

**#1 State/Local Determination****March 5, 2002**

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

RE: Coastal Use Permit Application  
Joe B. Applicant  
P.O. Box 123  
Coastal, LA 70000  
Construction of a house, storage shed and driveway

Dear Mr. CMD Administrator:

After careful review of the referenced Coastal Use Permit Application and in accordance with the Coastal Zone Management Act of 1978, as amended (La. R.S. 49:214, Types of Uses), we have determined that the use is a local (state) concern.

We have enclosed eight (8) copies of Mr. Joe B Applicants's permit application for your use in distributing to the appropriate federal and state agencies.

Please advise our office as soon as possible regarding the Coastal Use Permit Number that your agency has assigned to this application. *(This sentence can be omitted should this be a state concern.)*

If you should have any questions or require further information, please call our Coastal Programs Supervisor, \_\_\_\_\_, at (###) ###-####.

Sincerely,  
Administrator  
Coastal Zone Management Program

Enclosures

#2 Local Acknowledgement/Fee Letter

March 7, 2002

Mr. Joe B Applicant  
P.O. Box 123  
Coastal, LA 70000

RE: Coastal Use Permit; P2002####  
Construction of a house, storage shed and driveway

Dear Mr. Applicant:

We are in receipt of your Coastal Use Permit Application. The state has determined that this is a use of local concern consistent with paragraph 214.25.A.2.a.e of the State and Local Coastal Resources Management Act of 1978.

In accordance with Parish Ordinance #XXX, a fee is required for the processing of your permit application. The fees are as follows:

\$

Please make your check payable to the **Parish** and mail it to:  
We will resume processing your application when the above fees are received. Further information may be required of you during the processing of your application.

If you should have any questions or require further information, please call our Coastal Programs Administrator, \_\_\_\_\_, at (###) ###-####.

Sincerely,  
Parish Coastal Zone Management Program

**#3 Public Notice**

March 28, 2002

**PUBLIC NOTICE****COASTAL USE PERMIT APPLICATION**

\_\_\_ Parish  
Coastal Zone Management  
Number: Local P number

Department of Natural Resources  
Coastal Management Division  
Number: P2002####

Interested parties are hereby notified that the \_\_\_ Parish Coastal Zone Management Program has received the following application for a Coastal Use Permit in accordance with the rules and Local Coastal Zone Management Act of 1978, as amended (La. R.S. 49:214.21-41), and the \_\_\_ Parish Coastal Zone Management Program as authorized by Ordinances...

NAME OF APPLICANT: Joe P. Applicant  
P.O. Box 123  
Coastal, LA 70000

LOCATION OF WORK: Provide the most detailed information available.

CHARACTER OF WORK: Construction of a 72 x 68 foot house, 40 x 40 foot storage shed and 15 x 343 and 25 x 135 foot concrete driveway.

**THE APPLICANT IS APPLYING FOR  
A COASTAL USE PERMIT**

Plans for the proposed work are now on file and may be inspected at the \_\_\_ Parish \_\_\_ office, address and phone or at the Office of the Coastal Management Division, Department of Natural Resources, State Land and Natural Resources Building, 625 North 4th Street, Room 1011, Baton Rouge, LA 70802 (225/342-7591). Written comments, including suggestions for modifications or objections to the proposed work, and stating the reason thereof, are being solicited from anyone having an interest in this permit request. Comments must be mailed within 25 days of the date of official publication of this notice to the \_\_\_ Parish \_\_\_ office or to the Coastal Management Division, Louisiana Department of Natural Resources. All comment letters should contain both the applicant's name and the appropriate number.

**COASTAL USE PERMIT CRITERIA**

The decision on whether or not to issue a Coastal Use Permit will be based on an evaluation of the probable impacts of the proposed activity in accordance with the local policies, as outlined in the \_\_\_ Parish Coastal Zone Management Program, and with the state statutes, as outlined in R.S. 49:214.22 and the coastal use guidelines LAC 701-719. The decision will reflect the national concern for both protection and utilization of important resources. The decision must be consistent with both the state program and local program and must represent an appropriate balancing of social, environment, and economic factors. All factors which may be relevant to the proposal will be considered; among these are flood and storm hazards, water quality, water supply, feasible alternative sites, drainage patterns, historical sites, economics, public and private benefits, coastal water dependency, impacts on natural features, compatibility with the natural and cultural setting and the extent of long term benefits or adverse impacts.



**#3 Public Notice**

March 28, 2002

## PUBLIC NOTICE

## COASTAL USE PERMIT APPLICATION

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Coastal Zone Management  
Number: Local P number

Department of Natural Resources  
Coastal Management Division  
Number: P2002####

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## PUBLIC HEARINGS\*\*\*\*\*

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

Sincerely,

Administrator

\_\_\_\_ Parish Coastal Zone Management Program\*\*\*\*\*

#### #4 Sending Public Notice to CMD For Distribution

March 20, 2002

Ms. Dianne Jones  
Coastal Management Division  
Louisiana Department of Natural Resources  
P.O. Box 44487  
Baton Rouge, LA 70804-4487

RE: Coastal Use Permit Application(s); P2002####, Local P number  
Mr. Joe P. Applicant.  
P.O. Box 123  
Coastal, LA 70000

Construction of a 72 x 68 foot house, 40 x 40 foot storage  
shed and 15 x 34 and 25 x 135 foot concrete driveway

Dear Ms. Jones:

Enclosed please find a Public Notice with plats for the referenced permit application. Please make distribution pursuant to your normal procedure.

If you have any questions or require further information, please call me at (###) ###-####.

Sincerely,  
Coastal Programs Administrator  
\_\_\_\_ Parish Coastal Zone Management Program

Attachments

## Withdrawals of Permit Applications

The parish should have an application withdrawal procedure. If there has been no recent activity regarding an application, the parish should send the applicant a letter including a copy of the last correspondence or detailing the contact between applicant and administrator. **(Sample 5)** The letter should ask if the applicant wants to pursue the application or withdraw at this time and should be sent by certified mail. If there is no response after 30 days, send a second letter advising the applicant that the application will be withdrawn if you do not hear from him. **(Sample 6)** If there is still no communication after two weeks, return the application and all drawings to the applicant along with a letter stating that the application has been withdrawn and advising him that it will be necessary to fill a new application if he should decide to proceed in the future. CMD should be cc'd on these letters for our files and so that the LCP database can be updated in a timely manner.

### Sample Letters re: LCP permit application Withdrawals

#### #5

30 Day Letter:

CERTIFIED MAIL

NO. \_\_\_\_\_

RE: P#, Local Coastal Use Permit Application

Applicant

Description: X

Location: X

X Parish, LA

Dear X:

On X, this office sent you the attached letter requesting additional information. As of this date, we have not received the requested information from you.

OR

We cannot continue processing your permit application until we receive the information requested during our telephone conversation on \_\_\_\_\_. Specifically, we are again requesting that you provide this office with X.

We are interested in working with you if you wish to pursue this Local Coastal Use Permit application. We cannot, however, continue processing of the application until you provide the information requested. According to the Rules and Procedures for Coastal Use Permits and the State and Local Coastal Resources Management Act of 1978, as amended (La. R.S. 49:214.21, et seq.) your application may be considered withdrawn unless you submit the revised drawings within thirty (30) days of the date of this letter. If you did not understand our request or need clarification of what is required, please call me at \_\_\_\_\_.



Sincerely,

Attachment

cc: CMD

**#6**

15 Day Letter:

CERTIFIED MAIL

NO. \_\_\_\_\_

RE: P#, Coastal Use Permit Application

Appl

Description: X

Location: X

X Parish, LA

Dear X:

On X, this office sent you a letter requesting additional information. As of the date of this letter, we have not received the information from you. According to the Rules and Procedures for Coastal Use Permits and the State and Local Coastal Resources Management Act of 1978, as amended (La. R.S. 49:214.21, et seq.) your application will be considered withdrawn unless you submit X within fifteen (15) days of the date of this letter.

Pursuant to 15 CFR 930, please be advised that at the time of withdrawal, your application would be termed inconsistent with the consistency provisions of the Coastal Zone Management Act of 1972, as amended. Notification of said inconsistency will be forwarded to the Corps of Engineers, which would be unable to issue their pending permit.

We are interested in working with you if you wish to continue with your permit application for this project by providing the information requested in our original letter. If you have any questions, please contact me at (225) 342-7953 or (800) 267-4019.

Sincerely,

cc: Ron Ventola, COE

FI, CMD/FI, CMD, Appl

*Landowner Letter*  
*(Requirement of Mitigation For Unavoidable Impacts)*

(Date)

CERTIFIED MAIL  
NO. \_\_\_\_\_

(Landowner)

RE:

Dear:

This is to inform you, as a landowner, that (PARISH) Local Coastal Program is requiring (applicant) to provide compensatory mitigation for the unavoidable loss of (acres) of (habitat) on your property that will result from the above-referenced activity. This office has notified (applicant) of its mitigation obligation and has suggested that (applicant) coordinate mitigation plan development with the affected landowner(s).

Please be advised that it is a landowner's responsibility, not that of the applicant or the applicant's agent, to notify the (PARISH) LCP of his/her intention to pursue his/her option to request compensatory mitigation on its property. Within thirty (30) days\* of the date of this letter, the landowner must provide to this office a statement in writing which includes one or more of the following:

1. waiver of the landowner's option to request compensatory mitigation on the landowner's property;
2. acceptance of the applicant's compensatory mitigation proposal;
3. an explanation as to why the applicant's proposal is not acceptable along with an alternate compensatory mitigation plan;
4. a "landowner-authored" mitigation plan in the event the applicant has failed to contact the landowner or provide a compensatory mitigation plan for review;
5. a request for monetary contribution\* to implement an approved compensatory mitigation plan;

\*Requests for monetary contribution must be received within fifteen days (15) of the date of this letter. The monetary contribution option applies if the proposed activity would



qualify for authorization under a general permit or if the proposed activity would directly impact 5.0 acres or less. For impacts greater than 5.0 acres but no more than 10.0 acres, the monetary contribution option will be considered on a case per case basis provided that all other options have been eliminated. Pursuant to §724.J.5.f, monetary contributions shall not be considered for activities that would directly impact more than 10.0 acres. Funds acquired through the monetary contribution shall only be used by the landowner to implement an approved, permitted compensatory mitigation plan.

If the applicant fails to contact the landowner and the landowner is interested in pursuing its option to request compensatory mitigation on its property, we suggest that the landowner make an effort to contact the applicant to assist in the development of a mutually acceptable plan. Should attempts to contact the applicant or develop a mutually acceptable plan fail, please remember the landowner still has the option to develop and submit its own compensatory mitigation proposal for our consideration.

Pursuant to the Louisiana Administrative Code, Title 43, Chapter 7, Part 1, §724.J.5.c, failure of a landowner to respond in writing within the 30-day limit will be construed as a forfeiture of the landowner's option to request that compensatory mitigation be performed on the landowner's property. Please refer to the above Coastal Use Permit number when responding to this request and address all correspondence to my attention. Upon receipt of the landowner's response, and after thorough review, the (PARISH) will notify the landowner(s) and the applicant of PARISH's determination within fifteen (15) days.

To reiterate, for (PARISH) LCP to consider the landowner's request for compensatory mitigation, the landowner(s) must provide the request in writing, the request must reference the Coastal Use Permit number identified above, it must be received within thirty (30) days of the date of this notice, and it must be forwarded to my attention. Requests for compensatory mitigation must specifically identify the selected option and include a detailed compensatory mitigation plan, where appropriate. If you have any questions, call me at (PHONE NUMBER)

Sincerely,

LCP Administrator

*Applicant Letter  
(Requirement of Mitigation For Unavoidable Impacts)*

(Date)

CERTIFIED MAIL  
NO. \_\_\_\_\_

(Applicant)

RE:

Dear:

Based on a review of your application, a field investigation of the referenced project site and/or a wetland assessment, the (PARISH) Local Coastal Program office has determined that (APPLICANT) will be required to provide compensatory mitigation for the anticipated unavoidable loss of (ACRES) of (HABITAT) resulting from the referenced activity.

*(If the applicant is NOT the owner of the property include this paragraph)*

Louisiana regulations state "The owner of the land on which a permitted activity is to occur shall have the option of requiring on-site or off-site compensatory mitigation on his property ... provided that the secretary determines that the proposed mitigation is acceptable and sufficient." If an affected landowner wishes to waive his right to compensatory mitigation done on his property, the permitting process may be expedited by the landowner notifying CMD of those wishes in writing as early in the process as possible. Any and all compensatory mitigation proposals must be coordinated with the affected landowner(s). Failure to coordinate the development of a compensatory mitigation plan with the affected landowner(s) could result in extensive delays in processing of your application.

Please contact the (PARISH) LCP office to discuss a compensatory mitigation proposal within 20 days of the date of this letter.

Compensatory mitigation may be accomplished through, in order of priority: 1) the purchase of mitigation credits from an approved mitigation bank or area, 2) the use or purchase of mitigation credits from an approved advanced mitigation area, 3) implementation of an individual mitigation measure, 4) monetary contribution to the affected landowner or affected parish (with an approved Local Coastal Program) and/or to the Louisiana Wetlands Conservation and Restoration Fund (NOTE: The CMD may accept in lieu of compensatory mitigation ONLY when the permittee is unable to provide mitigation through an individual project or through a mitigation bank or area located in the Louisiana Coastal Zone), or 5) other options determined to be appropriate by the secretary.

*(If you charge a mitigation processing fee include the following paragraph)*

Pursuant to the Louisiana Administrative Code, Title 43, Chapter 7, Part 1, §724.D.1.b., the applicant will be assessed a compensatory mitigation processing fee of [\$ AMOUNT] in addition to any cost associated with providing compensatory mitigation. An acceptable compensatory mitigation proposal and the compensatory mitigation processing fee must be received prior to issuance of the referenced permit.

Please refer to the above Coastal Use Permit number when responding to this request. If you have any questions, call me at [PHONE NUMBER].

Sincerely,

LCP Administrator