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UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Washington, D.C. 20235

FEB 21 1986

Mr. Micheal Bourgeois  
Deputy Secretary  
Department of Natural Resources  
P. O. Box 44124  
Baton Rouge, LA 70804

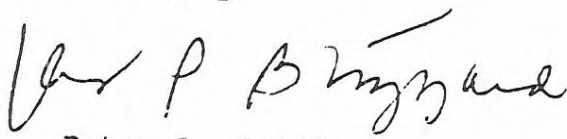
Dear Mr. Bourgeois:

This letter concerns the status of the Office of Ocean and Coastal Resource Management (OCRM) review of the Jefferson Parish Local Coastal Program (LCP) as a routine program implementation (RPI) following receipt of your letter of August 20, 1985. Consistent with the provisions of 15 CFR 923.84, the Jefferson Parish LCP stands approved by the OCRM as of October 4, 1985. Upon publication by your office of the Public Notice required by 15 CFR 923.84(b)(4), Federal consistency will apply.

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~~Subsequently, on November 25, 1985, the Jefferson Parish~~ informally submitted to this Office several proposed changes to the Jefferson Parish LCP. These changes include revisions to the West Bank Hurricane Protection Levee Alignment as well as several revised policies regarding oil and gas development in Lake Pontchartrain. The OCRM objected to the inclusion of these new oil and gas policies in a letter to Dr. Curry dated February 4, 1986. Jim Blizzard of my staff discussed these issues with both Dr. Curry and Bruce Burgless in telephone conversations of February 12 and 14, 1986. They have agreed to modify these policies such that they are consistent with the State Coastal Act and the Federal Coastal Zone Management Act. These revised policies as well as other changes to West Bank Environmental Management Unit originally proposed in Parish's November letter need to be formally submitted to us by your office as soon as possible. I have asked my staff to work closely with the Parish and your Office to ensure that revised policies are acceptable to all parties. If we can be of any further assistance, please call Mr. Blizzard or me at (202) 634-4232.

Sincerely,

  
Peter L. Tweedt  
Director

cc: Dr. Chip Groat  
Dr. Mary Curry





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Washington, D.C. 20235

MAY 25 1988

Dr. Charles G. Groat, Director  
Coastal Management Division  
Department of Natural Resources  
PO Box 44487  
Baton Rouge, Louisiana 70804-4487

Dear Dr. Groat:

The Office of Ocean and Coastal Resources Management (OCRM) has completed a review of the information you submitted regarding the proposed change to the Jefferson Parish Local Coastal Program (LCP). As we requested in our letter to you of September 14, 1987, you submitted the official Public Notice on the November 1986 Council Meeting at which the Parish adopted OCRM's language making Parish comments advisory only for uses of State concern. Additionally, you submitted a Parish Resolution of April 13, 1988 which clearly deletes the objectionable oil and gas policies, the second issue we identified in our rejection letter of September 14, 1987.

We concur that these changes are routine program implementation of Louisiana's coastal program; these changes do not substantially change any enforceable policies or authorities related to implementation. Federal consistency will apply when you publish notice of our approval.

Sincerely,

Peter L. Tweedt  
Director



Jefferson Parish Approval Letters and Memos 6/27/07

- 01/04/85: Letter from LDNR to Jefferson – send us 15 copies and we approve program
- 01/14/85 Letter from LDNR to NOAA – request for RPI if no reply within four weeks will assume concurrence.
- 01/22/85 Memo from LDNR to Federal Agency – DNR has requested RPI
- 03/04/85 Letter from LDNR to NOAA – 5 copies and Finding of Fact, Request for RPI
- 03/08/85 Legal Ad to State Times – Request for RPI sent to NOAA. “Should OCRM concur or fail to respond to DNR’s determination within four weeks, the federal consistency provisions of Section 307 of the Federal Coastal Zone Management Act of 1972 will apply to the Jefferson Parish Coastal Management Program.”
- 04/15/85 Letter from NOAA to DNR – No to RPI
- 08/20/85 LDNR Response to NOAA and re-request for RPI
- 02/21/86 Letter from NOAA to LDNR – NOAA will reconsider RPI in light of changes informally submitted
- 04/07/86 Memo to other Federal, State and Local Agencies, Notice of Request to NOAA of RPI for Jefferson Parish Permits
- 04/25/86 Public Notice of Notice of Request to NOAA or RPI for Jefferson Parish Permits
- 05/07/86 Letter to NOAA from LDNR requesting RPI of Jefferson Programmatic Consistency
- 05/16/86 NOAA Acknowledgement of Receipt of LDNR’s request for RPI
- 05/29/86 NOAA approval of RPI for Jefferson Programmatic Consistency**



EDWIN W. EDWARDS  
GOVERNOR  
B. JIM PORTER  
SECRETARY

DEPARTMENT OF NATURAL RESOURCES

MICHAEL J. BOURGEOIS  
DEPUTY SECRETARY

January 4, 1985

Dr. Mary G. Curry  
Environmental Impact Officer  
Jefferson Parish  
3330 N. Causeway Blvd.  
Room 303  
Metairie, LA 70011

RE: Approval of Jefferson Parish  
CZM Plan

Dear Dr. Curry:

As per your letter of November 28, 1984, the incorporated changes contained within fulfill the revisions required by our November 15, 1984 letter. Approval of Jefferson's CZM Program is hereby given pending receipt of 15 copies of the revised document.

Please contact me or Mr. Phil Pittman at 504/342-7591 if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Bourgeois".

Michael J. Bourgeois

MJB:LPP:dg

cc: Dr. Charles Groat ✓  
Mr. Phil Pittman



EDWIN W. EDWARDS  
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

B. JIM PORTER  
SECRETARY

January 14, 1985

Ms. Ann Berger-Blundon  
Office of Ocean & Coastal Resource Management  
3300 Whitehaven Ave. N.W.  
Page Building 1  
Washington, D.C. 20235

Dear Ms. Blundon:

The Louisiana Department of Natural Resources (DNR) has acknowledged and approved the Jefferson Parish Coastal Zone Management Program as of January 4, 1985. The Department of Natural Resources considers the acknowledgement and approval of the local program to be, pursuant to 15 CFR 923.84, routine program implementation. We also consider the Jefferson Parish Coastal Management Program to be consistent with all the requirements of Act 361 (LA-R.S. 49) and the Louisiana Coastal Resources Program of 1980, as amended, and certify that it will alter none of the following:

1. The Coastal Boundary - The boundary as described on pages b-4 and b-5 of Section 213.4 the Louisiana Coastal Resources Program (LCRP) remains unchanged.
2. Uses Subject to State and Local Concerns - The uses subject to management under the coastal use permitting process within the coastal areas of the State are as identified on page b-6 (Section 213.4) of the LCRP and are listed as state or local concerns as follows:
  - A State Concerns:
    - (a) Any dredge or fill activity which intersects with more than one water body.
    - (b) Projects involving use of state owned lands or water bottoms.
    - (c) State publicly funded projects.
    - (d) National interest projects.
    - (e) Projects occurring in more than one parish.
    - (f) All mineral activities, including exploration for and production of, oil, gas and other minerals, all dredge and fill uses associates therewith, and all other associated uses.

- (g) All pipelines for the gathering, transportaion or transmission of oil, gas and other minerals.
- (h) Energy facility siting and development.
- (i) Uses of local concern which may significantly offset interests of regional, state or national concern.

B. Local Concerns:

- (a) Privately funded projects which are not uses of state concern
- (b) Publicly funded projects which are not uses of state concern.
- (d) Jetties or breakwaters.
- (e) Dredge or fill projects not intersecting more than one water body.
- (f) Bulkheads.
- (g) Piers.
- (h) Camps and cattlewalks.
- (i) Maintenance dredging.
- (j) Private water control structures of less than \$15,000 in cost.
- (k) Uses on cheniers, salt domes, or similar land forms.

These concerns were established in order to allow each entity to regulate and issue coastal use permits on the above activities, as they relate to the coastal areas of the parish and state.

3. Identification of particular areas as required by the LCRP - the LCRP (Appendix C2, II D) requires any coastal parish that submits a coastal program for State approval to include a list of particular areas, if any, within their parish boundaries (along with the special policies and/or procedures to be applied to these areas) that could require special management as a result of their unique natural resource or development potentials, page C2-2 of LCRP.
4. Consideration of the national interest involved in the planning and siting of facilities which are other than local in nature. The participation by federal agencies in the development and approval processes for coastal programs, pursuant to 15 CFR 923.84, assures the adequate consideration of the national interests in the siting of facilities, page CS-3 of LCRP.

Ms. Ann Berger-Blundon  
Page Three - 1-14-85

Concurrent notice of this routine program implementation determination has been provided to affected parties. This notification to the Office of Ocean and Coastal Resource Management has been attached to the general notice. The parties receiving the general notice are the general public, local governments, state agencies, and the regional offices of interested federal agencies. This notice describes the purpose of routine program implementation, and states that the program is considered to be consistent with the LCRP. It also states that concurrence has been requested from your office, and that all comments be submitted to OCRM within three weeks of the date of issuance of this notice.

Please state OCRM's position of concurrence or non-concurrence with the routine program implementation determination of DNR within four weeks of your receipt of this letter. The DNR will assume that concurrence has been granted if no response is received within that time frame.

Should additional materials or information be required, please feel free to contact Phil Pittman of my staff at (504) 342-7591.

Sincerely,



Michael J. Bourgeois

MJB:LPP/se

cc: Dr. Charles Groat  
Mr. Phil Pittman  
Coastal Management Division

Dr. Mary Curry  
Environmental Impact Offices



EDWIN W. EDWARDS  
GOVERNOR  
B. JIM PORTER  
SECRETARY

DEPARTMENT OF NATURAL RESOURCES

MICHAEL J. BOURGEOIS  
DEPUTY SECRETARY

January 22, 1985

MEMORANDUM

TO: Interested Federal Agencies

FROM: Michael J. Bourgeois, Deputy Secretary *MB*

RE: Routine Implementation of the Louisiana Coastal Resources Program  
Acknowledgement and Approval of the Jefferson Parish Coastal Management  
Plan

On January 4, 1985, the Secretary of Louisiana's Department of Natural Resources acknowledged receipt of and approved the Jefferson Parish Coastal Management Program as submitted by parish officials on November 28, 1984. It is the determination of DNR that the acknowledgement and approval of the Jefferson plan can be considered routine implementation of the federally approved Louisiana Coastal Resources Program (LCRP) pursuant to 15 CFR 923.84.

The approved parish program is considered by DNR to be consistent with all of the requirements of Act 361 (La. R.S. 49) and the Louisiana Coastal Resources Program and in no way alters (1) the existing coastal boundary, (2) uses subject to state and local concerns, (3) identification of particular areas, (4) consideration of the national interest involved in the planning and siting of facilities which are other than local in nature. Therefore, program amendment procedures of 15 CFR 923.81 - 923.82 would not apply to this acknowledgement and approval.

The federal Office of Coastal Resource Management (OCRM) has been notified of DNR's determination of routine program implementation. Should OCRM concur or fail to respond to DNR's determination within four weeks, the federal consistency provisions of Section 307 of the Federal Coastal Zone Management Act of 1972 will apply to the Jefferson Parish Coastal Management Program. Local governments, state agencies, and relevant federal agencies, as well as members of the general public, may comment within three weeks from the day of issuance of this letter, as to whether or not the acknowledgement and approval of this parish program represents routine program implementation pursuant to 15 CFR 923.84. Copies of the program are available for review at the Department of Natural Resources/Coastal Management Division and at the Jefferson Parish Environmental Office. Comments should be submitted to: Ms. Ann Berger-Blundon, Gulf States Regional Manager, Office of Coastal Resource Management, 3300 Whitehaven Avenue, N.W., Page Building 1, Washington, D.C. 20235.



MEMORANDUM

January 22, 1985

DNR will provide further notice of concurrence, non-concurrence, or the failure to respond by OCRM. In the same notice, if appropriate, the date of applicability of federal consistency to the Jefferson Parish Coastal Management Plan will also be stated.

If you should require any further assistance in your consideration of the routine program implementation action, please contact Mr. Phil Pittman of my staff.

MJB/LPP/dg

cc: Ms. Ann Berger-Blundon  
OCRM

Dr. Mary Curry  
Jefferson Parish

Dr. Charles Groat  
Mr. Phil Pittman  
Coastal Management Division



EDWIN W. EDWARDS  
GOVERNOR  
B. JIM PORTER  
SECRETARY

DEPARTMENT OF NATURAL RESOURCES

MICHAEL J. BOURGEOIS  
DEPUTY SECRETARY

March 4, 1985

Ms. Ann Berger Blundon  
Gulf Area Manager  
Office of Ocean & Coastal Resource Management  
3300 Whitehaven Avenue N.W.  
Page Building 1  
Washington, D.C. 20235

RE: Finding of Fact for Jefferson Parish  
State of Louisiana

Dear Ms. Blundon:

Transmitted herewith are five (5) copies of the Finding of Fact and final program document for the Jefferson Parish local program. By letter dated January 10, 1985, we submitted to your office a request for routine program implementation, and on January 14, 1985, all federal agencies were forwarded information on our implementation request and directed to forward comments to your office. Copies of the final program document have been transmitted to the appropriate federal agencies.

Should you have any questions concerning this matter, feel free to contact Mr. Phil Pittman of my staff at 504/342-7591.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Bourgeois", with a long horizontal flourish extending to the right.

Michael J. Bourgeois  
Deputy Secretary

MJB/LPP/dg

Enclosures

cc: Dr. Charles G. Groat  
Mr. Phil Pittman  
Dr. Mary Curry



EDWIN W. EDWARDS  
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

B. JIM PORTER  
SECRETARY

March 8, 1985

The State Times  
Legal Ad Department  
525 Lafayette Street  
Baton Rouge, LA 70804

RE: Legal Ad concerning Jefferson Parish Coastal Management Program

Dear Sir:

Please insert in your newspaper as a legal ad no later than March 14, 1985 the attached.

Please send this office an affidavit showing proof of publication of the notice with your bill. The invoice and proof should be sent to the Coastal Management Division, Department of Natural Resources, P. O. Box 94124, Baton Rouge, LA 70804-9124.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Donald R. Cahoon".

Donald R. Cahoon

DRC/dg

Attachments

On January 4, 1985, the Secretary of Louisiana's Department of Natural Resources acknowledged receipt of and approved the Jefferson Parish Coastal Management Program as submitted by parish officials on November 28, 1984. It is the determination of DNR that the acknowledgement and approval of the Jefferson plan can be considered routine implementation of the federally approved Louisiana Coastal Resources Program (LCRP) pursuant to 15 CFR 923.84.

The approved parish program is considered by DNR to be consistent with all of the requirements of Act 361 (La. R.S. 49) and the Louisiana Coastal Resources Program and in no way alters (1) the existing coastal boundary, (2) uses subject to state and local concerns, (3) identification of particular areas, (4) consideration of the national interest involved in the planning and siting of facilities which are other than local in nature. Therefore, program admendment procedures of 15 CFR 923.81 - 923.82 would not apply to this acknowledgement and approval.

The federal Office of Coastal Resource Management (OCRM) has been notified of DNR's determination of routine program implementation. Should OCRM concur or fail to respond to DNR's determination within four weeks, the federal consistency provisions of Section 307 of the Federal Coastal Zone Management Act of 1972 will apply to the Jefferson Parish Coastal Management Program. Local governments, state agencies, and relevant federal agencies, as well as members of the general public, may comment within three weeks from the day of issuance of this letter, as to whether or not the acknowledgement and approval of this parish program represents routine program implementation pursuant to 15 CFR 923.84. Copies of the program are available for review at the Department of Natural Resources/Coastal Management Division and at the Jefferson Parish Environmental Office. Comments should be submitted to: Ms. Ann Berger-Blundon, Gulf States Regional Manager, Office of Ocean and Coastal Resource Management, 3300 Whitehaven Avenue, N. W., Page Building 1, Washington, D. C. 20235.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Washington, D.C. 20235

**APR 15 1985**

Mr. Micheal J. Bourgeois  
Deputy Secretary  
Louisiana Department of  
Natural Resources  
P. O. Box 44124  
Baton Rouge, LA 70804

Dear Mr. Bourgeois:

This responds to your letter of March 4, 1985, and additional information concerning public notice received by the Office of Ocean and Coastal Resource Management (OCRM) on March 20, 1985, requesting that the approval of the Jefferson Parish Local Coastal Program (LCP) be considered a Routine Program Implementation (RPI) under 15 CFR Section 923.84.

We cannot concur with this request at this time because of several issues that are not adequately addressed in the approval findings for the Jefferson Parish LCP and supporting materials submitted to this office. The primary issue is the relationship between the Westbank Hurricane Protection Levee alignment proposed in the Parish LCP document and ongoing negotiations between the Parish, the DNR, the Corps of Engineers and other Federal agencies concerning the actual alignment which can be permitted under State and Federal permit programs.

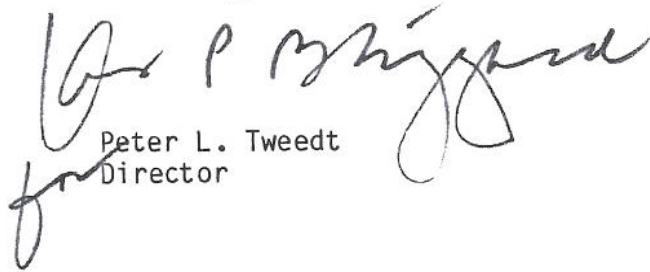
We are concerned with the precedential effect that the approval of the Jefferson Parish LCP may have on future DNR permit decisions regarding the levee alignment as well as other proposed developments. These issues need to be addressed within the context of ensuring consistency of the Jefferson Parish LCP with Act 361 and the Coastal Use Guidelines. In addition, we note that the National Park Service has raised concerns regarding an apparent inconsistency between the LCP and the objectives of the Jean Lafitte Park Protection Zone.

We have enclosed a list of questions which need to be answered to resolve these issues. We have also enclosed copies of the comments from the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, the National Park Service, and the public which we received pursuant to your public notice on the RPI request.



I have instructed my staff to work closely with your office to resolve these concerns so that the Jefferson Parish LCP may be resubmitted for program change review. If you have any questions regarding this letter please contact Jim Burgess or a member of his staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter L. Tweedt". The signature is written in a cursive style with a large, looping initial "P".

Peter L. Tweedt  
Director

Enclosure

cc: Dr. Chip Groat

Issues to be resolved regarding the Jefferson Parish LCP RPI request

### Major Issues

1. West Bank Environmental Management Unit (EMU) (pp. II-56-60, Map on page II-57) This EMU contains 40,344 acres of land ranging from the large developed area across the river from New Orleans to significant wetland areas in the southwestern portion of the unit. The major issue is the proposed inclusion of these wetland areas within the unit in which the major goal is urban development. Although the parish notes that not all sites may be desirable to be developed, the inclusion of these wetland areas in the EMU behind the Western Hurricane levee alignment preferred by the Parish definitely encourages their future draining and development. The following questions need to be addressed:

- a) Status of West Bank Hurricane Protection Levee - The document reflects the 1984 status of the levee alignment on P. IV-12 in that the Parish did not accept the alignment in the 404/CZM permits offered by the CoE and the DNR. The document also states that the Parish will make the agreed upon alignment the southwestern boundary of the West Bank EMU. While this may resolve the issue in the long run, there is no indication of when such agreement will be reached. See also U.S. Fish & Wildlife Service and National Park Service comments.
- What is the current status of negotiations between the CoE, the DNR, other Federal agencies, and the Parish on the alignment?
  - How soon can agreement be reached?
  - How are DNR and CoE position(s) different than the parish's?
  - What is DNR's position concerning the precedential effect of approving the EMU boundary/levee alignment proposed by the Parish? Has DNR indicated if approval of the Jefferson Plan is "conditional" upon the final agreement on the levee alignment, and further that the DNR is not bound in its permit decisions/appeals to reflect the boundary/alignment proposed by the Parish?
- b) Impact of including these wetland areas within the West bank EMU
- The document does not provide information to determine the impact of the proposed EMU boundary.
- How many acres of wetlands are included? (this information should be available in the U.S. F&W habitat Maps or 404 alignment E.I.S.)
  - What is the condition/value of these wetlands - modified - unmodified, relative productivity etc.?
  - What would be the environmental affects of developing these wetlands?

c) Impact of Plan Approval

- How is the inclusion of these wetlands consistent with the DNR's coastal use guidelines, especially those related to levees?
- Does DNR believe that the entire West Bank E.M.U. is "Fastlands"? Has a formal determination been made in part or in whole by DNR or will this be done on a case-by-case basis? [the document claims that the area is leveed (p. II-56) but no assertion is made to whether the area is fast lands].
- How will the LCP approval impact potential DNR permits regarding these wetlands? Have the DNR and the Parish agreed that uses of these wetlands are Uses of State Concern as the Parish indicates on page X-7, middle, response to comments?

d) Relationship between the proposed boundary/alignment and other parish and Federal programs and ordinances.

- 1) Prohibited Service Area (page IV-10, see also page II-60) - this agreement between the CoE, EPA and the Parish prohibits water supply tie-ins to a large wetland area. However, a portion of the prohibited area is included without explanation within the western portion of the West Bank EMU (page II-60).
  - The discussion at the bottom of page IV-10 indicates that the P.S.A. may be realigned with the final levee alignment. What is the status of the P.S.A.? - does it take precedence over the proposed E.M.U. boundary regarding development decisions? As it apparently is not included in the LCP, how does it relate to local and state C.U.P. decisions?
- 2) Parish Growth line (Ordinance 13795), (page IV-15) this ordinance limits certain development beyond a line.
  - Is this ordinance in the LCP or not? How does it affect the LCP?
  - Please provide a map to indicate the area.
- 3) Jean Lafitte National Park Protection Zone (P.P.Z.) (page IV-12 poor map on page IV-13.) This buffer zone is intended to protect the Park located south of it from development impacts. The West bank EMU, however, includes part of the P.P.Z., thereby encouraging development of the area. This raises National Interest concerns reflected in NPS comments of 1982, P. X-11. See also the National Park Service March 11, 1985 Briefing Statement and the Jefferson Parish Council Resolution 50771 dated May 9, 1984 submitted by the N.P.S.
  - Are there any current negotiations between the Parish and the N.P.S. regarding the P.P.Z. or did they end with the passage of resolution 50771?



- How does approval of the LCP effect N.P.S. efforts to protect the P.P.Z.?
  - What steps can and will the DNR take to protect the P.P.Z. within the legal limits of Act 361 and the guidelines?
  - We need to get one good map showing EMU boundary/levee alignment, wetlands within the EMU, with P.P.Z and P.S.A. overlaid to understand the impact of the plan.
2. Bayou Aux Carpes EMU - This area is of concern to EPA pursuant to 404(c) process and is noted as "being under the jurisdiction of CoE(?)" (page II-7).
- What is the status of current EPA, U.S. F&W and CoE actions?
  - How do they effect the LCP?
3. Seismic Survey Policy (Page II-51) - This policy, which discourages seismic surveys in Lake Pontchartrain, was objected to by industry in 1982.
- Is this still an issue? Or does industry/Parish agree that DNR has sole jurisdiction.
4. Permitting Process - has CMD permitting staff thoroughly reviewed the permitting procedures in the document? Can the DNR capture uses of the West Bank wetlands and others under the State/local use decision criteria? If so, how will these decisions be affected by the plan?
5. Other issues -
- Is the Parish Mitigation Project (p.X-33) excluded from the plan?
  - Parish ordinances were not included in the submittal. We need these in order to understand and review the program.



EDWIN W. EDWARDS  
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

B. JIM PORTER  
SECRETARY

Coastal Management Division

August 20, 1985

Mr. Peter L. Tweedt, Director  
National Oceanic and Atmospheric Administration  
National Ocean Service  
Office Of Ocean and Coastal Resource Management  
Washington, D. C. 20235

Dear Mr. Tweedt:

In response to your April 15, 1985, letter concerning the Department of Natural Resources request for approval of the Jefferson Parish Local Coastal Program (LCP) as Routine Program Implementation, the following comments are offered.

1. West Bank EMU

a) The current status of negotiations between the COE, DNR and other agencies is that the project is still being negotiated among all parties affected. As far as DNR is concerned, a permit was offered to Jefferson Parish (P811013) in June, 1984, on modified Alternative E, as permitted by the New Orleans COE on June 20, 1984. By letter dated July 31, 1984, Jefferson Parish advised the Coastal Management Division (CMD) that Colonel Lee of the COE was reconsidering the decision to deny Jefferson's application for its preferred alignment. In August the CMD informed the parish that processing of the application was being halted pending receipt of additional information from the parish. To date we have not received this information.

Concerning the time frame for an agreement to be reached, it is unknown at this time when this will be accomplished. Again, negotiations are ongoing at this time and all avenues are being investigated.

As far as the positions of DNR and the COE as opposed to the parish, both DNR and the COE have gone on record as recommending modified Alternative E, located entirely upon the wetland/non-wetland interface. The Jefferson Parish Council has gone on record as supporting Alignment D, but reserved the right to accept a permit for any alignment which the CMD and the Corps may elect to issue. The COE issued a permit, and one was offered by CMD, on Alignment E, but the permit was not accepted by Jefferson Parish.

The DNR position on accepting the boundary is this: DNR approved the Jefferson Parish LCP without condition, since the CMD will be required to issue a permit on the final levee alignment. The permit will only be issued for Alignment E or some modification which will keep the levee along the wetland/non-wetland interface to greatly reduce environmental impacts and loss of wetlands.

The actual boundary line will not affect the CMD permitting decisions, since each permit is investigated on a case by case basis. The policies incorporated in the EMU are recommendations for uses of state concern and are the same policies as utilized in other EMU's. These policies, then, are not unique to only the EMU.

- b) According to the U. S. Fish & Wildlife Service (U.S.F.W.S.), there are about 1,000 acres of wetlands north of the V-shaped levee. According to the alternative alignment selected, anywhere from 429 to 2,729 acres of wetlands would become vulnerable to development pressures. The alignment recommended by the parish would require 540 acres for use as a right-of-way and would encourage future drainage of 2,223 acres of wetlands.

Most of the wetlands to be affected are relatively unmodified. All methods, included those somewhat modified, are considered by U.S.F.W.S. to provide productive habitat for native wetland species.

The environmental effects of developing these wetlands have been treated extensively in several publications, such as the DEIS's for the Bayou des Familles Development Corporation Flood Protection Levee and the West Bank Hurricane Protection Levee. Drainage of the wetlands would eliminate them as productive wildlife habitat. Any such development would require a CMD coastal use permit and assuredly would be thoroughly investigated for primary and secondary impacts to the affected wetland areas and those adjacent to them.

- c) The guidelines contained in the Louisiana Coastal Resources Program (LCRP), particularly guidelines 2.1 to 2.6 concerning levees, have been reviewed in the CMD process for program approval. Only Alignment E along the wetlands/non-wetland interface was deemed to be consistent with the program. The program approval, then, was based on acceptance of Alignment E by the parish or some other acceptable alignment as may be proposed. Program approval was not, however, conditioned, since EMU policies concerning uses of state concern are only recommendations to the State, and each permit will be reviewed on a case by case basis regardless of the final levee alignment.

The entire West Bank EMU is not considered by CMD to be fastland. Each permit application will be reviewed on a case by case basis for a fastland determination.

Approval of the Jefferson Parish LCP will not have any affect on DNR permits regarding the EMU wetlands. Each permit is reviewed on a case by case basis regarding the EMU involved. The parish has indicated that most activities involving these wetlands will be of state concern, and the parish's recommendations are the general policies involving all wetland areas within each EMU.

- d) Jefferson Parish has informed CMD that the agreement establishing the "Prohibited Service Area" is in full force and effect until it is renegotiated by the parish and EPA. The PSA will, therefore, not be realized with the final levee alignment.

The Parish Growth Line (Ordinance 13795) is incorporated into the parish LCP as per page IV-15. This ordinance is in full force and effect until it is rescinded by the Jefferson Parish Council.

A map of the Parish Growth Line is attached (Map 2).

## 2. Bayou Aux Carpes EMU

The CMD recently attended a meeting with EPA. On December 18, 1984, notified the COE and affected landowners of its intention to prohibit an area known as the Bayou Aux Carpes swamp from future use as a disposal site. This means that no federal permits for disposing of dredged or fill material will be issued for this area in the future. The 404 (c) process is expected to take about 9 months and will involve a public hearing. The public hearing is scheduled for June 18, 1985, in the Gretna Courthouse. The CMD will be attending the public hearing and is currently awaiting additional information from EPA and the COE before making official comments on the area plan.

The actions taken by EPA, USFWS and the COE affect only federal actions and permits, not state permits such as CUP's. Consideration must be given to any comments received by any agencies. Again, each permit application will be reviewed on a case by case basis and will incorporate all comments by appropriate agencies.

## 3. Seismic Survey Policy

Jefferson Parish and the industry have agreed that seismic surveys are an issue of state concern. This issue will also be handled by the Governor's Task Force in the establishment of a special management area for the Lake Pontchartrain-Lake Maurepas estuarine complex.

Page Four  
Mr. Peter Tweedt  
August 20, 1985

4. Permitting Process

The CMD has thoroughly reviewed the permitting procedures in the Jefferson LCP. This final document represents many meetings and discussions between CMD and the parish. Uses of state and local concern are clearly spelled out in the document. Determinations on uses of state and local concern will be done on a case by case basis. If the Jefferson LCP is approved, their decisions will be individually reviewed by CMD.

5. Other Issues

The parish mitigation project was at first included in the LCP at the request of the National Marine Fisheries Service. It was later requested by CMD to be deleted. It is thus excluded from the plan.

The appropriate parish ordinances are included as an attachment.

The Department feels that all questions contained in your April 15, 1985, letter have been adequately addressed in this letter. Your expeditious approval of Jefferson's LCP as Routine Program Implementation is hereby requested. For any additional information or further clarification, feel free to contact Mr. Phil Pittman of my staff at 504/342-7591.

Sincerely,



Michael J. Bourgeois  
Deputy Secretary

MJB/LPP/bw

Enclosures

cc: Dr. Charles G. Groat  
Mr. Phil Pittman  
Dr. Mary Curry



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Washington, D.C. 20235

FEB 21 1986

Mr. Micheal Bourgeois  
Deputy Secretary  
Department of Natural Resources  
P. O. Box 44124  
Baton Rouge, LA 70804

Dear Mr. Bourgeois:

This letter concerns the status of the Office of Ocean and Coastal Resource Management (OCRM) review of the Jefferson Parish Local Coastal Program (LCP) as a routine program implementation (RPI) following receipt of your letter of August 20, 1985. Consistent with the provisions of 15 CFR 923.84, the Jefferson Parish LCP stands approved by the OCRM as of October 4, 1985. Upon publication by your office of the Public Notice required by 15 CFR 923.84(b)(4), Federal consistency will apply.

Subsequently, on November 25, 1985, the Jefferson Parish informally submitted to this Office several proposed changes to the Jefferson Parish LCP. These changes include revisions to the West Bank Hurricane Protection Levee Alignment as well as several revised policies regarding oil and gas development in Lake Pontchartrain. The OCRM objected to the inclusion of these new oil and gas policies in a letter to Dr. Curry dated February 4, 1986. Jim Blizzard of my staff discussed these issues with both Dr. Curry and Bruce Burgless in telephone conversations of February 12 and 14, 1986. They have agreed to modify these policies such that they are consistent with the State Coastal Act and the Federal Coastal Zone Management Act. These revised policies as well as other changes to West Bank Environmental Management Unit originally proposed in Parish's November letter need to be formally submitted to us by your office as soon as possible. I have asked my staff to work closely with the Parish and your Office to ensure that revised policies are acceptable to all parties. If we can be of any further assistance, please call Mr. Blizzard or me at (202) 634-4232.

Sincerely,

*Joel*  
JOEL LINDSEY 3/26

cc: Dr. Chip Groat ✓  
Dr. Mary Curry

*Joel,*  
I have read these  
and they should go in  
the Jefferson Parish file.  
Chip



EDWIN W. EDWARDS  
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

B. JIM PORTER  
SECRETARY

Coastal Management Division

April 17, 1986

MEMORANDUM

**TO:** All Interested Federal, State and Local Agencies  
and or Individuals

**FROM:** Joel L. Lindsey

**SUBJ:** Request for Routine Program Implementation of Programmatic Consistency  
Concurrence for Uses of Local Concern in Jefferson Parish

The Coastal Management Division (CMD) of the Louisiana Department of Natural Resources (DNR) hereby gives notice of its intent to amend the list of Federal licenses and permits subject to certification of Federal Consistency contained in the Louisiana Coastal Resources Program/Final Environmental Impact Statement (LCRP/FEIS) (September 1980, pp. 139-141), pursuant to Section 307 of the Coastal Zone Management Act (CZMA), (16 U.S.C. 1456) and implementing regulations, 15 CFR 930. This programmatic concurrence is issued for activities which require both local coastal use permits from Jefferson Parish and the U.S. Army Corps of Engineers (COE) permits, with the provision that such activities are issued a Coastal Use Permit (CUP) by the parish. This concurrence is in accordance with 15 CFR 930.53 (c) and (d) which state:

- "(c) If a State agency wishes to avoid repeated review of minor Federally permitted activities which while individually inconsequential, cumulatively cause effects on the coastal zone, the State agency, after developing conditions allowing concurrence for such activities, may issue a general public notice (See 15 CFR 930.61) and general concurrence allowing similar minor work in the same geographic area to proceed without prior State agency review.
- (d) The license and permit list may be amended by the State agency following consultation with the affected Federal agency and approval of additions or deletions by the Assistant Administrator. The State agency shall provide copies of the list and any amendments to Federal agencies and shall make the information available to the public."

The State waives its right to a prior federal consistency review of use of local concern within Jefferson Parish for consistency concurrence and will not require that the OOE or the applicants forward copies of these permits to the State for case-by-case consistency review.

The State, however, reserves the right to withdraw this programmatic concurrence or otherwise amend the list of Federal licenses and permits subject to Federal Consistency review at any time in the future, consistent with the procedures set forth in 15 CFR 930.53(d).

The State believes that this programmatic concurrence constitutes a routine program implementation pursuant to 15 CFR 923.84, and has requested the concurrence of the Federal Office of Coastal Resources Management (OCRM) in this belief. Any comments on whether or not this change does nor does not constitute a routine program implementation may be submitted to OCRM at 3300 Whitehaven Street, Washington, D.C. 20235, attention Gulf/Islands Regional Manager. This notice is published pursuant to the requirement of 15 CFR 923.84(b)(2).

#### BACKGROUND

Jefferson Parish's Coastal Management Program was approved by DNR on August 20, 1985. As provided in LA.R.S.49 Section 213.5 A. (2) Jefferson Parish will issue coastal use permits for:

...(2) uses of local concern: Those uses which directly and significantly affect coastal waters and are in need of coastal management but are not uses of state concern and which should be regulated primarily at the local level if the local government has an approved program. Uses of local concern shall include, but not be limited to:

- (a) privately funded projects which are not uses of state concern
  - (b) publicly funded projects which are not uses of state concern
  - (c) maintenance of uses of local concern
  - (d) jetties or breakwaters
  - (e) dredge or fill projects not intersecting more than one water body
  - (f) bulkheads
  - (g) piers
  - (h) camps and cattledwalks
  - (i) maintenance dredging
  - (j) private water control structures of less than \$15,000 in cost
  - (k) uses of cheniers, salt domes, or similar land forms
- (1) The DNR rules and procedures for Coastal Use Permits Part VI C. (1) provide that the following additional factors shall be used in making the determination as to whether a use is of state or local concern.
- (a) The specific terms of the uses as classified in the Act,
  - (b) The relationship of a proposed use to a particular use classified in the Act,
  - (c) If a use is not predominately classified as either state or local by the Act or the use overlaps the two classifications, it shall be of local concern unless it:



1. Is being carried out with State or Federal funds,
2. Involves the use of or has significant impacts on State or Federal lands, water bottoms or works,
3. Is mineral or energy development, production or transportation related,
4. Involves the use of, or has significant impacts, on barrier islands or beaches or any other shoreline which forms part of the baseline for Louisiana's offshore jurisdiction,
5. Will result in major changes in the quantity or quality of water flow and circulation or in salinity or sediment transport regimes, or
6. Has significant interparish or interstate impacts.

All other uses are uses of state concern and will continue to be resolved by QMD/DNR under current procedures.

#### Determination of State or Local Concern

Permit applications involving a project in Jefferson parish will be initially determined to be of either State or Local concern by the QMD or by the parish, depending on where the application is first received. Determinations are made according to the guidelines and policy stated in La. R.S. 49:213.1 through 213.22 and the Rules and Procedures for Coastal Use Permits.

The DNR will send copies of the permit applications it receives to the COE and to the local parish. The copies of permit applications received first by the parish will be sent to the state.

The COE will not begin processing a permit application in Jefferson Parish until a determination is agreed upon by the state and local reviewers, and DNR forwards a (copy of the determination) or form letter to the COE.

The State and parish have ten days in which to voice an appeal to the Secretary of DNR if there is a question on a determination. If there is a disagreement the matter maybe appealed to the courts.

#### Review, Processing, and Public Notice

A project of local concern is reviewed, processed, and the public notice procedures is similar to the procedure used by the state for uses of state concern.

The DNR is responsible for sending a copy of the application with a transmittal of local concern determination to the COE. This indicates that consistency will be based on the parish decision. A project of local concern is assigned a number by the parish coordinator. The review, processing, and public notice responsibilities rest with the parish.

Once Jefferson Parish has issued a coastal use permit for uses of local concern the DNR will consider this as a programmatic consistency concurrence as provided for in Section 307 (C)(3)(A) of Coastal Zone Management Act of 1972 (CZMA) in accordance with the National Oceanic and Atmospheric Administration Regulations on Federal Consistency with Approved Coastal Management Programs 15 CFR 930 Subparts B and D. Denial of a local coastal use permit by the parish shall mean that the proposed use is consistent with the LCRP.

The DNR will receive copies of all applications submitted to Jefferson Parish and all decisions made on uses of local concern by the Parish. These actions will be continually reviewed by DNR to ensure compliance with the policies, goals and guidelines according to La. R.S. 49:213.1 through 213.22 and Rules and Procedures for the development, approval, modification, and periodic review and Local Coastal Management Programs (See Appendix C2 - of the Louisiana's Coastal Resources Program Final Environmental Impact Statement - 1980 (LCRP/FEIS))

The Department of Natural Resources will work closely with Jefferson Parish to ensure implementation of a management program that meets the policy stated in LA. R.S. 213.2. This will be accomplished according to the rules of procedure (See Part VI Periodic Review of Program, C2-C of the LCRP/FEIS) which provides a detailed listing of information that each approved local program will provide on a monthly basis to DNR for use in evaluating parish programs. If the Secretary of DNR finds after this extensive review that the parish program is not consistent with the state program or

... is not achieving its stated objectives or is not effective, he shall notify the local government and recommend changes and modifications which will assure consistency with, and achievement of, the objectives of the overall coastal program or improve the efficiency and effectiveness of the program, as related to: (See Part IV Periodic Review of Programs C, Appendix C2-7 LCRP/FEIS)

If the parish fails to comply the Secretary may after public notice revoke approval of the local program (see VI Periodic Review of Programs. C, Appendix C2-LCRP/FEIS)

### Conclusion

This change is considered by DNR to be a routine program implementation and not an amendment to the State program as delineated in 15 CFR 923.80(C). The proposed change will not result in a major change in the enforceable policies or authorities.

...as related to:

- (1) Boundaries;
- (2) Uses subject to the management program;

- (3) Criteria or procedures for designating or managing areas of particular concern or areas for preservation or restoration; and
- (4) Consideration of the national interest involved in the planning for and in the siting of, facilities which are necessary to meet requirements which are other than local in nature.

If you have any questions concerning this action please write or call Joel L. Lindsey a (504) 342-7591. Written comments should be addressed to the Gulf Regional Manager OCRM at previously noted address within 30 days.

JL/ct

Enclosure

MEMORANDUM

TO: All Interested Federal, State and Local Agencies and or individuals

FROM: Joel L. Lindsey  
SUBJ: Request for Routine Program Implementation of Programmatic Consistency Concurrence for Uses of Local Concern in Jefferson Parish

The Coastal Management Division (CMD) of the Louisiana Department of Natural Resources (DNR) hereby gives notice of its intent to amend the list of Federal licenses and permits subject to certification of Federal Consistency contained in the Louisiana Coastal Resources Program/Final Environmental Impact Statement (LCRP/FEIS) (September 1980, pp. 139-141), pursuant to Section 307 of the Coastal Zone Management Act (CZMA), (16 U.S.C. 1456) and implementing regulations, 15 CFR 930. This programmatic concurrence is issued for activities which require both local coastal use permits from Jefferson Parish and the U.S. Army Corps of Engineers (COE) permits, with the provision that such activities are issued a Coastal Use Permit (CUP) by the parish. This concurrence is in accordance with 15 CFR 930.53 (c) and (d) which state:

"(c) If a State agency wishes to avoid repeated review of minor Federally permitted activities which while individually inconsequential, cumulatively cause effects on the coastal zone, the State agency, after developing conditions allowing concurrence for such activities, may issue a general public notice (See 15 CFR 930.61) and general concurrence allowing similar minor work in the same geographic area to proceed without prior State agency review.

(d) The license and permit list may be amended by the State agency following consultation with the affected Federal agency and approval of additions or deletions by the Assistant Administrator. The State agency shall provide copies of the list and any amendments to Federal agencies and shall make the information available to the public."

The State waives its right to a prior federal consistency review of use of local concern within Jefferson Parish for consistency concurrence and will not require that the COE or the applicants forward copies of these permits to the State for case-by-case consistency review.

The State, however, reserves the right to withdraw this programmatic concurrence or otherwise amend the list of Federal licenses and permits subject to Federal Consistency review at any time in the future, consistent with the procedures set forth in 15 CFR 930.53(d).

The State believes that this programmatic concurrence constitutes a routine program implementation pursuant to 15 CFR 923.84, and has requested the concurrence of the Federal Office of Coastal Resources Management (OCRAM) in this belief. Any comments on whether or not this change does nor does not constitute a routine program implementation may be submitted to OCRM at 3300 Whitehaven Street, Washington, D.C. 20235, attention Gulf/Islands Regional Manager. This notice is published pursuant to the requirement of 15 CFR 923.84(b) (2).

**BACKGROUND**  
Jefferson Parish's Coastal Management Program was approved by DNR on August 20, 1985. As provided in L.A. R.S. 49 Section 213.5A, (2) Jefferson Parish will issue coastal use permits for:

- (2) uses of local concern: Those uses which directly and significantly affect coastal waters and are in need of coastal management but are not uses of state concern and which should be regulated primarily at the local level if the local government has an approved program. Uses of local concern shall include, but not be limited to:
  - (a) privately funded projects which are not uses of state concern
  - (b) publicly funded projects which are not uses of state concern
  - (c) maintenance of uses of local concern
  - (d) jetties or breakwaters
  - (e) dredge or fill projects not intersecting more than one water body
  - (f) bulkheads
  - (g) piers
  - (h) camps and cattowalks
  - (i) maintenance dredging
  - (j) private water control structures of less than \$15,000 in cost

or similar land forms

(1) The DNR rules and procedures for Coastal use Permits Part VI C. (1) provide that the following additional factors shall be used in making the determination as to whether a use is of state or local concern:

- (a) The specific terms of the uses as classified in the Act.
- (b) The relationship of a proposed use to a particular use classified in the Act.
- (c) If a use is not predominately classified as either state or local by the Act or the use overlaps the two classifications, it shall be of local concern unless it:

- 1. is being carried out with State or Federal funds,
- 2. involves the use of or has significant impacts on State or Federal lands, water bottoms or works,
- 3. is mineral or energy development, production or transportation related,
- 4. involves the use of, or has significant impacts, on barrier islands or beaches, or any other shoreline which forms part of the baseline for Louisiana's offshore jurisdiction,
- 5. Will result in major changes in the quantity or quality of water flow and circulation or in salinity or sediment transport regimes, or
- 6. Has significant interparish or interstate impacts.

All other uses are uses of state concern and will continue to be resolved by CMD/DNR under current procedures.

**Determination of State or Local Concern**

Permit applications involving a project in Jefferson parish will be initially determined to be either of State or Local concern by the CMD or by the parish, depending on where the application is first received. Determinations are made according to the guidelines and policy stated in L.A. R.S. 49:213.1 through 213.22 and the Rules and Procedures for Coastal Use Permits.

The DNR will send copies of the permit applications it receives to the COE and to the local parish. The copies of permit applications received first by the parish will be sent to the state.

The COE will not begin processing a permit application in Jefferson Parish until a determination is agreed upon by the state and local reviewers, and DNR forwards a (copy of the determination) or form letter to the COE.

The State and parish have ten days in which to voice an appeal to the Secretary of DNR if there is a question on a determination. If there is a disagreement the matter may be appealed to the courts.

**Review, Processing, and Public Notice**

A project of local concern is reviewed, processed, and the public notice procedures is similar to the procedure used by the state for uses of state concern.

The DNR is responsible for sending a copy of the application with a transmittal of local concern determination to the COE. This indicates that consistency will be based on the parish decision. A project of local concern is assigned a number by the parish coordinator. The review, processing, and public notice responsibilities rest with the parish.

Once Jefferson Parish has issued a coastal use permit for uses of local concern the DNR will consider this as a programmatic consistency concurrence as provided for in Section 307 (C) (3) (A) of Coastal Zone Management Act of 1972 (CZMA) in accordance with the National Oceanic and Atmospheric Administration Regulations on Federal Consistency with Approved Coastal Management Programs 15 CFR 930 Subparts B and D. Denial of a local coastal use permit by the parish shall mean that the proposed use is consistent with the LCRP.

The DNR will receive copies of all applications submitted to Jefferson Parish and all decisions made on uses of local concern by the Parish. These actions will be continually reviewed by DNR to ensure compliance with the policies, goals and guidelines according to L.A. R.S. 49:213.1 through 213.22 and Rules and Procedures for the development, approval, modification, and periodic review and Local Coastal Management Programs (See Appendix C2 - of the Louisiana's Coastal Resources Program Final Environmental Impact Statement - 1980 (LCRP/FEIS))

CAPITAL CITY PRESS

Publisher of

STATE-TIMES

PROOF OF PUBLICATION

The hereto attached notice was published in the STATE-TIMES, a daily newspaper of general circulation, published in Baton Rouge, Louisiana, and the Official Journal of the State of Louisiana, the City of Baton Rouge and the Parish of East Baton Rouge, in the issues of:

April 25, 1986

*Arthur Allen*

Advertising Representative

Sworn and subscribed before me by the person whose signature appears above in Baton Rouge, La.

on this

25th day of April 19 86 AD.

*Elton C. Boudreau*

Notary Public

The Department of Natural Resources will work closely with Jefferson Parish to ensure implement-

ation of a management program that meets the policy stated in L.A. R.S. 213.2. This will be accomplished according to the rules of procedure (See Part VI Periodic Review of Program, C2-C of the LCRP/FEIS) which provides a detailed listing of information that each approved local program will provide on a monthly basis to CNR for use in evaluating parish programs. If the Secretary of DNR finds after this extensive review that the parish program is not consistent with the state program or is not achieving its stated objectives or is not effective, he shall notify the local government and recommend changes and modifications which will assure consistency with, and achievement of, the objectives of the overall coastal program or improve the efficiency and effectiveness of the program, as related to: (See Part IV Periodic Review of Programs C, Appendix C2-7 LCRP/FEIS)

If the parish fails to comply the Secretary may after public notice revoke approval of the local program (see VI Periodic Review of Programs, C, Appendix C2-LCRP/FEIS)

Memo

**Conclusion**

This change is considered by DNR to be a routine program implementation and not an amendment to the State program as delineated in 15 CFR 923.89(C). The proposed change will not result in a major change in the enforceable policies or authorities.

... as related to:

- (1) Boundaries;
- (2) Uses subject to the management program;
- (3) Criteria or procedures for designating or managing areas or particular concern or areas for preservation or restoration; and
- (4) Consideration of the national interest involved in the planning for and in the siting of, facilities which are necessary, to meet requirements which are other than local in nature.

If you have any questions concerning this action please write or call Joel L. Lindsey a (504) 342-7591. Written comments should be addressed to the Gulf Regional Manager CCRM at previously noted address within 30 days.  
ST-2264-apr 25-11

My Commission Expires: Indefinite

Lindsey



EDWIN W. EDWARDS  
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

B. JIM PORTER  
SECRETARY

Coastal Management Division

May 7, 1986

Mr. Jim Burgess  
Chief Coastal Programs Division  
Attention: Ms. Debra Walker  
Office of Ocean and Coastal  
Resources Management  
3300 Whitehaven Avenue, N.W.  
Page Building 1  
Washington, D. C. 20235

Dear Mr. Burgess:

On August 20, 1985, the Secretary of Louisiana Department of Natural Resources (DNR) approved the Jefferson Parish Coastal Management Program. It is the determination of DNR the approval of the Jefferson Programmatic Consistency can be considered routine implementation of the federally approved Louisiana Coastal Resources Program pursuant to CFR 923.84.

The Jefferson Programmatic Consistency is considered by DNR to be consistent with all the requirements of La. R.S. 49:213-213.22 and in no way alters (1) the existing coastal boundary (2) uses subject to state and local concern, (3) identification of particular areas, (4) consideration of the national interest involved in the planning and siting of facilities which are other than local in nature. Therefore, program amendment procedures of 15 CFR 923.81-923.82 would not apply to this acknowledgement and approval.

Public notice on the Jefferson Programmatic Consistency was issued by DNR on April 28, 1986. Notification was given in the official journal of the state, State-Times and sent out to the Coastal Management Division public notice mailing list (see attachment).

Thank you for your consideration of this routine program implementation.

Sincerely,

A handwritten signature in cursive script that reads "Joel L. Lindsey".

Joel L. Lindsey

JLL/ct



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Washington, D.C. 20235

May 16, 1986

Joel L. Lindsey  
Coastal Program Manager  
Louisiana Department of Natural  
Resources  
Coastal Management Division  
Natural Resources Building  
P.O. Box 44487  
Baton Rouge, Louisiana 70804-4487

RECEIVED

MAY 23 1986

DEPT. OF NATURAL RESOURCES  
COASTAL MANAGEMENT DIVISION

Dear Mr. Lindsey:

The Office of Ocean and Coastal Resource Management, Coastal Programs Division, received DRR's request to incorporate the Jefferson Programmatic Consistency into the Jefferson Parish Coastal Management Program as a routine program implementation change on May 12, 1986. We have already begun processing this request and will notify you shortly of the outcome of our review.

Sincerely,

Debra L. Walker  
Program Specialist

cc: Program Change Reviewers





**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL OCEAN SERVICE  
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT  
Washington, D.C. 20235

**MAY 29 1986**

Dr. Charles G. Groat  
Administrator  
Coastal Management Division  
Department of Natural Resources  
P.O. Box 44487  
Baton Rouge, LA 70804-4487

Dear *Chip* Dr. Groat:

The Office of Ocean and Coastal Resource Management (OCRM) has reviewed the proposed incorporation of the Jefferson Parish general concurrence procedures for Federal consistency decisions regarding uses of local concern into the Louisiana Coastal Resources Program (LCRP), as a routine program implementation pursuant to 15 CFR 923.84. We find that this change does not substantially change any enforceable policies or authorities related to the implementation.

We received no comments from Federal, state or local agencies, or from other interested parties concerning this change to the LCRP. In accordance with these findings and compliance by the Department of Natural Resources (DNR) with the public notice requirements of 15 CFR 923.84 (b)(2), we concur that this change is a routine program implementation. On the date of publication by DNR of the notice required by 15 CFR 923.84(b)(4), Federal consistency will apply to these changes.

Sincerely,

*Peter L. Tweedt*  
Peter L. Tweedt  
Director

RECEIVED

