

**AMENDMENT NO. 2
TO
EASEMENT NO. DACW29-2-95-08**

WHEREAS, on 29 August 1995, Easement No. DACW29-2-95-08 was entered between the United States Government, as Grantor, and St. Charles Parish Council, as Grantee, granting a 30 year term, beginning January 1, 1995, and ending December 31, 2024 to construct, use, maintain, control, operate and repair a stormwater pump station along Engineers Canal, including two 26" pipelines across the Bonnet Carre' Spillway lower guide levee at approximate levee station 69+84, and a discharge swale inside the spillway, within our Bonnet Carre' Spillway Project, in Section 5, Township 12 South, Range 8 East, St. Charles Parish, Louisiana;

WHEREAS on 15 July 2005, Amendment No. 1 continued the easement until December 31, 2024 and amended to improve drainage with a 60" corrugated metal bypass culvert to help move water through Engineers Canal past the pump station, under Airline Highway (U.S. Highway 61), ongoing into Bayou Trepagnier pump station on the north side of Highway 61.

NOW THEREFORE, Page 1, first paragraph, is amended to install, operate and maintain an additional 20,000 gpm stormwater pump in the existing concrete sump and 26" diameter at-grade steel pipeline across 286 LF of the Bonnet Carre' Spillway Lower Guide Levee on an existing but thickened slab; additionally, authority is granted for laydown area, work area and access over an of 20' x 286' as shown in Exhibits A & B attached and made part of this instrument, located in an existing right-of-way in the Bonnet Carre' Spillway, in St. Charles Parish, Louisiana.

It has been determined this contract is not subject to Executive Order 13658 or the regulations issued by the Secretary of Labor in 29 CFR part 10 pursuant to the Executive Order, and the following provisions.

If a duly authorized representative of the United States discovers or determines, whether before or subsequent to executing this contract, that an erroneous determination regarding the applicability of Executive Order 13658 was made, contractor, to the extent permitted by law, agrees to indemnify and hold harmless the United States, its officers, agents, and employees, for and from any and all liabilities, losses, claims, expenses, suits, fines, penalties, judgments, demands or actions, costs, fees, and damages directly or indirectly arising out of, caused by, related to, resulting from or in any way predicated upon, in whole or in part, the erroneous Executive Order 13658 determination. This includes contractor releasing any claim or entitlement it would otherwise have to an equitable adjustment to the contract and indemnifying and holding harmless the United States from the claims of subcontractors and contractor employees.

All other terms and conditions of the original easement remain unchanged.

IN WITNESS WHEREOF I have hereunto set my hand by authority/direction of the Secretary of the Army this _____ day of _____, _____.

Witness

Printed Name

Witness

Printed Name

JUDITH Y. GUTIERREZ
Real Estate Contracting Officer
Deputy Chief, New Orleans Real Estate
Chief, Management and Disposal Section
Real Estate Region South Division

NOTARY PUBLIC (Sign)

NOTARY PUBLIC (Print)

STATE OF _____

COUNTY OF _____

MY COMMISSION EXPIRES: _____

The above Amendment No. 2 is hereby accepted this ____ day of _____ 2017.

ST. CHARLES PARISH COUNCIL.

Signed: _____

Printed Name: _____

Title: _____

WITNESSES:

Signed: _____

Printed Name: _____

Signed: _____

Printed Name: _____

Signed: _____

Printed Name: _____
Notary Public

County/Parish: _____

State Of: _____

My Commission Expires: _____

Notary or Bar Association Number: _____

BONNET CARRE SPILLWAY PROJECT
SECTION 5/ T12S/ R8E
EASEMENT NO. DACW29-2-95-08
EXHIBIT A

-90 24.9045, 30 0.907

ST CHARLES

12S 8E



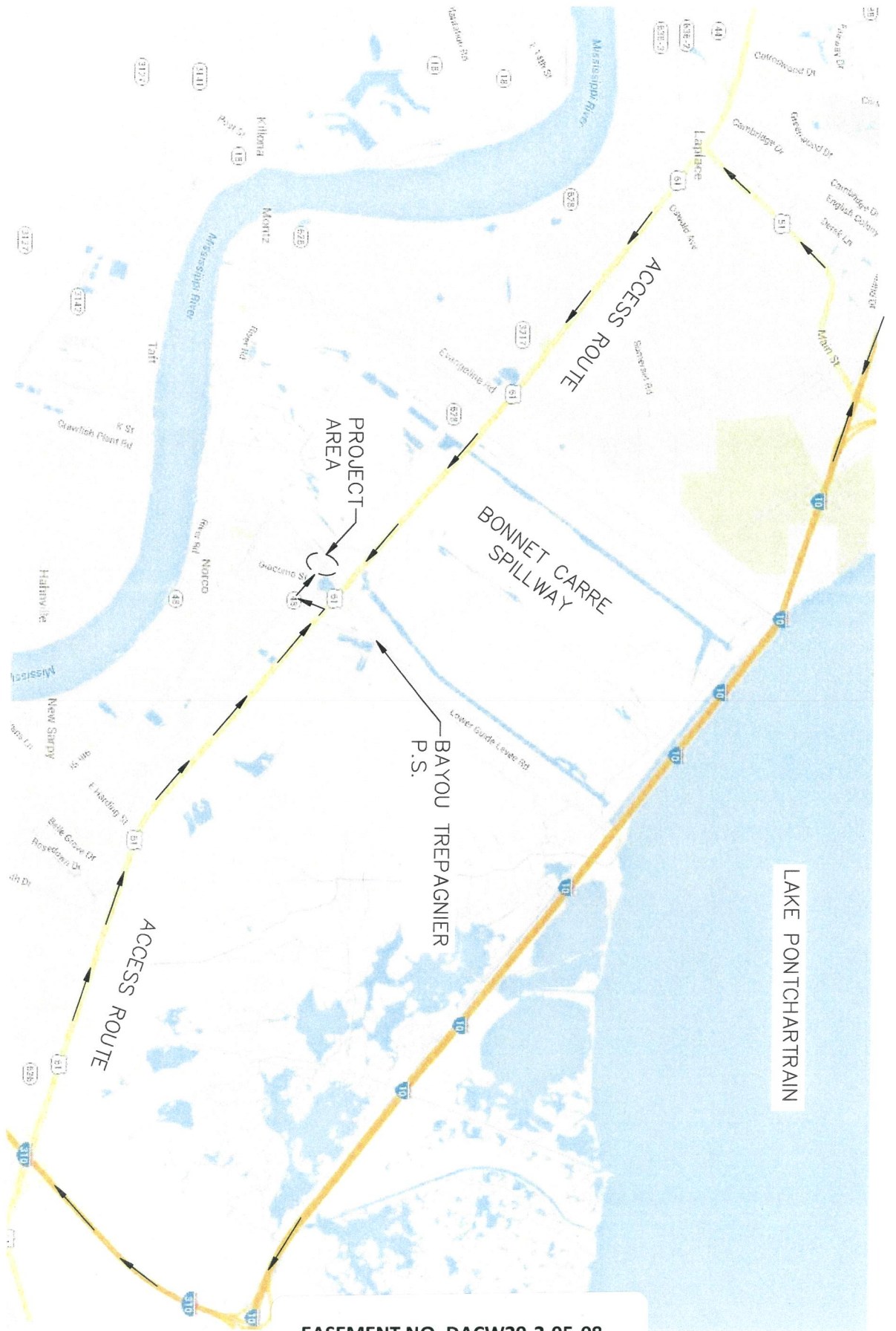


EVANS-GRAVES ENGINEERS, INC.
ENGINEERING CONSULTANTS ONE GALLERIA BLVD. Ste 1520, METAIRIE, LA. 70001 (504) 836-8190

ENGINEER'S CANAL PUMP STATION IMPROVEMENTS
NORCO, ST. CHARLES PARISH, LA, DEC. 2015

VICINITY MAP

SHT. 1/7 VICINITY MAP
N.T.S.



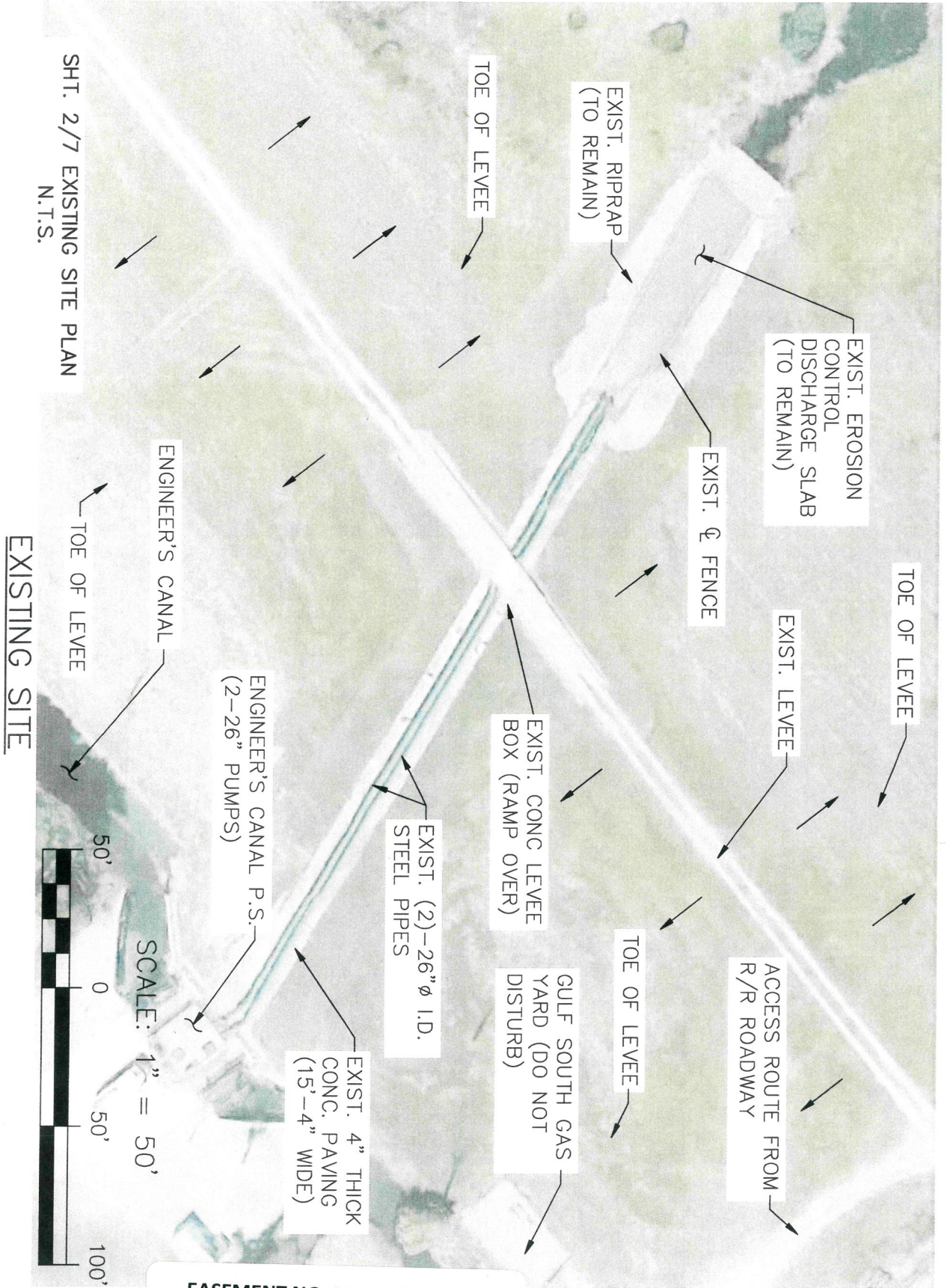
EASEMENT NO. DACW29-2-95-08
EXHIBIT B





EVANS-GRAVES ENGINEERS, INC.
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ENGINEER'S CANAL PUMP STATION IMPROVEMENTS
 NORCO, ST. CHARLES PARISH, LA, DEC. 2015



SHT. 2/7 EXISTING SITE PLAN
 N.T.S.

EXISTING SITE

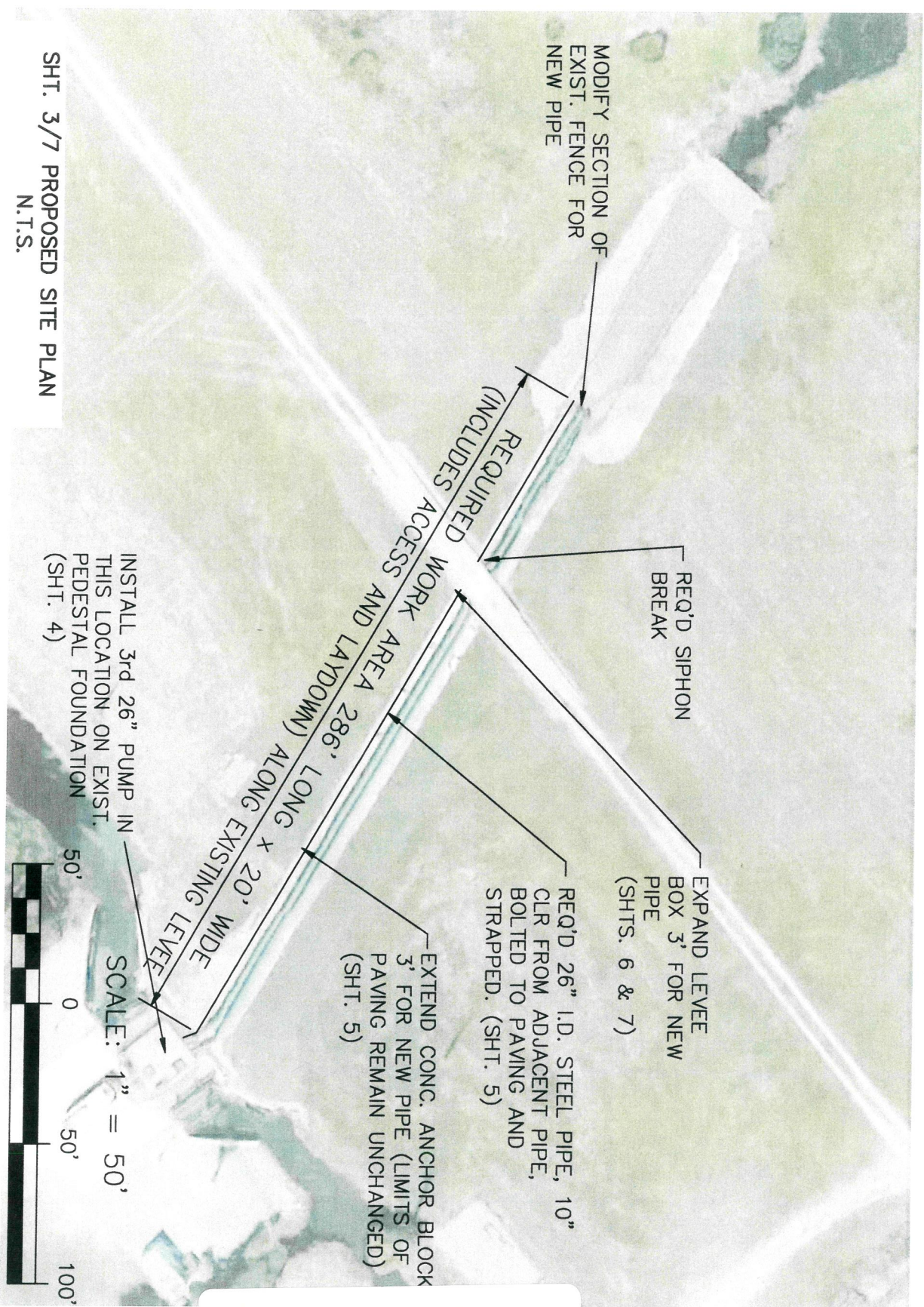


EASEMENT NO. DACW29-2-95-08
 EXHIBIT B



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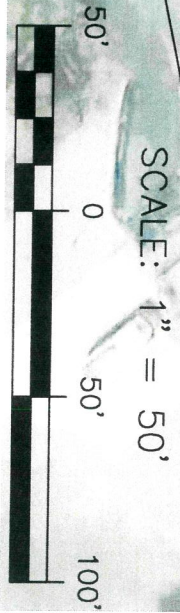
ENGINEER'S CANAL PUMP STATION IMPROVEMENTS
 NORCO, ST. CHARLES PARISH, LA, DEC. 2015



SHT. 3/7 PROPOSED SITE PLAN
 N.T.S.

PROPOSED SITE

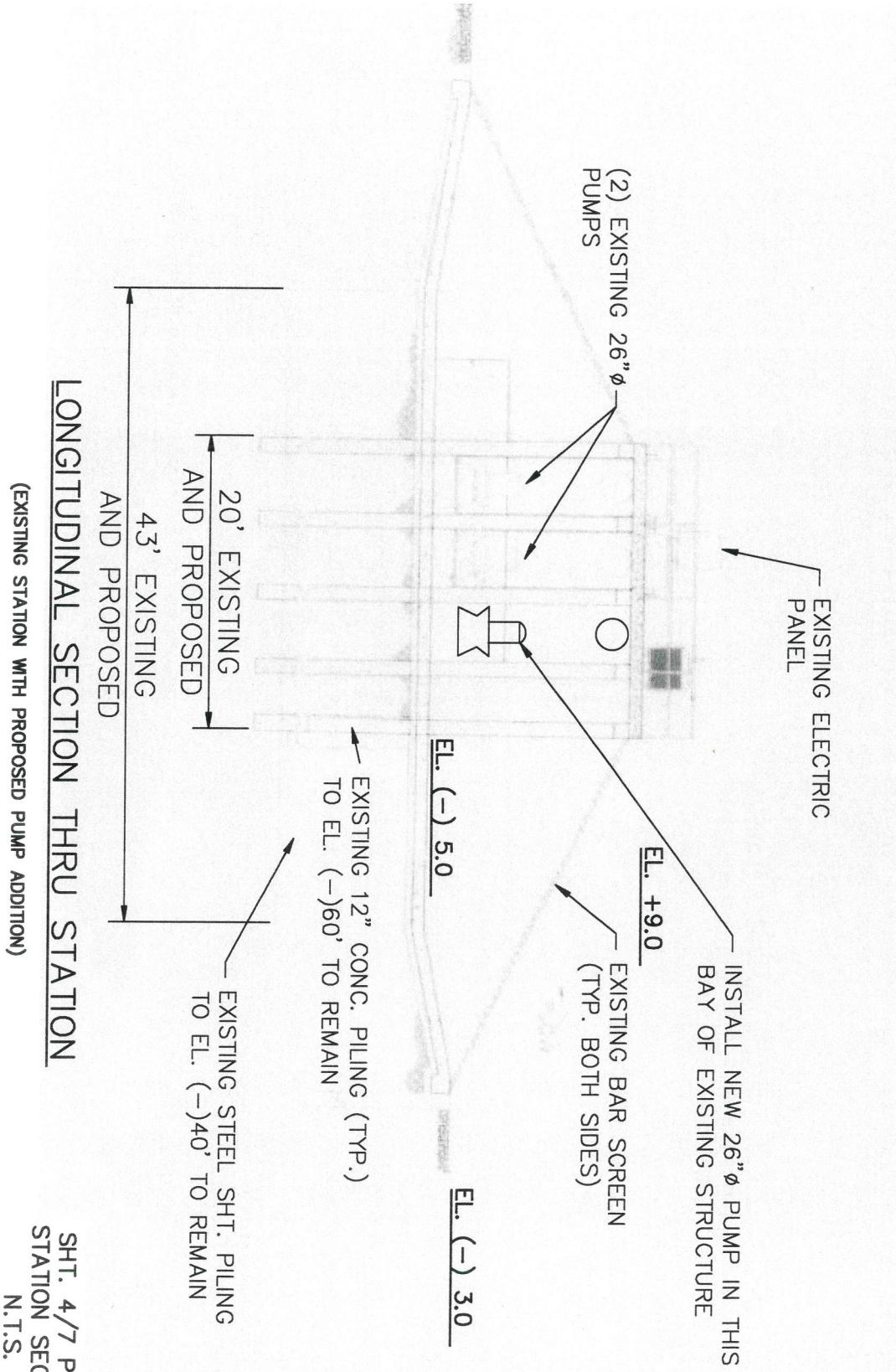
INSTALL 3rd 26" PUMP IN THIS LOCATION ON EXIST. PEDESTAL FOUNDATION (SHT. 4)



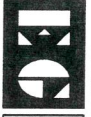
EASEMENT NO. DACW29-2-95-08
 EXHIBIT B



NOTE:
NO EXCAVATION OR DEMOLITION
REQUIRED ON THIS SHEET.



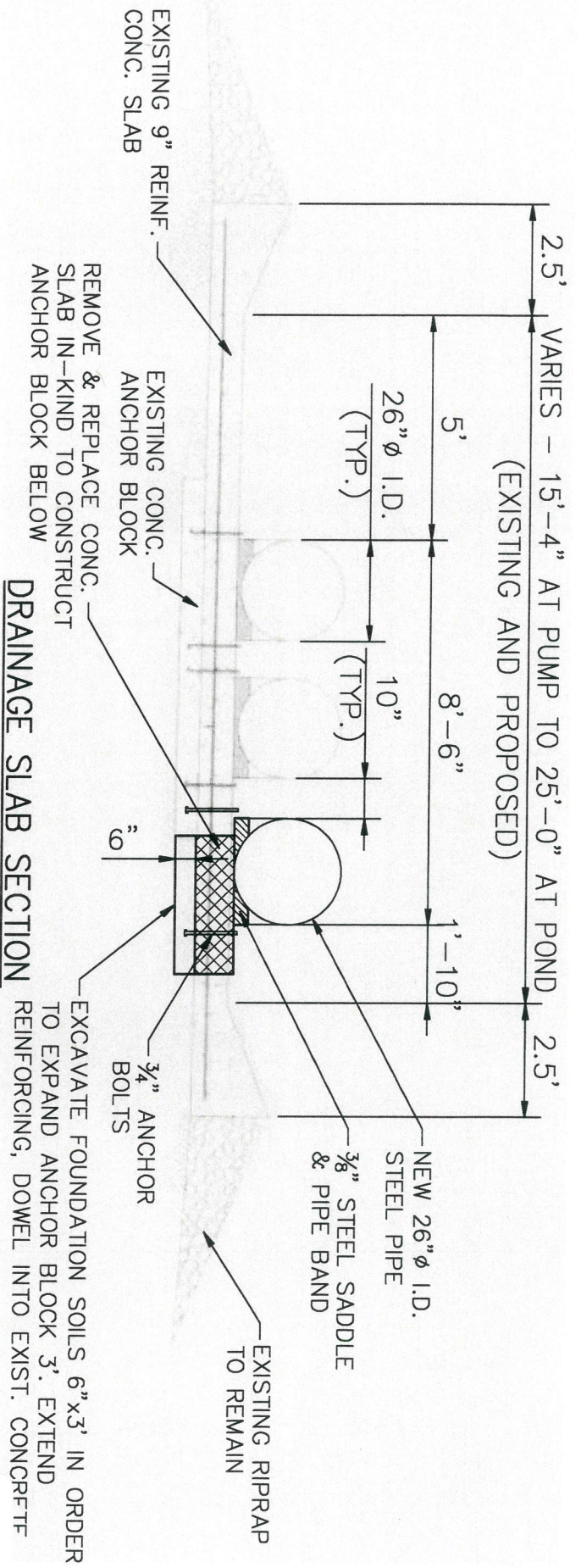
EASEMENT NO. DACW29-2-95-08
EXHIBIT B



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ENGINEER'S CANAL PUMP STATION IMPROVEMENTS
NORCO, ST. CHARLES PARISH, LA, DEC. 2015

SHT. 4/7 PUMP
STATION SECTION
N.T.S.



(EXISTING SLAB WITH PROPOSED ADDITION)

1. AS-BUILT DRAWINGS AND/OR PLATS SHALL HAVE WRITTEN ON THEM THE DATE OF COMPLETION OF SAID ACTIVITIES AND SHALL BE SUBMITTED TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, P. O. BOX 44487, BATON ROUGE, LA 70804-4487 WITHIN 30 DAYS FOLLOWING PROJECT COMPLETION.
2. ALL STRUCTURES BUILT UNDER THE AUTHORIZATION AND CONDITIONS OF THIS PERMIT SHALL BE REMOVED FROM THE SITE WITHIN 120 DAYS OF ABANDONMENT OF THE FACILITIES FOR THE HERIN PERMITTED USE, OR WHEN THESE STRUCTURES FALL INTO A STATE OF DISREPAIR SUCH THAT THEY CAN NO LONGER FUNCTION AS INTENDED. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED, FOR SUCH REMOVAL ACTIVITIES.
3. STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U. S. COAST GUARD REGULATIONS.
4. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITTEE SHALL CONTACT THE LOUISIANA ONE CALL SYSTEM (1-800-272-3020) A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION (DIGGING, DREDGING, JETTING, ETC.) OR DEMOLITION ACTIVITY.

EASEMENT NO. DACW29-2-95-08
EXHIBIT B

SHT. 5/7 PIPING SECTION
N.T.S.



EVANS-GRAVES ENGINEERS, INC.

ENGINEERING CONSULTANTS ONE GALLERIA BLVD. Ste 1520, METAIRIE, LA. 70001 (504) 836-8190

ENGINEER'S CANAL PUMP STATION IMPROVEMENTS
NORCO, ST. CHARLES PARISH, LA, DEC. 2015



EVANS-GRAVES ENGINEERS, INC.
 ENGINEERING CONSULTANTS ONE GALLERIA BLVD. Ste 1520, METAIRIE, LA. 70001 (504) 836-8190

ENGINEER'S CANAL PUMP STATION IMPROVEMENTS
 NORCO, ST. CHARLES PARISH, LA, DEC. 2015

NOTE:
 EXCAVATED MATERIAL TO BE
 HAULED OFF-SITE AND DISPOSED
 OF LEGALLY AND PROPERLY
 IN A NON-WETLANDS DISPOSAL
 AREA

TOP OF LEVEE
 (PLAN VIEW)

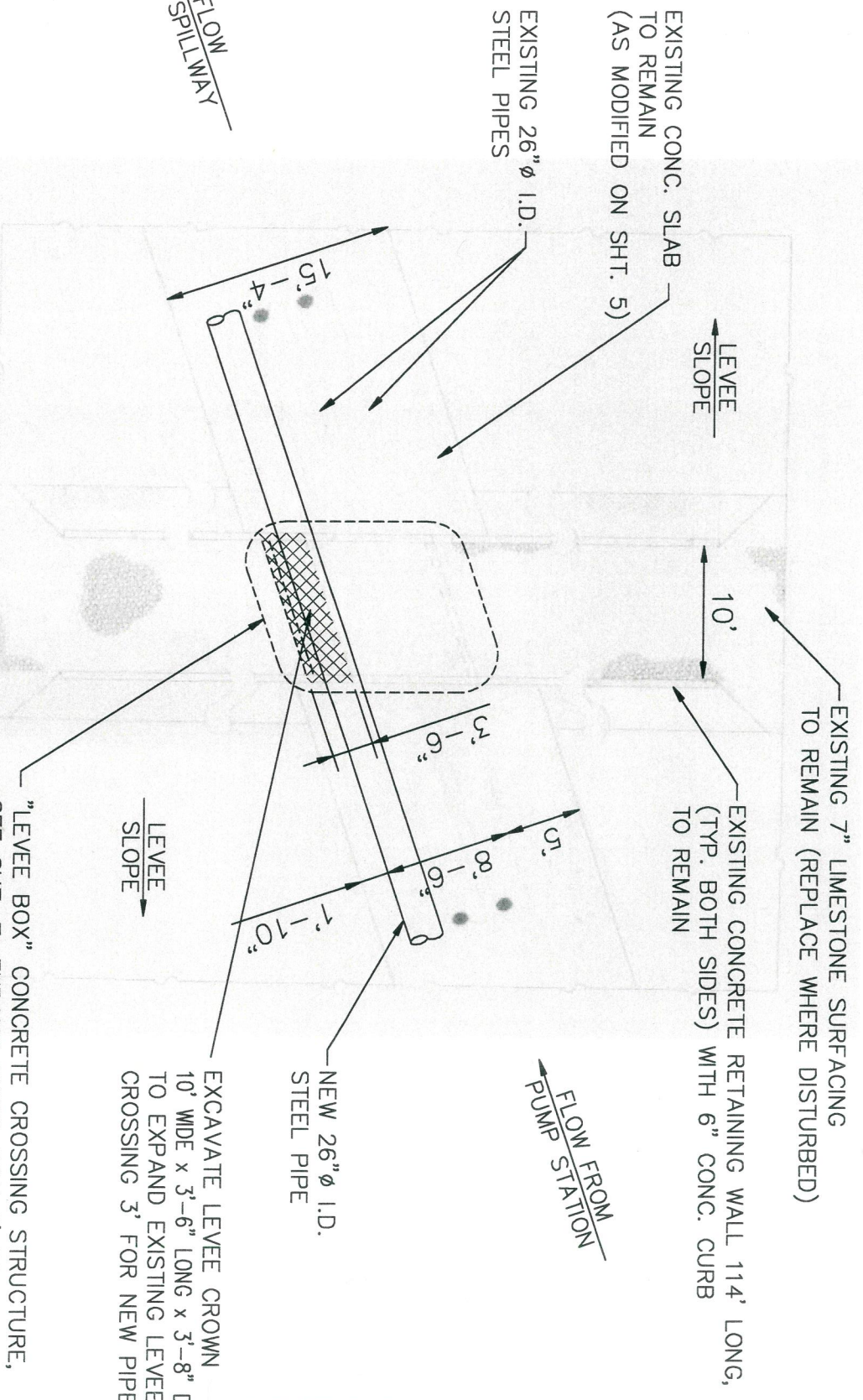
SHT. 6/7 LEVEE CROSSING PLAN
 N.T.S.

"LEVEE BOX" CONCRETE CROSSING STRUCTURE,
 SEE SHIT. 7. EXPAND EXIST. BOX 3' TO ACCOMMODATE
 NEW PIPE. RESTORE COMPACTED CLAY FILL AND
 GRASS WHERE DISTURBED.

EXCAVATE LEVEE CROWN
 10' WIDE x 3'-6" LONG x 3'-8" DEEP
 TO EXPAND EXISTING LEVEE
 CROSSING 3' FOR NEW PIPE

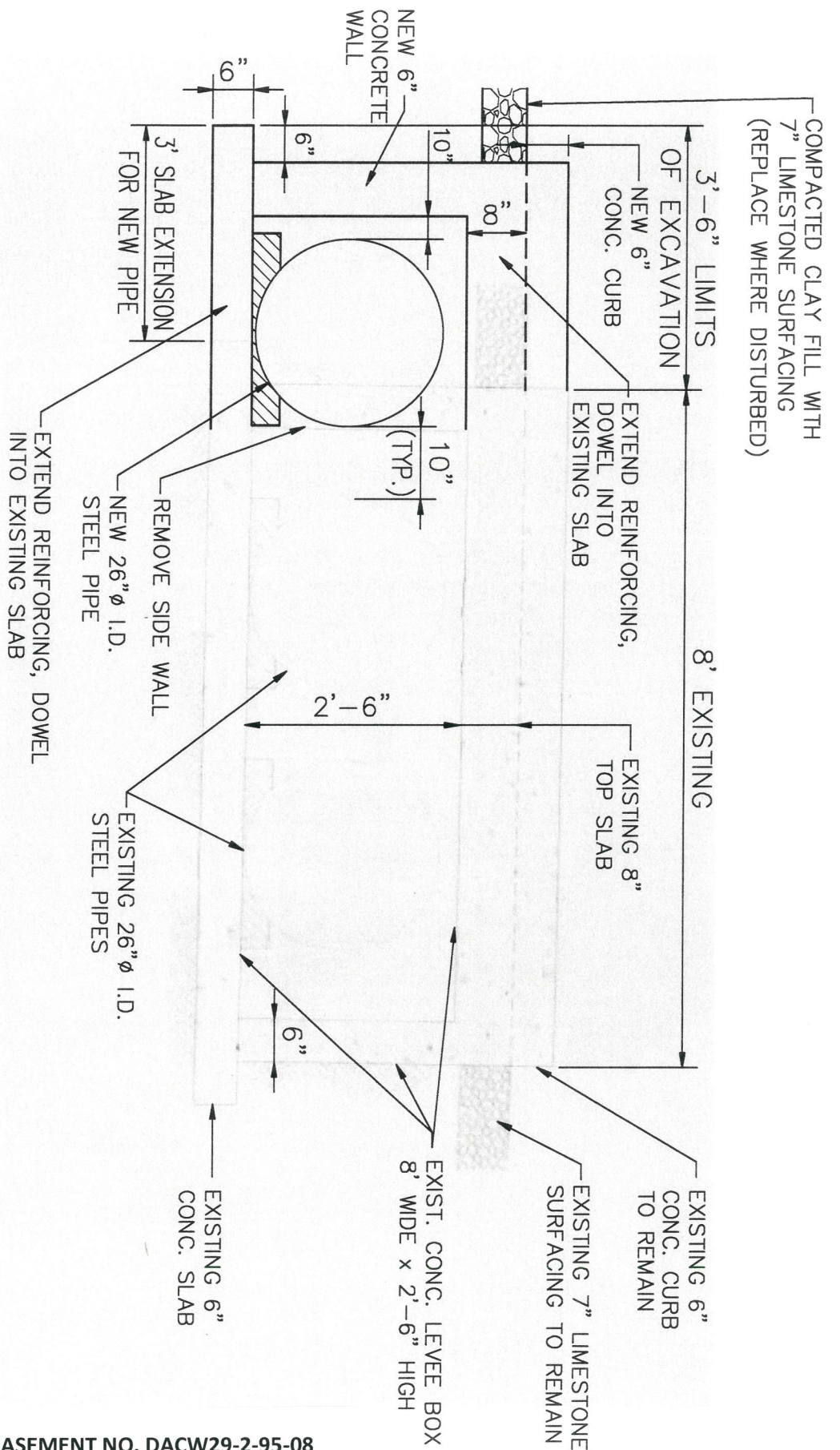
TO SPILLWAY
 FLOW

FLOW FROM
 PUMP STATION



EASEMENT NO. DACW29-2-95-08
 EXHIBIT B

NOTE:
EXCAVATED MATERIAL TO BE
HAULED OFF-SITE AND DISPOSED
OF LEGALLY AND PROPERLY
IN A NON-WETLANDS DISPOSAL
AREA



EASEMENT NO. DACW29-2-95-08
EXHIBIT B



EVANS-GRAVES ENGINEERS, INC.
ENGINEERING CONSULTANTS ONE GALLERIA BLVD. Ste 1520, METAIRIE, LA. 70001 (504) 836-8190

ENGINEER'S CANAL PUMP STATION IMPROVEMENTS
NORCO, ST. CHARLES PARISH, LA, DEC. 2015

(EXISTING BOX WITH PROPOSED ADDITION)

SHT. 7/7 LEVEE BOX EXPANSION
N.T.S.

LEVEE BOX



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
REAL ESTATE REGION SOUTH DIVISION, CORPS OF ENGINEERS
NEW ORLEANS DISTRICT REAL ESTATE OFFICE
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118-3651

May 17, 2017

Management and Disposal Branch

St. Charles Parish Council Office
Attn: Clayton Fauchoux
100 River Oaks Drive
Destrehan, Louisiana 70047

Dear Mr. Clayton Fauchoux:

We have completed our evaluation of your request and have determined that this activity will have no significant impact to the operation of the Bonnet Carre' Spillway Project at this time. Enclosed is a copy of Amendment No. 2 to the Department of the Army Easement to Cross U. S. Government Easement No. DACW29-2-95-08 granting permission to install, operate and maintain an additional 20,000 gpm stormwater pump in the existing concrete sump, a 26" diameter at-grade steel pipeline 286 LF across the Bonnet Carre' Spillway lower guide levee on an existing, but thickened slab, a laydown area, work area of 20' x 286' and access for construction within St. Charles Parish, Louisiana.

Please return two copies of the amended easement, signed, notarized and dated, to this office within 15 days of the date of this letter. Once the signed easements are received, they will be signed on behalf of the Secretary of the Army, and a fully executed copy will be returned to you.

There will be no cost associated with this easement since your organization is a governmental body. No environmental studies are required since the pump and pipeline are being placed on an existing slab.

If there are any questions concerning this matter, please contact Hope Jackson at (504)862-2891 or Hope.A.Jackson@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Judith Y. Gutierrez".

Judith Y. Gutierrez

Real Estate Contracting Officer
Deputy Chief, New Orleans Real Estate
Chief, Management & Disposal Section
Real Estate Region South Division

Enclosures