indicator) that are to be removed after testing may not be pulled, but cut 3 feet below the mudline in areas outside the revetment and at the mudline within the revetment.
- e. All other stipulations as previously stated remain in effect.

f. The applicant must provide written notification to this office of the construction timeline to include the proposed start and end dates. Additionally, the applicant must notify this office prior to commencement and upon completion of the work permitted herein.

This letter of no objection is based upon engineering criteria and potential impacts to the flood risk reduction system only, and no interpretation or comments regarding local drainage or traffic issues, local laws, zoning, or ordinances concerning property rights, etc., have been made. This letter of no objection does not constitute a response to a Section 404/10 permit application, if required.

If you have any questions, please contact me. Additionally, future correspondence concerning this project should reference our Letter of No Objection number 23-0924. This will allow us to more easily locate records of previous correspondence, and thus provide a quicker response.

Thanks,

Madeline C. Carlos
New Orleans District - CEMVN - ODS-W
(504) 862-1630
U.S. Army Corps of Engineers
7400 Leake Avenue
New Orleans, LA 70118
(504) 862-1630
Madeline.c.carlos@usace.army.mil

Southeast Louisiana Flood Protection Authority – East

Hold Harmless Agreement

PERMIT NUMBER: LB2024- 00026

Contractor/Letter Holder/Applicant/Permittee (hereafter collectively known as Contractor) agrees and binds himself to hold harmless, indemnity and defend the Lake Borgne Basin Levee District and the Southeast Louisiana Flood Protection Authority- East, its commissioners and employees from and against any and all claims, damages, losses and expenses, including attorney's fees, and all other claims of any kind or nature whatsoever, including claims for contribution, and/or indemnity arising out of or resulting from the performance, nonperformance or mal-performance of the work for which permission was granted provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, death or property damage of whatsoever nature, including the loss of use resulting therefrom caused in whole or in part by any negligent or willful acts or omissions of contractor, its subcontractors or anyone employed by any of them or anyone from whose acts any of them may be liable and excluding any claims caused by the negligence of the owner and/or strict liability of the owner, its agents and employees, or third parties over whom Contractor does not have control.

Port of New Orleans

Company Name (Print Clearly, N/A for Not Applicable)

Chris Gilmore

Authorized Signatory (Signature)

Chris Gilmore

Authorized Signatory (Printed Name)

Director of Engineering + Environmental

Authorized Signatory – Title (Print Clearly, N/A for Not Applicable)

09 SEP 2024

Date



Permit Number: LB2024-00026

Submit Date: 6/18/2024

Applicant's Information

Name: Chris Gilmore

Company: Port of New Orleans

Address: 1350 Port of New Orleans Pl., New Orleans 70130

Phone Number: 504-528-3305

Email Address: chris.gilmore@portnola.com

Authorized Agent's Information

Name: Lee Walker

Company: Evans-Graves Engineers

Address: 909 Poydras St Ste 3050, New Orleans 70112

Phone Number: 504-913-1857

Email Address: lwalker@evans-graves.com

Statement of Authorization

I hereby authorize, Lee Walker, to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

Applicant Signature Date: 6/18/2024

Project Details

Project Name & Location

Project name or title: Pile Load Test for Louisiana
International Terminal Design

Name of levee system (if known): MRL

Latitude: 29.886368

Longitude: -89.895379

Levee Station (if known):

Offset:

Levee Location Type: Flood Side

Section: 8,9,10

Township: 13S

Range: 13E

Project Description



Nature of Activity (Project description, include all features): Three test pile clusters would be installed on the floodside of the Mississippi River Levee (MRL) and three would be installed between the MRL and Highway 46. Each floodside cluster (locations indicated by dashed ovals in Figure 2 and pile configuration shown in dashed oval in Figure 3) would be comprised of one instrumented 36" square concrete test pile, one 36" square concrete indicator pile, and twelve 36" steel pipe reaction/indicator piles. These pile clusters would have a maximum tip elevation of -200 and would be installed no closer than 400 feet from the floodside toe of the MRL. Additional individual 36" square concrete indicator piles and 36" steel pipe reaction piles would be installed with and adjacent to the footprint of the proposed LIT wharf (locations indicated by dashed rectangles in Figure 2 and pile configuration shown in dashed rectangle in Figure 3). Installation of floodside piles would be completed using a crane on barge in the river. The barges would be anchored in place during pile installation using either existing site anchorage for the existing Violet Dock, 24" steel pipe anchor piles as shown in Figure 3, or anchor lines tied to bulldozers placed within the batture area. All bulldozers temporarily placed in the batture area would be less than HS-20 loading. No land clearing is anticipated within the batture, although some tree branches could be impacted by movement of any anchor lines tied to features on shore. Piles penetrating the Poydras revetment will have riprap placed around them as addressed in the Corps of Engineers standard drawing, "Repair Procedures Required When Penetrating Revetments with Piles, Caissons and/or Pile Clusters", file No. H-18-45204. There will be no spudding into the exiting revetment. Barges used for pile driving will maintain a minimum of three feet of clearance over the underwater revetment during any river stage. Any damage to the revetment as the result of the applicant's activities will be repaired at the applicant's expense. Each test pile cluster between the MRL and Hwy 46 (locations shown in Figure 2 and pile configuration shown in Figure 4) would be comprised of up to one 24" instrumented square concrete test pile, one 24" square concrete indicator pile, and eight 36" steel pipe reaction piles with a maximum tip elevation of -140 installed no closer than 130 feet from the landside toe of the MRL. Additionally, stone work pads may be required to provide safe operation of equipment within each pile test cluster work area. These areas would be up to 10,000 square feet at each land side work sites. In response to a request for additional information from Madeline Carlos (USACE) dated 1/23/24, a seepage analysis for the pile load clusters between the MRL and Hwy 46 is provided (See "LONO_23_1066_Seepage_Analysis").

Project Purpose (Describe the reason or purpose of the project): As part of the design effort for the Louisiana International Terminal (LIT), the Port of New Orleans needs to conduct pile load tests to determine the load capacity of the type of piling that is expected to be used for the construction of the wharf and ramp portions of the LIT project.

Is any portion of this work already complete? No

Is this a renewal or extension of a previous permit? No

Application Type: Government

Insurance: Yes

Signature(s)

Application is hereby made for permit or permits to authorize the work described in this application. I certify and this information is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Agent Submission Signature Date: 6/18/2024



Agent Approval Signature Date: 9/19/2024

Lu Walker

Permitting Officer Signature Date: 9/21/2024

Christina Thompson



FLOOD PROTECTION AUTHORITY

Your Flood Defense System

SLFPA-E LEVEE SAFETY PERMIT PROVISIONS

Lake Borgne Basin Levee Safety Permit #LB2024-00026 Provisions:

In consideration of the referenced request, the Southeast Louisiana Flood Protection Authority–East (SLFPA-E), on behalf of the Lake Borgne Levee District, does hereby grant permission to Evans–Graves Engineers, Inc. ("Permittee") on behalf of Port of New Orleans to perform a pile load test for Louisiana International Terminal Design near Highway 46 on the landside and flood side of the left descending Mississippi River levee, vicinity of second order levee station 481+23, at Violet, Louisiana, in St. Bernard Parish.

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EAST JEFFERSON LEVEE DISTRICT

1100 Rev. Richard Wilson Drive
Kenner, LA 70062
504.469-7522

LAKE BORGNE BASIN LEVEE DISTRICT

P.O. Box 216
6136 E. St. Bernard Highway
Violet, LA 70092
504.682.5941

ORLEANS LEVEE DISTRICT

6920 Franklin Ave
New Orleans, LA 70122
504.286.3100

1. A copy of this Levee Safety Permit, along with a set of approved plans shall be kept on the job site for the duration of the Work and made readily available for any inspector to determine that the Work taking place has been permitted by the Southeast Louisiana Flood Protection Authority –East (SLFPA-E), and is being conducted in accordance with approved plans. Failure to do so may result in the revocation of the Levee Safety Permit ("the Permit") or construction delays. The Levee District has the option to reserve its rights to inspect area prior to construction.
2. **All work is performed in strict accordance with the provisions set forth in the CPRA's Letter of No Objection #23749 dated September 9, 2024 and the USACE Letter of No Objection #2023-0924 dated August 12, 2024 attached and made a part hereof.**
3. No unauthorized work or related activity shall be conducted within the levee district right-of-way. All unpermitted and unauthorized work, structure, paving, etc. within 15 feet of a levee toe, floodwall, or flood control structure shall be immediately removed at the no cost to the FPA. Any permitted works, structures, paving, etc. within 15 feet of a levee toe, floodwall, or flood control structure may be removed by order of the FPA or by the FPA, for maintenance or emergency reasons, at no cost to the FPA.
4. Should changes in the location or section of the existing levee and/or river, or in the generally prevailing conditions in the vicinity, be required in the future in the public interest, the applicant shall make changes in the project concerned or in the arrangement thereof, as may be necessary to satisfactorily meet the situation and shall bear the cost thereof.
5. This Permit does NOT obviate the Permittee and Contractor from obtaining permits required from any federal, state, and local authorities, or the U.S. Army Corps of Engineers, the State Land Office, the Louisiana Department of Transportation and Development, and/or the Louisiana Department of Natural Resources-Coastal Management Division. Permittee and Contractors are responsible for obtaining all such permits and adhering to their provisions. The SLFPA-E is not responsible for insuring that the Permittee or its Contractor complies with rules, regulations or laws imposed by other governmental entities/agencies in regard to requirements for permitted activities, and does not enforce permits or regulations required by any of those entities. The Permittee is to provide copies of all city, state and federal permits to the SLFPA-E prior to commencing work.
6. The SLFPA-E will not interpret or provide comments on any local laws, zoning or ordinances concerning property rights, operations, or any other activities governed by any Permit that is not a SLFPA-E Permit.
7. The permission granted under this Permit is being granted to the Permittee and is not transferable to any other person, company or agency.
8. This Permit does not constitute an approval of the engineering design or any opinion as to the feasibility of the Work.

9. The Work shall be constructed in accordance with the submitted details set forth in the Levee Safety Permit Application dated June 18, 2024 by the Permittee, the drawings and specifications accompanying the application, and all other provisions contained herein. This Permit shall automatically expire if construction of the permitted facility has not started within six (6) months of the date of the Permit.
10. Any changes to the limits or scope of the proposed Work must be submitted to SLFPA-E for additional review prior to commencement of work covered by the proposed changes.
11. Construction activities shall be completed within one year of the date of this Levee Safety Permit.
12. The Permittee agrees to hold harmless, indemnify, and defend the SLFPA-E and its levee districts, its staff, Commissioners and agents against any and all damages which arise from the activities of the Permittee, or the Permittee's contractors, tenants and or lessees. Additionally, the Permittee, and all contractors and subcontractors employed to complete the Work must provide a completed SLFPA-E hold harmless agreement (attached with application) signed by a legally authorized representative of each contractor and subcontractor. A signed copy of the hold harmless agreement must be delivered, emailed, or uploaded to SLFPA-E Portal. Contractors and subcontractors that do not comply with this requirement shall not be allowed access to the levee right-of-way.
13. In addition to any other provisions provided herein, Permittee specifically assumes any and all responsibility for property damage to the SLFPAE or any of its levee districts' property, and to personal injury to the any of its officers, agents, servants or employees caused by, resulting from, arising out of or connected with the use of the Premises and/or any buildings and improvements thereon or caused by the activities of Permittee and/or its invitees and/or licensees on the subject property.
14. All contractors and subcontractors employed to complete work in the Right of Way shall provide certificates of insurance as proof of compliance with the SLFPA-E Levee Safety Permit Insurance Requirements, attached and made a part hereof. Contractors that do not comply with this requirement shall not be allowed access to the levee right-of-way. The following shall be named as certificate holders and the additional insured on general liability, automobile liability, aviation liability and marine insurance:

Southeast Louisiana Flood Protection Authority – East
6920 Franklin Avenue
New Orleans, LA 70122

Failure to provide the appropriate certificates of insurance may result in a revocation of the Permit and/or construction delays.

15. The SLFPA-E permit office shall be given notice in writing at least 3 days (excluding weekends and holidays) prior to commencement of any work, and at the end of activities so that appropriate inspections can be made. The Permittee, contractor, or an authorized representative may send notification via email. However, the entity providing notification is responsible for verifying receipt of notification.
16. The Permittee shall provide the SLFPA-E with photographs of the completed work, which must show the relationship of the work and its relative location to the flood control structure making this Permit necessary.
17. The proposed Work shall not restrict the Levee District's maintenance operations, or any potential flood fighting activities along the levee, nor shall it obstruct or impede drainage, or create areas of standing water on the levee, along the levee toe, or in the levee batture.
18. No equipment, vehicles or materials of any kind may be parked or stored on the levee or its slopes without prior approval from the Levee District.
19. An "after-the-fact" Permit request will be reviewed as though no work had been initiated and any work found not to be acceptable for permitting shall be removed at the Permittee's expense. The Permittee is responsible for maintaining the existing level of flood protection at all times, and shall employ and maintain at the project site suitable erosion protection measures to the satisfaction of the Levee District.

20. The contractor shall preserve and protect all levee monuments and shall install a sleeve and cap at each monument locations to allow access to the monument through the asphalt pavement.
21. Any structural facilities constructed at the flood side of the levee and/or floodwall will be anchored sufficiently so as to resist flotation, collapse or lateral movement in the event of flooding or inundation. Alternatively, in lieu of the above-referenced anchorage of installations and facilities they must be capable of immediate removal from the floodway upon request of the U.S. Army Corps of Engineers or the SLFPAE.
22. All materials associated with the proposed Work must be removed from the area upon completion of the project and the area must be returned to its original state of existence or better.
23. Any damage done to the levee, floodwall or other flood control structure, revetment, or surrounding project area, resulting from the proposed Work shall be repaired or replaced by Permittee at the Permittee's expense and to the satisfaction of the Levee District.
24. The Permittee shall provide a set of As-Built Plans to the Southeast Louisiana Flood Protection Authority - East upon completion of the Work.
25. If for any reason the Permittee ceases to maintain operations, the APPLICANT/OWNER must obtain a modification of this Permit, which may require that any or all structures and materials in the area of operation be removed at the Permittee's expense.
26. The SLFPA-E may revoke this Levee Safety Permit if it determines that the provisions contained in this permit are not being met, or if the permitted activity damages the levee system infrastructure.
27. It is further hereby expressly agreed that the obligations of the Permittee under this Permit shall survive the expiration and/or termination of this Permit.
28. By signing this permit, applicant acknowledges that they own all the property in which the proposed work will be performed or have a lawfully recorded easement/usufruct, which legally allows applicant to perform proposed work on another's property. Applicant shall not work from within or trespass onto the FPA's right-of-way, nor shall they work from another's property without written permission to do so.