



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

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DEPT. OF NATURAL RESOURCES  
COASTAL MANAGEMENT DIVISION

Mr. Terry W. Howey  
Assistant Director  
Coastal Management Division  
Department of Natural Resources  
P.O. Box 44487  
Baton Rouge, Louisiana 70804-4487

Dear Mr. Howey:

The Office of Ocean and Coastal Resource Management (OCRM) has reviewed the resubmission, dated October 5, 1987, for incorporation of the Orleans Parish Coastal Zone Management Plan 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 implementation. Federal consistency will apply when you publish notice of our approval.

Sincerely,

Peter L. Tweedt  
Director





EDWIN W. EDWARDS  
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
Coastal Management Division

B. JIM PORTER  
SECRETARY

August 31, 1987

Office of Ocean and Coastal  
Resource Management  
Attn: Mr. Jim Burges, Chief  
Coastal Programs Division  
1825 Connecticut Ave., N.W., Rm. 718  
Washington, D. C. 20235

RE: Routine Program Implementation Request for  
Orleans Parish Coastal Management Program

Dear Mr. Burges:

On 5 August 1985, the Department of Natural Resources (DNR) Coastal Management Division (CMD) submitted a Routine Program Implementation (RPI) request for the Orleans Parish Coastal Management Program. This request was denied by your office by letter dated 23 September 1985 for several reasons. Since that time all unresolved issues have been resolved. All comments have been addressed and all appropriate ordinances have been changed to reflect OCRM policies (see attached certified copy).

As a consequence this is a re-submittal of DNR/CMD request for RPI for the Orleans Parish Plan. The DNR has approved this plan as of 8 July 1985 and believes that acknowledgement and approval to be an RPI pursuant to 15 CFR 923.84. DNR also considers this program to be consistent with La. R.S. 49 and the Louisiana Coastal Resources Program (LCRP) of 1980, as amended and certify that it will not alter, 1) the coastal zone boundary, 2) uses subject to state and local concern, 3) identification of particular areas or 4) consideration of the national interest involved in the planning and siting of facilities which are other than local in nature.

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.

Mr. Jim Burges  
RPI Request for Orleans Parish  
August 31, 1987  
Page Two

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.

If you have any questions please contact Mr. Joel L. Lindsey at (504)342-7591.

Sincerely,

*Terry W. Howey, Asst. Director CMD*  
for C. G. Groat  
Assistant to the Secretary

CGG:GJD/jacr

Attachment



LOUISIANA DEPARTMENT OF NATURAL RESOURCES  
COASTAL MANGEMENT DIVISION

Special Legal Notice

To: All Coastal Related Federal, State, and Local Agencies and/or  
Individuals

From: Joel L. Lindsey, Coastal Management Division (CMD) Louisiana  
Department of Natural Resources (DNR)

Subject: **Orleans Parish Local Coastal Mangement Program**

The Orleans Parish Coastal Zone Management Plan (OPCZMP) was approved as a Routine Program Implementation (RPI) by the Director of the Office of Ocean and Coastal Resource Management on 4 November 1987. The director found that the changes did not substantially change any enforceable policies or authorities related to implementation pursuant to 15 CFR 923.84.

Notice of this resubmitted request for RPI of the OPCZMP was published 13 October 1987 in the official State Journal.

Federal consistency will apply for the OPCZMP on the date of publication of this notice.

For further information concerning this notice please call Joel Lindsey at 504/342-7591 or write Coastal Mangement Division, Department of Natural Resources, P. O. Box 44487, Baton Rouge, Louisiana 70804-4487.

Finding of Fact  
Pertaining to the Orleans Parish  
Coastal Management Program

On May 27, 1985 Orleans Parish officially submitted its local coastal program (LCP) to the Secretary of the Department of Natural Resources for approval pursuant to Section 213.9 of Act 361 (LA. R.S. 49:213.1 to 213.21).

The submittal of the Orleans LCP began the official ninety (90) day review period within which the Secretary was required to either approve the program or inform the parish of changes that must be made in order that the program could be approved. The Orleans Parish program has undergone review by various personnel in the Coastal Management Division and the Legal Division of the Department of Natural Resources. The program was also submitted to other local, state and federal agencies that have an interest in the program. Public hearings on the program were held by the parish on June 2, 1982 and by the state on June 28, 1983. Responses to all hearings and reviews were formulated by the parish and reviewed and approved by the CMD subsequent to approval by the Secretary. Approval of the Secretary was received July 8, 1985.

The major revisions required to the Orleans Parish program, both from the CMD and the various federal, state and local agencies and/or individuals included the following:

- a) One of the major concerns was that the draft document did not incorporate existing ordinances such as the Parish Building Code, Floodplain Ordinance, and the Generalized Land Use Plan and explain the interaction of these with the local program;
- b) Uses of state and local concern were not clearly defined in the early documents and thus required revisions;
- c) All maps, tables and figures were required to be labeled and credited;
- d) Transitional area permit requirements were required to be expanded and modified;
- e) Individual environmental management unit (EMU) maps were required;
- f) Clarification on the local/state issue was required to reflect the fact that the parish could only make recommendations to the state on uses of state concern;
- g) Mitigation criteria for uses of local concern were required to be incorporated into the document;
- h) The cultural resources sections of Orleans Parish local plan were required to be expanded
- i) The definition and discussion of "fastlands" required revision

The Orleans LCP will have a favorable impact on the parish in several ways. First, the parish will be granted implementation monies which they will use to establish a permitting process for uses of local concern, which at the present time are being handled by the State (DNR/CMD). The State also foresees the permit process as a means to improve coordination between the State and the parish, which will ultimately result in more efficient management and protection of the coastal areas of the parish. Second, the parish program will be a guide to any person who wishes to apply for a permit at the local level or who may just want to know more about the parish and its coastal areas. Third, the approved program and the permit process will establish procedures by which consistent permit procedures and policies can be established between the two levels of government.

The legal authority for the program was created by Act 361 (LA. R.S. 49:213.1-213.32) of the 1978 Louisiana Legislature. Rules and Procedures for the development, Approval, Modification, and Periodic Review of Local Programs became effective on September 20, 1980 after being published in the August 20, 1980 edition of the Louisiana Register, Volume 6, Number 8, page 493.

In accordance with Part III, of the Rules and Procedures, the requirements for local program content are listed below. The method of compliance by the Orleans Parish Coastal Management Program is indicated for each requirement.

(A) A summary of the local program.

Pages i-xii of the Orleans LCP give a history of the federal program, the State program, and the local program. The discussion in the local program segment includes a listing of the goals that were followed during formulation, including the following:

1. The maintenance of a high level of quality within estuary areas in particular and within the City of New Orleans in general.
2. The formulation of land use policies, guidelines and techniques appropriate to marsh-estuary areas.
3. The formulation of a means by which energy resources may be exploited while mitigating or minimizing the negative environmental impacts.
4. The provision of adequate open space and recreational areas for the benefit of the citizens of the New Orleans Metropolitan Area and the State of Louisiana.
5. To protect and promote the wise use of economic and ecologic resources, both renewable and non-renewable, represented by the natural environment.
6. The efficient utilization of existing governmental agencies, in a coordinated fashion, in the management of sensitive environmental areas.

A map of the coastal zone boundary in Orleans Parish is included in this section, along with definitions of fastlands, transitional areas, uplands, coastal waters and wetlands. It also states that the local program was designed to accomplish the following objectives:

- 1) To utilize the City's existing governmental structure to make decisions concerning the Parish's coastal zone;
- 2) To issue Coastal Use Permits for uses of local concern; and
- 3) To review and comment on uses of state concern.

Finally, this section of the LCP references the fact that many facets of the plan have already been incorporated into existing government controls and attitudes. These issues include the following:

- 1) Limitations on future levee construction in Orleans Parish have been incorporated into the adopted Land Use Plan.
  - 2) The Land Use Plan designates the Orleans Parish wetlands outside the current levee system as a limited development area.
  - 3) The City has created an interim permit review process through the Planning Advisory Committee, composed of all Parish agencies, departments and boards.
  - 4) The Parish has taken a leading role in the establishment of an Ad Hoc Committee to study possible management techniques for a Lake Pontchartrain Special Area.
  - 5) The City has cooperated in the process of creating a Special Area for the Port of New Orleans.
- (B) Maps and descriptions of the natural features, resources, existing land use in each management unit. These maps shall depict the division of the coastal areas into coastal waters and wetlands, transitional areas, fastlands and lands more than five feet above mean sea level.

The Orleans Parish LCP gives an introduction to the eight (8) EMU's along with a location map on pages 1-7 of the document. The 8 EMU's are as follows: I Urban Core, II Algiers/Aurora, III Lower Coast, IV East Gentilly, V Viavant, VI New Orleans East, VII New Orleans East/Special, and VIII Ghof Menteur/Rigolets. Boundaries and acreages are given for each EMU. These EMU's are specific areas in the parish which have their own unique characteristics and problems. The planning districts included in each EMU are utilized and described because these units have historically been used for the collection and compilation of land use and population data, and because these areas have similar geographical, environmental, land use or population characteristics. The districts are, furthermore, generally divided by major natural or man-made features, such as waterbodies, roadways or levees. The LCP, utilizing these units, is thus compatible with veritually all data existing in the parish. More in-depth maps of the EMU's are available

at the City Planning Commission and the DNR Coastal Management Division.

- (C) The results of the social and economic analysis carried out pursuant to Section II-B, (Program Development) on page c2-1 of the Louisiana Coastal Resources Program.

Pages 34-66 provide an in-depth analysis of the socio-economic characteristics of Orleans Parish. A history of the development of Orleans Parish is given, along with a narrative on the mayor-council form of government currently in existence. Population statistics show that since 1970 Orleans Parish has seen a decrease in population as a result of out-migration. This trend is expected to continue. An in-depth socio-economic profile of the parish suggests that unemployment in the parish has increased because economic employment did not provide adequate employment opportunities for an expanding labor force. Port operations and transportation services represent the largest source of jobs in Orleans Parish. Tourism is also a big employer with the City of New Orleans. Current economic conditions are such that much of the emphasis of the parish government will be placed on the creation of new industrial jobs. Land use is discussed in much detail, including current and projected usages. Land use controls and the agencies and policies which are currently in place are also discussed. The two ordinances which coincide with the LCP are also discussed—the building code and the flood plain ordinance.

- (D) A description of those existing and future resource-use conflicts identified pursuant to Section II-C, (Program Development) on page c2-1 of the Louisiana Coastal Resources Program.

Resource problems and conflicts are explained on page 67-77 of the Orleans Parish LCP. Problems identified in Orleans parish include loss of productive wetlands, subsidence, flooding, water quality, saltwater intrusion, shoreline erosion, mineral exploration and lack of recreational access. The degree of the problems are discussed, and possible causes are stated. Steps being taken by the parish to mitigate these problems are then explained.

Loss of productive wetlands is identified as the major resource problem. Much of this wetland loss is attributed to conversion to urban uses through reclamation. Cause-effect relationships attributed to reclamation of wetlands include irreversible loss of land to the estuary and loss of productive capacities that benefit man. Natural causes of wetland loss are also discussed. The document states that once the current levee system is complete, reclamation by leveeing and draining should cease to be a problem. The emphasis for planning will then focus on maintaining the marshes in good condition.

Similar planning measures are proposed for alleviating the impacts of the other resource problems. Subsidence will be reduced by maintaining the water table at a constant level through restrictions on new developments. Flooding will be greatly reduced once the presently on-going project to raise all levees in the parish to project storm



design criteria is completed. Water pollution, due mainly to storm water runoff, sewage and untreated wastes from camps, and industrial discharges, is expected to improve through enactment of more stringent regulations and standards concerning landfills, construction of more efficient treatment plants, and requiring camps to treat wastes. Planning methods for minimizing the impacts of the other problem areas are also adequately discussed in the document.

- (E) An identification of those particular areas, if any, requiring special management as described in Section II-D of Appendix c2 of the L.C.R.P., the special policies and/or procedures to be applied to these areas.

Particular areas are discussed on pages 78-79 of the document. Although not seeking to designate any particular areas at this time, Orleans Parish reserves the right to seek such a designation for potential sites in the future. Three sites are identified and mapped for possible designation in the future—Chef Menteur highway corridor, Point aux Herbes, and Venetial Isles.

Special areas are explained on pages 80-82 of the LCP as being those designated by DNR and requiring management by interparish or intergovernmental teams. The Lake Pontchartrain basin is identified as such an area, along with the Port of Orleans. Lake Pontchartrain is currently being considered for inclusion as a state special management area. Governor Edwards has assigned a Task Force of various state and local representatives the job of deciding if the area deserves special management status and if so to formulate guidelines and procedures for its management. The Port of Orleans is already exempt from CMD permitting, as established by Section 213.13 of 361.

- (F) 1. Statement of the goals, objectives, policies and priorities of uses included in the program, as described in Section II-E Appendix c2 of the L.C.R.P.

Overall goals for Orleans Parish as a whole and for the individual EMU's are discussed in great detail on pages 83-106. The goals, policies and objectives are concerned primarily with those EMU's located outside the levee system.

The document identifies four major goals of Orleans Parish. These include the following:

- a) Expand the economic base of the city of New Orleans;
- b) Provide additional flood protection for New Orleans residents;
- c) Retain and increase middle income families in the central city area of New Orleans;
- d) Avoid the uncontrolled urban sprawl phenomenon.

To achieve these overall goals, objectives emphasizing such activities as increased transit facilities and services, expanding industrial land opportunities, and limiting development in wetland areas, are given in the document.

For those EMU's outside leveed areas there are six general goals to be accomplished. These goals are as follows:

- a) The maintenance of a high level of quality within estuary areas in particular and within the City of New Orleans in general.
- b) The formulation of land use policies, guidelines and techniques appropriate to marsh-estuary areas.
- c) The formulation of a means by which energy resources may be exploited while mitigating or minimizing the negative environmental impacts.
- d) The provision of adequate open space and recreational areas for the benefit of the citizens of the New Orleans Metropolitan Area and the State of Louisiana.
- e) To protect and promote the wise use of economic and ecologic resources, both renewable and nonrenewable, represented by the natural environment.
- f) The efficient utilization of existing governmental agencies, in a coordinated fashion, in the management of sensitive environmental areas.

Objectives and policies for accomplishing these goals include such activities as allowing only those uses which would have minimal impacts on wetlands; establishing performance standards for any uses in wetland areas; minimize new canal development; minimizing dredging operations; maximum use of dredged spoil to encourage new marsh development; encouraging use of board roads instead of new canals, and other such innovative ideas.

The CMD has found these goals, objectives and policies to be specific and definitive enough to balance both conservation and development. These ideas will guide both the parish and the state in their decision making processes.

2. A statement assuring that the policies of the local program are consistent with the policies and objective of Act 361 and the state guidelines and that the local program shall be interpreted and administered consistently with such policies, objectives and guidelines.

The Coastal Zone Ordinance proposed in the Orleans LCP states on page 0-3 the authorities and procedures for implementing a local coastal use permitting program are based on the policies and procedures set forth in Act 361.

(G) A description of the authorities and administrative arrangements regulating uses of local concern, for reviewing, issuing, and monitoring local coastal use permits, and for enforcing the local program, including:

1. A concise explanation of how the local coastal management process is to work.

The goals for designing the local program, as well as the organizational chart of the work force, is explained in great detail on pages 107-119 of the LCP. In addition, a flow chart of the permit process is given on page 108 to explain the process.

Orleans Parish proposes to utilize existing staff in the Department of Safety and Permits to process and issue coastal use permits. The Director of Safety and Permits, on receiving an application, will determine whether or not the proposed use requires a CUP and whether the use is of state or local concern. This local or state determination will be made in two (2) days. The State CZM Administrator then concurs or reverses the decision of the Director. If a local concern, public notice is published by the parish. During a twenty-five (25) day review period, the Planning Advisory Committee will review the permit application and make a recommendation to the Director. The Director then makes a decision to issue or deny the permit or to hold a public hearing at the conclusion of the review period.

2. A description and listing of those areas and uses that will normally require local coastal use permits.

The Orleans LCP discusses those areas and uses normally requiring local coastal use permits on pages 110-113. The problems and recommended solutions identified in the EMU Section state the particular areas certain permits are required, and since the entire parish is within the coastal zone boundary the whole parish is discussed. Uses of local concern, as described in Section 213.5A2 of Act 361, are listed on page 112 and include the following: privately funded projects which are not uses of state concern; publicly funded projects which are not uses of state concern; maintenance of uses of local concern; jetties or breakheads, camps and cattledwalks; maintenance dredging; private water control structures of less than \$15,000 in costs; and uses on cheniers, salt domes or similar land forms. Local uses are also listed in the Orleans CZM ordinance on pages 0-25 and 0-26.

3. A illustrative list of particular activities which occur either in fastlands or on lands more than five feet above mean sea level that have direct and significant impacts on coastal waters.

Activities which occur either in fastlands or on lands more than five feet (5') MSL that could have a direct and significant impact on coastal waters are discussed on page 113 of the LCP. In addition, the Orleans Parish ordinance (pages 0-14 to 0-17) discusses exempted uses which affect coastal waters and how a determination is made as to whether or not the activity requires a coastal use permit.

4. An analysis of all ordinances included in the local program demonstrating that the effect of such ordinances, when applied to uses not subject to the local coastal use permit program, would result in compliance with the goals and provisions of Act 361, the objectives of the L.C.R.P., and the policies of the coastal use guidelines.

There are numerous references throughout the LCP on the interaction of the existing ordinances and the Orleans Parish program. The most important of these ordinances are discussed on pages 113-115 - the Comprehensive Zoning Ordinance, the Building Code, and the Floodplain Ordinance. These ordinances, as contained in the Orleans plan, were reviewed for consistency with the proposed CZM ordinance and the State program.

The Comprehensive Land Use Plan anticipates the land use needs of the City of New Orleans during forthcoming decades and serves as a guide for orderly development and provision of public services. The Land Use Plan is implemented by the Comprehensive Zoning Ordinance, which encourages and promotes the needs and general welfare of the citizens of New Orleans while providing for efficiency and economy in such processes as development, preservation and conservation of natural resources, and other such activities. The Zoning Ordinance is more restrictive than the State CZM Plan because it limits the location of many uses and activities to certain districts while setting limits on the amount of a site that can be developed.

Orleans Parish's Building Code requires that a permit be obtained for any significant construction or operation involving physical structures or facilities in the parish. The process for obtaining a building permit requires a series of reviews to ensure that the proposed use is in conformance with other city ordinances, while at the same time setting standards for the construction and operation of the proposed use.

The Orleans Parish Floodplain Ordinance designates areas of the City of New Orleans according to their flood potential through maps and criteria developed by the Flood Insurance Administrator. The ordinance determines techniques and standards to be used in construction. It dictates that the first floor of any new structure have an elevation above project storm level (in essence-on pilings) and that the use of fill to reach this elevation is prohibited.

Coastal Management Division has found these ordinances to be consistent with the goals and provisions of Act 361. In addition, CMD will review the parish program on an annual basis, at a minimum, to ensure that ordinances are not developed which could adversely affect the parish or state coastal management programs.

5. A description of the administrative means by which the parish will coordinate with other governmental bodies during program implementation regarding:

- a) local program implementation, including copies of any interagency or intergovernmental agreements,

The administrative procedures for implementing the Orleans LCP are described on pages 115-117 of the document. Orleans will utilize existing staff from three organizations to administratively handle all permits and coordinate with other agencies and/or individuals - the Department of Safety and Permits, the Planning Advisory Committee, and the City Planning Commission. The 50-member Planning Advisory Committee is composed of representatives from the mayors office, most of the city departments and boards, and parish, state and federal agencies. This committee allows the various government organizations to keep abreast of developments and to comment and advise the Planning Commission and the Department of Safety and Permits on issues in which they have expertise.

- b) Multiparish environmental considerations,

On pages 117-118 of the Orleans document, multiparish environmental considerations are discussed. Although the LCP makes no particular arrangements for considering uses that may affect neighboring parishes, the Orleans Parish staff strongly supports coordinated management effects among neighboring parishes, as well as formation of special management areas to provide a context for regional planning and coordination.

- c) Consideration by the parish of regional, state or national interests,

Copies of the draft LCP were submitted to the appropriate federal, state and local agencies for their review and comment before the parish held its public hearing in June, 1982. In addition, the local and state public hearings file, both being properly advertised beforehand, were held open for ten (10) days to allow all interested persons to forward their comments to the parish or state. All comments received and answered were reviewed by the CMD staff and were found to be adequately addressed.

The State CZM Program held its required public hearing in June 1983. Again, the hearing was properly advertised in the state journal prior to the hearing date, and the hearing file was kept open for 10 days to allow all interested federal, state and local agencies and/or individuals sufficient time to comment on the draft document. All comments and responses were reviewed by CMD and found to be adequately addressed.

In addition, all meetings of the Orleans Coastal Advisory Committee (from 1976 to present) were posted in the City Hall building well in advance, offering any interested persons and/or agencies input into the development of the plan from its inception. Orleans Parish personnel worked diligently to meet all requirements for program implementation and are to be commended for a job well done.

- d) Regional, state or national plans affecting the parish

coastal zone and other projects affecting more than one parish.

Regional, state or national interest projects and plans are discussed on pages 118 and 119 of the Orleans Parish Plan. These projects, considered to be of state concern, will be reviewed on a case by case basis, just as will all permit applications. Orleans Parish will be commenting to the CMD on these uses of state concern within the 25-day review period.

6. Certified copies of all ordinances, plan, program, and regulations proposed to be included in the program.

The Orleans Parish CZM Ordinance is included in the local program document on pages 0-1 to 0-54. A certified copy of the amended Ordinance concerning Floodplains, and a copy of the Building Code Ordinance, while not included in their entirety in the plan, are in the files at CMD. The ordinances have been reviewed and found to be consistent with Act 361 and the State guidelines and procedures.

7. A resolution from the governing body of the parish expressing approval of the local program as submitted and its intent to implement the submitted program subsequent to state approval.

The Orleans Parish LCP was approved by the City Council on April 28, 1983. Implementation of the program will begin on approval of the Office of Ocean and Coastal Resources Management in Washington of the State's request for routine program implementation, and upon receipt and approval by CMD of a budget and scope of services for an implementation contract.

- H. Documentation that the parish has provided a full opportunity for governmental and public involvement and coordination in the development of the local program. It must be shown that:

1. At least one public hearing was held in the coastal zone on the total scope of the proposed program.

Orleans Parish held its public hearing on June 2, 1982 at City Hall, City Council Chambers in New Orleans. A presentation was made by City Planning Commission personnel on the total scope of the proposed program, including the history of the local program, public participation in the document, and the guidelines utilized by the Orleans Advisory Committee in compiling the data contained in the document.

The DNR also held a public hearing in New Orleans on June 28, 1983 at City Hall. This hearing was presided over by the DNR Legal Division and was designed to afford the public another opportunity to comment on the draft program document.

Both hearing files were kept open ten (10) days to receive any additional written comments by the public.

2. Public notice of the availability of the draft proposed program was given at least 30 days prior to the hearing. Copies of the program must have been available for distribution to relevant state, federal and local governmental agencies and the general public and were available for public inspection at reasonable hours at all libraries within the parish, the officials of the police jury, and the city or town hall of 11 municipalities in the coastal zone.

Public notices for both public hearing were published in the appropriate parish and/or state journals at least 30 days prior to the hearing date. The notices stated that copies of the draft document were available for public review at the DNR and the City Planning Commission. Interested parties were invited to attend or submit written comments. The notices also stated that the hearing file would remain open for ten (10) days after the close of the public hearing for submission of written comments.

At the time of the first public hearing notices approximately twenty-five (25) relevant federal, state and local agencies were sent copies of the draft program for their review and comment.

3. Full consideration was given to comments received during program development and the public hearings.

Comments received from the two (2) public hearings, as well as those received during development of the program, were numerous. Issues discussed in these comments included the following: lack of development controls within the program; differentiation between uses of state and local concern; definition of fastlands and uses thereon; mitigation policies and techniques; restriction of development to within leveed areas; policy decisions on permit uses being made on a case-by-case basis; interaction of the plan with existing ordinances.

The aforementioned comments from the public hearing and federal, state and local agencies who received copies of the draft document were received by Orleans Parish and addressed by same. The required responses were received and reviewed through a series of meetings with the CMD and parish staff. It is felt that the parish has done an adequate job of responding to all comments in a timely and professional manner. The program has been deemed consistent with the State CZM plan and its guidelines and procedures.

After having thoroughly reviewed the Orleans plan, the CMD and legal staffs have determined that the overall policies for the parish as well as the policies for each individual E.M.U. were carefully constructed so that the wetlands and water bodies of the parish could be protected from such factors as unrestricted development and loss of productive wetlands. The parish officials also coordinated closely with the DNR staff when developing the policies of the parish program. The parish officials worked closely with the DNR staff to incorporate changes that were requested pertaining to their parish plan. The plan is considered by the staff of DNR to be a well prepared document which

is consistent with the State program and which will help protect as well as enhance the coastal areas of the parish.



*Greg Ducote*

NOTICE

LOUISIANA DEPARTMENT OF NATURAL RESOURCES COASTAL MANAGEMENT DIVISION

SPECIAL LEGAL NOTICE

TO: All Coastal Related Federal, State and Local Agencies and/or Individuals

FROM: Joel L. Lindsey, Coastal Management Division, Louisiana Department of Natural Resources  
SUBJECT: Resubmittal of a Routine Program Implementation Request (RPI) for Orleans Parish Coastal Zone Management Program

On 5 August 1985 the Secretary of Louisiana's Department of Natural Resources (DNR) requested an RPI for the Orleans Parish Coastal Zone Management Program (OPCZMP) from the Office of Ocean and Coastal Resources Management (OCRM). By letter dated 23 September 1985 OCRM denied the RPI request pending revisions to the program. Consequently Orleans Parish has made all requested revisions as per OCRM guidance.

The Louisiana DNR is now resubmitting its request for an RPI for the Orleans Parish Program. DNR considers its approval of the local program to be pursuant to 15 CFR 923.84. The OPCZMP is also considered to be consistent with all requirements of L.S. R.S. 49:213.9 and the Louisiana Coastal Resources Program (LCRP) of 1980, as amended. DNR certified that the Orleans Parish Program will not alter: 1) the coastal boundary, 2) uses subject to State and Local Concern, 3) identification of particular areas as required by the LCRP or 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 923.81-923.83 would not apply to this acknowledgement and approval.

The federal OCRM has been notified of DNR's determination of RPI. Local governments, state agencies, as well as members of the general public may comment within three (3) weeks of the date of issuance of this notice. Copies of the program are available for review at the DNR/CMD office located at 625 N. 4th Street, Room 1011, Baton Rouge, La. and the New Orleans City Planning Offices, 9th Floor - City Hall, Civic Center, New Orleans, La. Comments should be submitted to: Gulf States Regional Manager, Office of Ocean & Coastal Resources Management, 1825 Connecticut Ave., N.W., Room 718, Washington, D.C. 20235.

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 Orleans Parish Program will also be stated.

If you should require any further assistance in your consideration of this resubmitted request for RPI, please contact Mr. Joel L. Lindsey, DNR Coastal Management Division, P. O. Box 44487, Baton Rouge, La. 70804 or telephone 504/342-7591.

ST-40916-sep 2-11

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:

September 2, 1987

*Beverly Bookator*  
Advertising Representative

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

on this

2

day of

September

87

19

AD.

*Mon C. Badelon*  
Notary Public

My Commission Expires: Indefinite

40916  
Special Legal



LOUISIANA DEPARTMENT OF NATURAL RESOURCES  
COASTAL MANGEMENT DIVISION

Special Legal Notice

To: All Coastal Related Federal, State, and Local Agencies and/or  
Individuals

From: Joel L. Lindsey, Coastal Management Division (CMD) Louisiana  
Department of Natural Resources (DNR)

Subject: **Orleans Parish Local Coastal Mangement Program**

The Orleans Parish Coastal Zone Management Plan (OPCZMP) was approved as a Routine Program Implementation (RPI) by the Director of the Office of Ocean and Coastal Resource Management on 4 November 1987. The director found that the changes did not substantially change any enforceable policies or authorities related to implementation pursuant to 15 CFR 923.84.

Notice of this resubmitted request for RPI of the OPCZMP was published 13 October 1987 in the official State Journal.

Federal consistency will apply for the OPCZMP on the date of publication of this notice.

For further information concerning this notice please call Joel Lindsey at 504/342-7591 or write Coastal Mangement Division, Department of Natural Resources, P. O. Box 44487, Baton Rouge, Louisiana 70804-4487.

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:

October 13, 1987

*Benny Bankston*

Advertising Representative

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

on this

13

day of October 19 87 AD.

*Ellen C. Boudelon*

Notary Public

My Commission Expires: Indefinite

NOTICE

LOUISIANA DEPARTMENT OF NATURAL RESOURCES COASTAL MANAGEMENT DIVISION

SPECIAL LEGAL NOTICE TO: All Coastal Related Federal, State and Local Agencies and/or Individuals FROM: Joel L. Lindsey, Coastal Management Division, Louisiana Department of Natural Resources SUBJECT: Resubmittal of a Routine Program Implementation Request (RPI) for Orleans Parish Coastal Zone Management Program.

On 31 August 1987 the Secretary of Louisiana's Department of Natural Resources (DNR) requested an RPI for the Orleans Parish

Coastal Zone Management Program (OPCZMP) from the Office of Ocean and Coastal Resources Management (OCRM). By letter dated 17 September 1987 OCRM denied the RPI request pending revisions to the program. Consequently Orleans Parish and DNR/Coastal Management Division have made all requested revisions as per OCRM guidance.

The Louisiana DNR is now resubmitting its request for an RPI for the Orleans Parish Program. DBR considers its approval of the local program to be pursuant to 15 CFR 923.84. The OPCZMP is also considered to be consistent with all requirements of La. R.S. 49:213.9 and the Louisiana Coastal Resources Program (LCRP) of 1980, as amended. DNR certifies that the Orleans Parish Program will not alter: 1) the coastal boundary, 2) uses subject to State and Local Concern, 3) identification of particular areas as required by the LCRP or 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 OCRM has been notified DNR's determination of RPI. Local governments, state agencies, as well as members of the general public may comment within three (3) weeks of the date of issuance of this notice. Copies of the program are available for review at the DNR CMD office located at 625 N. 4th Street, Room 1011, Baton Rouge, La. and the New Orleans City Planning Offices, 9th Floor - City Hall, Civic Center, New Orleans, La. Comments should be submitted to: Gulf States Regional Manager, Office of Ocean & Coastal Resources Management, 1825 Connecticut Ave., N.W., Room 718, Washington, D.C. 20235.

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 Orleans Parish Program will also be stated:

If you should require any further assistance in your consideration of this resubmitted request for RPI, please contact Mr. Joel L. Lindsey, DNR Coastal Management Division, P.O. Box 44487, Baton Rouge, La. 70804 or telephone 504/342-7591. ST-42324-oct 13-11

*copied for:  
Joel L.  
Greg D.*



EDWIN W. EDWARDS  
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

B. JIM PORTER  
SECRETARY

Coastal Management Division

January 12, 1988

Mr. Peter L. Tweedt  
NOAA/OCRM  
1825 Connecticut Avenue, N.W.  
Room 718  
Washington, D.C. 20235

Dear Mr. Tweedt:

As per 15 CFR 923.84 (C) 4 (i) the Department of Natural Resources, Coastal Management Division has provided notice of the applicability of Federal Consistency to the Orleans Parish Local Coastal Program. A copy of the notice, as published is provided for your use.

If you have any questions please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel L. Lindsey".

Joel L. Lindsey

JLL/GJD/11c

Attachment

Copied for  
JL  
GD

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:

November 12, 1987

*Severly Barkley*  
Advertising Representative

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

on this 12 day of November 19 87 AD.

*Wm C Borden*  
Notary Public

My Commission Expires: Indefinite

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SPECIAL LEGAL NOTICE

LOUISIANA DEPARTMENT OF NATURAL RESOURCES COASTAL MANAGEMENT DIVISION

TO: All Coastal Related Federal, State and Local Agencies and/or Individuals

FROM: Joel L. Lindsey, Coastal Management Division, Louisiana Department of Natural Resources  
SUBJECT: Request for Routine Program Implementation for St. James Parish Coastal Management Program

On 16 October 1987 the Secretary of Louisiana's Department of Natural Resources (DNR) approved the St. James Parish Coastal Zone Management Program. Prior to this approval St. James Parish held a public hearing on the program on 5 January 1983. On 19 April 1983 the State also held a public hearing on the proposed program. Comments received at the State hearing were subsequently addressed in a revised document submitted by the parish on 12 November 1983. Subsequent revisions necessitated by the Office of Ocean and Coastal Resources Management (OOCRM) policy changes regarding uses of State lands were required. These revisions have been submitted by St. James under cover letter dated 27 June 1987. It is the determination of DNR that the acknowledgment and approval of the final revised plan can be considered a routine program implementation (RPI) of the federally approved Louisiana Coastal Resources Program (LCRP) pursuant to 15 CFR 923.81.

The approved RPI program is considered by DNR to be consistent with all of the requirements of L.C.R.P. 923.81-923.82 and the L.C.R.P. and in no way alters the existing coastal boundary, (1) the subject to state and local interests, (2) the identification of particular areas, or (3) the consideration of the national interest protected in the planning and siting of facilities which are other than local in nature. Therefore, program implementation procedures of 15 CFR 923.81-923.82 would not apply to this acknowledgment and approval.

The federal OOCRM has been notified of DNR's determination of RPI. Should OOCRM determine that to require a DNR permit application with four weeks for review consideration is not consistent with 207 of the Federal Coastal Zone Management Act, it will refer the matter to the St. James Parish Coastal Management Program. Local governments, state agencies, and other interested parties are invited to submit comments to the St. James Parish Coastal Management Program, P. O. Box 7000, Baton Rouge, Louisiana 70804.

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