

SCOPE OF SERVICES

LOCAL COASTAL RESOURCES MANAGEMENT PROGRAM

2022-2025

The purpose of this scope of services is to describe and identify the processes, procedures and duties for the yearly operation of a state and federally approved Parish Local Coastal Management Program (LCMP) as a part of the Louisiana Coastal Resources Program (LCRP), in accordance with the rules and regulations of the LCRP and Louisiana R.S. 49, sections 214.21 to 214.41, the State and Local Coastal Resources Management Act of 1978 (SLCRMA), as amended, and the approved parish LCMP Documents and Ordinances. This scope of services details specific actions and deliverables that must be performed by the parish in conducting the operation of its LCMP. The LCMP must operate consistent with its program documents and with the state program. In addition to operating its program as approved, specific deliverables must be submitted to the Louisiana Department of Natural Resources (LDNR) to ensure that federal, state and local reporting and other requirements are fulfilled including the requirements of the Louisiana Coastal Wetlands Conservation Plan and Louisiana's Comprehensive Master Plan for a Sustainable Coast.

Implementation Goals of the parish LCMP are to:

- protect, develop, and where feasible, restore and enhance the resources within the parish's coastal zone;
- support and encourage multiple uses of coastal resources consistent with maintenance and enhancement of renewable resource management and productivity, the need to provide for adequate economic growth and development, and the minimization of adverse effects;
- employ procedures and practices that resolve conflicts among competing uses within the coastal zone;
- develop and implement a coastal resources management program which is based on consideration of our resources; the environment; and the needs of the people of the nation, the state, and the parish;
- enhance opportunities for the use and enjoyment of the recreational values of coastal zone areas;
- express certain regulatory and non-regulatory policies for the LCMP;
- develop and implement a reasonable and equitable coastal resources management program with sufficient expertise, technical proficiency, and legal authority to enable the parish to determine the future course of development and conservation of the coastal zone; and
- provide regular inspection of coastal zone areas to report violations and monitor permit compliance of public and private contractors.

DELIVERABLES:

I. PROCESSING PERMITS

1. APPLICATIONS

When applications are filed with the LCMP, the LCMP will forward the application to the Office of Coastal Management (OCM). When an application is determined to be a local concern by the Secretary of LDNR, the LCMP will process the application. LCMP may also provide comments for applications determined to be state concerns.

2. PERMIT REVIEW

During the review of local concern applications, the local administrator (or his designee) shall coordinate with other appropriate federal, state, and/or local agencies.

3. FIELD INVESTIGATIONS

When deemed necessary by the local administrator, an onsite field investigation by the administrator or his designee shall be carried out to obtain additional information concerning the project area and its impact on the environment. **Applications that require compensatory mitigation require field investigations; all authorizations that are assigned one growing season mitigation conditions shall require pre and post field investigations and/or pre and post photography conditions. All field investigations shall be documented with the LCMP field investigation form.** Follow-up field investigations may also be completed as required to assess compliance with project scope and permit conditions.

4. MITIGATION

The parish LCMP shall assess compensatory mitigation to replace or substitute for the ecological value of wetlands lost due to permitted activities of local jurisdiction. The mitigation assessment shall be conducted according to La. R.S. 49:214.41 and the parish LCMP document and ordinance. The progress of this task shall be reported to the OCM. The parish LCMP shall report mitigation to the state OCM as described in this contract scope of services.

5. DETERMINATIONS

A copy of the final decision authorizing document and all appropriate supporting permit processing information shall be provided to the OCM for uploading into the SONRIS on-line permitting system **within five working days. Local Coastal Programs Coding Sheets shall also be submitted for every application determined to be of local concern within five working days of initial electronic transmittal to the parish by OCM.** Any documents used in making decisions or recommendations for local concern activities, shall be included in a file which becomes part of the Administrative Record of Decision. Each file shall contain:

- a. the application and any additional information submitted by the applicant,
- b. the state's local use determination,
- c. the final determination or permit, including any special conditions and/or modifications required of the permittee, with a statement documenting the basis for the decision in accordance with the rules and procedures,
- d. any field investigations performed for the project,

- e. the technical review on the environmental, social, economic, and cultural impacts of the project, as well as, a copy of any compensatory mitigation calculations and project determination information,
- f. the Needs, Alternatives and Justification (NAJ) statement, and Hydrologic Modification Impact Analysis (HMIA), if required,
- g. any public notice required for the project and any comments received,
- h. any public hearing transcripts, if required,
- i. any additional local use permit proceeding, including modifications, suspensions, and revocations, shall be placed in the parish permit file and a copy forwarded to the OCM.

6. REPORTING TO THE STATE OCM

The OCM is responsible for including local program permitting information in the semi-annual Louisiana Coastal Wetlands Conservation Plan Report and the Quarterly Legislative Report on OCM performance indicators. In order to supply the data needed to populate these reports Code Sheets for all permitting, enforcement, and mitigation actions are used:

- a. All code sheets used for permitting, enforcement, and mitigation reporting shall be completed (including all information on habitat impacts and AAHU/CHU derivations) and forwarded to OCM upon the parish receipt of a local concern determination permit application and upon the issuance of a permit and/or the final agreement of a mitigation plan.
- b. These forms are as follows:
 - i. Local Coastal Programs Coding Sheets shall be submitted for every application determined to be of local concern within three working days of electronic transmittal to the parish by OCM. Local Coastal Programs Coding Sheets are also to be updated and submitted when the application is placed on hold and when issued.
 - ii. Impacted Habitat Form shall be submitted within three working days of initial electronic transmittal to the parish by OCM for all local concern applications, except those which are exempt from permitting because they occur outside the coastal zone and do not have impacts to coastal areas or waters;
 - iii. Habitat Benefit Forms shall be submitted within three working days of initial electronic transmittal to the parish by OCM for every local concern activity for which compensatory mitigation is assigned by the LCMP.

7. APPEALS PROCESS

A copy of all documentation in a case of an appeal for a use of local concern shall be placed in the parish permit file and a copy shall be forwarded to the OCM within five working days of receipt by the parish LCMP. The state shall be kept informed in writing of all findings in such cases

8. VARIANCES

A copy of all variances, with findings, once approved by the Secretary of the Louisiana Department of Natural Resources (LDNR), shall be kept in the application file and in the parish permit file, and a copy shall be sent to the OCM within five working days after receipt by the parish LCMP.

9. ENFORCEMENT PROCEDURES

The parish LCMP shall investigate any unpermitted activities as well as activities that might result in non-compliance with state or local rules and regulations or with permit terms and conditions. This pertains to activities discovered by, or reported to, the parish. The parish LCMP shall investigate the activity and, if appropriate, request that the party conducting the unauthorized activity submit an after the fact Coastal Use Permit (CUP) application. The parish LCMP investigation shall follow enforcement procedures provided in La. R.S. 49:214.36 and the parish LCMP document and ordinance. If appropriate, the parish may seek to impose a fine or other appropriate civil or criminal penalties.

II. ADMINISTRATION

1. MANAGER'S MEETINGS

OCM will conduct manager's meetings and/or special training during this contract period. Attendance at manager's meetings and/or special trainings is mandatory for LCMP administrators. If a parish administrator is unable to attend a scheduled manager's meeting he/she must make arrangements to have an assistant or an advisory committee member attend as a representative.

2. INVOICES

The LCMP Administrator shall forward the following information regarding state and local permit uses to OCM by the 15th day of the month following the end of the quarter.

- a. Requisitions for Payments, In-kind Contribution Reports with Monitoring Report; and
- b. Completed "Standardized Local Coastal Program Reporting Form" (see attached).

3. ANNUAL REPORTING

Pursuant to L.A.C. 43:I.725(F) an annual report shall be submitted by the LCMP for by the 15th day of the month following the end of the fourth quarter of local program implementation to the OCM. This information is captured by submission of the "Standardized Local Coastal Program Reporting Form" and other pertinent sections of the contract reports with each invoice. The report includes the following:

- a. the number, type, and characteristics of applications for Coastal Use Permits,
- b. the number, type, and characteristics of Coastal Use Permits granted, conditioned, denied, and withdrawn,
- c. the number, type, and characteristics of permits appealed,
- d. the results of any appeals,
- e. a record of all variances granted,
- f. a record of any enforcement activities and actions taken (enforcement activities reported by the state program to the parish LCMP or activities discovered by the parish),
- g. a description of any problem areas within the state or local program and proposed solutions to any such problems, and
- h. proposed changes in the state or local program.

While much of the information required by L.A.C. 43:I.725(F) is captured in the submission by the parish LCMP of deliverables required by the on-line data base throughout the contract period, the parish must still provide a detailed written report of all

of the pertinent questions on the “Standardized Local Coastal Permitting Reporting Form.” OCM will conduct an end of the contract performance evaluation of the parish program at the end of the contract term, as well as, the statutorily required periodic review of each program as necessary.

Standardized Local Coastal Annual Reporting Form

1. Discuss any suggested changes or improvements to the Appeals process:

2. Discuss any suggested changes or improvements to the Mitigation process:

3. Discuss any suggested changes or improvements to the Enforcement process:

4. Local Program Assessment

List any problems or other proposed suggestions or changes to local program

5. State Program Assessment

List any problems or proposed suggestions or changes to state program