



Permit Number: OL2022-00167

Submit Date: 6/7/2022

Applicant's Information

Name: Michael F Holly

Company: 631 Desire, LLC

Address: 639 Desire St, New Orleans 70117

Phone Number: 985-345-5210

Email Address: michael@hollyandsmith.com

Authorized Agent's Information

Name: Emily Barre

Company: Abry Brothers, Inc.

Address: 3319 Orleans Ave., New Orleans 70119

Phone Number: 504-488-2671

Email Address: ebarre@abrybrothers.com

Statement of Authorization

I hereby authorize, Emily Barre, to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

Applicant Signature Date: 6/7/2022

Project Details

Project Name & Location

Project name or title: 639 Desire

Name of levee system (if known):

Latitude: 29.962368440353995

Longitude: -90.04162898720934

Levee Station (if known):

Offset:

Physical Address: 639 Desire St. New Orleans, LA 70117

Street Intersection Address: Royal St. **Section:**

Township:

Range:

Project Description

Nature of Activity (Project description, include all features): removing and replacing 34 feet of damaged sill installing 120 feet of continuous steel reinforce concrete foundation, 12" deep level the building shim the piers install 2 new piers and footings at the front porch clean out mortar joints and encapsulate the back side of the piers remove the chimney foundations

Project Purpose (Describe the reason or purpose of the project): putting the building back in a level position and stabilize

Is any portion of this work already complete? No



Is this a renewal or extension of a previous permit? No

Application Type: Residential

Insurance: Yes

Signature(s)

Application is hereby made for permit or permits to authorize the work described in this application. I certify and this information is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Agent Submission Signature Date: 6/7/2022

Agent Approval Signature Date: 7/22/2022

Permitting Officer Signature Date: 7/25/2022



FLOOD PROTECTION AUTHORITY

Your Flood Defense System

SLFPA-E LEVEE SAFETY PERMIT PROVISIONS

Levee Safety Permit #OL2022-00167 Provisions:

BOARD OF COMMISSIONERS
K. Randall Noel - President
Roy M. Arrigo - Vice President
Clay A. Cosse - Secretary
Jason P. Latilais - Treasurer
Richard G. Duplantier, Jr.
Herbert I. Miller, P.E., DEE, F. ASCE

REGIONAL DIRECTOR
Kelli Chandler

EAST JEFFERSON LEVEE DISTRICT
1100 Rev. Richard Wilson Drive
Kenner, LA 70062
504.469-7522

LAKE BORGNE BASIN LEVEE DISTRICT
P.O. Box 216
6136 E. St. Bernard Highway
Violet, LA 70092
504.682-5941

ORLEANS LEVEE DISTRICT
6920 Franklin Ave
New Orleans, LA 70122
504.286.3100

In consideration of the referenced request, the Southeast Louisiana Flood Protection Authority – East (SLFPA-E), on behalf of the Orleans Levee District, does hereby grant permission to Abry Brothers, Inc. on behalf of 631 Desire, LLC (“Permittee”) for putting the building back in a level position and stabilizing at 639 Desire Street approximately 350 feet on the landside of the left descending Mississippi River floodwall, vicinity of second order levee station 553+28, at New Orleans, Louisiana in Orleans Parish.

1. A copy of this Levee Safety Permit, along with a set of approved plans shall be kept on the job site for the duration of the Work and made readily available for any inspector to determine that the Work taking place has been permitted by the Southeast Louisiana Flood Protection Authority –East (SLFPA-E), and is being conducted in accordance with approved plans. Failure to do so may result in the revocation of the Levee Safety Permit (“the Permit”) or construction delays. The Levee District has the option to reserve its rights to inspect area prior to construction.
2. **All work is performed in strict accordance with the provisions set forth in the CPRA’s Letter of No Objection #21215 dated June 20, 2022 and the USACE Letter of No Objection #2022-0600 dated July 12, 2022 attached and made a part hereof.**
3. No work or related activity shall be conducted within the levee district right-of- way.
4. Should changes in the location or section of the existing levee and/or river, or in the generally prevailing conditions in the vicinity, be required in the future in the public interest, the applicant shall make changes in the project concerned or in the arrangement thereof, as may be necessary to satisfactorily meet the situation and shall bear the cost thereof.
5. This Permit does NOT obviate the Permittee and Contractor from obtaining permits required from any federal, state, and local authorities, or the U.S. Army Corps of Engineers, the State Land Office, the Louisiana Department of Transportation and Development, and/or the Louisiana Department of Natural Resources-Coastal Management Division. Permittee and Contractors are responsible for obtaining all such permits and adhering to their provisions. The SLFPA-E is not responsible for insuring that the Permittee or its Contractor complies with rules, regulations or laws imposed by other governmental entities/agencies in regard to requirements for permitted activities, and does not enforce permits or regulations required by any of those entities. The Permittee is to provide copies of all city, state and federal permits to the SLFPA-E prior to commencing work.
6. The SLFPA-E will not interpret or provide comments on any local laws, zoning or ordinances concerning property rights, operations, or any other activities governed by any Permit that is not a SLFPA-E Permit.
7. The permission granted under this Permit is being granted to the Permittee and is not transferable to any other person, company or agency.
8. This Permit does not constitute an approval of the engineering design or any opinion as to the feasibility of the Work.
9. The Work shall be constructed in accordance with the submitted details set forth in the Levee Safety Permit Application dated June 07, 2022 by the Permittee, the drawings and specifications accompanying the application, and all other provisions contained herein. This Permit shall automatically expire if construction of the permitted facility has not started within six (6) months of the date of the Permit.

10. Any changes to the limits or scope of the proposed Work must be submitted to SLFPA-E for additional review prior to commencement of work covered by the proposed changes.
11. Construction activities shall be completed within one year of the date of this Levee Safety Permit.
12. The Permittee agrees to hold harmless, indemnify, and defend the SLFPA-E and its levee districts, its staff, Commissioners and agents against any and all damages which arise from the activities of the Permittee, or the Permittee's contractors, tenants and or lessees. Additionally, the Permittee, and all contractors and subcontractors employed to complete the Work must provide a completed SLFPA-E hold harmless agreement (attached with application) signed by a legally authorized representative of each contractor and subcontractor. A signed copy of the hold harmless agreement must be delivered, emailed, or uploaded to SLFPA-E Portal. Contractors and subcontractors that do not comply with this requirement shall not be allowed access to the levee right-of-way.
13. In addition to any other provisions provided herein, Permittee specifically assumes any and all responsibility for property damage to the SLFPAE or any of its levee districts' property, and to personal injury to the any of its officers, agents, servants or employees caused by, resulting from, arising out of or connected with the use of the Premises and/or any buildings and improvements thereon or caused by the activities of Permittee and/or its invitees and/or licensees on the subject property.
14. All contractors and subcontractors employed to complete work in the Right of Way shall provide certificates of insurance as proof of compliance with the SLFPA-E Levee Safety Permit Insurance Requirements, attached and made a part hereof. Contractors that do not comply with this requirement shall not be allowed access to the levee right-of-way. The following shall be named as certificate holders and the additional insured on general liability, automobile liability, aviation liability and marine insurance:

Southeast Louisiana Flood Protection Authority – East
6920 Franklin Avenue
New Orleans, LA 70122

Failure to provide the appropriate certificates of insurance may result in a revocation of the Permit and/or construction delays.

15. The SLFPA-E permit office shall be given notice in writing at least 3 days (excluding weekends and holidays) prior to commencement of any work, and at the end of activities so that appropriate inspections can be made. The Permittee, contractor, or an authorized representative may send notification via email. However, the entity providing notification is responsible for verifying receipt of notification.
16. The Permittee shall provide the SLFPA-E with photographs of the completed work, which must show the relationship of the work and its relative location to the flood control structure making this Permit necessary.
17. The proposed Work shall not restrict the Levee District's maintenance operations, or any potential flood fighting activities along the levee, nor shall it obstruct or impede drainage, or create areas of standing water on the levee, along the levee toe, or in the levee batture.
18. No equipment, vehicles or materials of any kind may be parked or stored on the levee or its slopes without prior approval from the Levee District.
19. An "after-the-fact" Permit request will be reviewed as though no work had been initiated and any work found not to be acceptable for permitting shall be removed at the Permittee's expense. The Permittee is responsible for

maintaining the existing level of flood protection at all times, and shall employ and maintain at the project site suitable erosion protection measures to the satisfaction of the Levee District.

20. The contractor shall preserve and protect all levee monuments and shall install a sleeve and cap at each monument locations to allow access to the monument through the asphalt pavement.
21. Any structural facilities constructed at the flood side of the levee and/or floodwall will be anchored sufficiently so as to resist flotation, collapse or lateral movement in the event of flooding or inundation. Alternatively, in lieu of the above-referenced anchorage of installations and facilities they must be capable of immediate removal from the floodway upon request of the U.S. Army Corps of Engineers or the SLFPAE.
22. All materials associated with the proposed Work must be removed from the area upon completion of the project and the area must be returned to its original state of existence or better.
23. Any damage done to the levee, floodwall or other flood control structure, revetment, or surrounding project area, resulting from the proposed Work shall be repaired or replaced by Permittee at the Permittee's expense and to the satisfaction of the Levee District.
24. The Permittee shall provide a set of As-Built Plans to the Southeast Louisiana Flood Protection Authority - East upon completion of the Work.
25. If for any reason the Permittee ceases to maintain operations, the APPLICANT/OWNER must obtain a modification of this Permit, which may require that any or all structures and materials in the area of operation be removed at the Permittee's expense.
26. The SLFPA-E may revoke this Levee Safety Permit if it determines that the provisions contained in this permit are not being met, or if the permitted activity damages the levee system infrastructure.
27. It is further hereby expressly agreed that the obligations of the Permittee under this Permit shall survive the expiration and/or termination of this Permit.
28. FOR CAMPS - Permittee understands that the SLFPA-E, the COE and/or their contractors may need access to the area to perform maintenance. Permittee also understands that because of the maintenance it may not have direct access to the site and may have to temporarily use an alternative route to access its property.



State of Louisiana

June 20, 2022

JOHN BEL EDWARDS

GOVERNOR

Orleans Levee District
6920 Franklin Avenue
New Orleans, LA 70122
Attention: Mr. Chris Humphreys

PERMIT REQUEST **FORM OF NO OBJECTION**

This Letter of No Objection is not a regulatory permit and does not authorize the implementation of any project without documented approval from all appropriate regulatory authorities.

Permit Applicant: 631 Desire, LLC.

Date of Request: 06-16-2022

Agent: Abry Brothers

Applicant's Request: Approval to perform foundation repairs to 639 Desire Street, New Orleans, Orleans Parish, Louisiana. This will involve removing and replacing 34-feet of damaged sill, installing 120-feet of continuous steel reinforced concrete foundation, one foot deep leveling of the building, shimming the existing piers, install two new piers and footings at the front porch, clean out mortar joints, encapsulate the back side of the piers, and remove the chimney foundations. The closest work location will be approximately 410-feet from the face of the floodwall.

6-16-22 Received via SLFPAE Program
SLFPAE Permit No. OL2022-00167

Project Location: All work to occur on the protected side of the left descending Mississippi River Levee Floodwall at 639 Desire Street, New Orleans, Orleans Parish, Louisiana.

Project Coordinates:..... 29° 57' 44.530" , -90° 02' 29.860"

The above referenced request has been examined by Coastal Protection and Restoration Authority, and no objection is proffered for this request, provided:

1. This Letter of No Objection is only for stated work within or in the vicinity of the Levee District right-of-way, and must be accomplished in accordance with the details set forth in the applicant's request and the conditions contained herein. Any changes to the limits or scope of the proposed work must be submitted for additional review. The Levee District must be contacted in writing prior to commencement and at the end of activities. The applicant is responsible for obtaining and providing copies of any permits or lease agreements necessary from the U.S. Army Corps of Engineers, the U.S. Coast Guard, the Louisiana State Land Office, the Louisiana Department of Transportation and Development, the Louisiana Department of Natural Resources - Office of Coastal Management, the Louisiana Department of Wildlife and Fisheries, the Parish Government and/or any other applicable agencies, as well as documented approval from the area landowner(s) prior to the initiation of the work. The applicant is responsible for adhering to the provisions of any existing permits. The proposed work must not restrict the Levee District's maintenance operations, or any potential flood fight activities at the levee, nor shall it obstruct or impede drainage, or create areas of standing water on the levee batture. The applicant must employ and maintain suitable erosion protection measures at the project site to the satisfaction of the Levee District. The applicant or owner must immediately notify the Levee District of any seepage or sand boils that occur during high water conditions. All materials associated with the proposed work must be removed from the area upon completion of the project and the area must be returned to its original state of existence or better. Any damage done to the levee, floodwall or other flood control structure, revetment, or surrounding project area, resulting from the proposed work must be repaired

or replaced by the applicant. Should any change in the location of the existing levee, river, floodwall, drainage canal, waterway, or generally prevailing conditions in the vicinity, or should any changes in the area be required in the future, in the public interest, the applicant shall make such changes in the project as necessary. Any required changes or repairs shall be at the applicant expense. This letter of no objection is offered with no opinion or approval of the design or engineering feasibility of the work.

Failure to abide by the conditions and requirements set forth in this Letter of No Objection may constitute non-compliance with the State of Louisiana comprehensive master coastal protection plan and may subject the levee district and/or the applicant/agent to any and all procedures and actions by CPRA or the CPRA Board pursuant to La. R.S. 49:214.5.2(A)(6) and as may be necessary to ensure compliance with such comprehensive master coastal protection plan.

2. That all subsurface work is performed and backfilled prior to the Mississippi River attaining or exceeding + 11.0 feet NGVD, on the Carrollton Gage at New Orleans, unless the applicant receives documented approval to the contrary from the U.S. Army Corps of Engineers-New Orleans District.
3. That excavated areas are backfilled as expeditiously as possible using clay material whose composition and density equals or exceeds that of areas adjacent to, and along the perimeter of the excavation boundary, or with native material.
4. That the applicant is responsible for maintaining the existing level of flood protection at all times to the satisfaction of the levee district.

Yours very truly,



for Ignacio Harrouch, Operations Division Chief
Coastal Protection and Restoration Authority of Louisiana

21215/bw/mc/tj

cc:

U.S. Army Corps Of Engineers-Levees
Mr. Billy Wall

Alanna Bailey-Kelly

From: Carlos, Madeline M CIV USARMY CEMVN (USA) <Madeline.C.Carlos@usace.army.mil>
Sent: Tuesday, July 12, 2022 12:53 PM
To: Permits
Cc: michael@hollyandsmith.com; ebarre@abrybrothers.com
Subject: Letter of No Objection for Abry Brothers, Inc. on behalf of 631 Desire, LLC 2022-0600
Attachments: 2022-0600.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please take this email as our LNO for the project. **No work shall commence until a permit is received from the Levee District.**

This letter of no objection is based upon engineering criteria and potential impacts to the flood risk reduction system only, and no interpretation or comments regarding local drainage or traffic issues, local laws, zoning, or ordinances concerning property rights, etc., have been made. Please be advised that the proposed project may require a Department of the Army (DA) permit under Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act. If a DA permit is required, it is the applicant's responsibility to obtain such permit from the New Orleans District Regulatory Branch prior to the commencement of any work. The USACE point of contact in the New Orleans District Regulatory Branch is Mr. Brad Guarisco at 504-862-2274 or Brad.A.Guarisco@usace.army.mil. This letter of no objection does not constitute a response to a Section 404/10 permit application, if required.

Orleans Levee District,

We have received a copy of the application from Abry Brothers, Inc. on behalf of 631 Desire, LLC, dated June 16, 2022, concerning permission for putting the building back in a level position and stabilizing at 639 Desire Street approximately 350 feet on the landside of the left descending Mississippi River floodwall, vicinity of second order levee station 553+28, at New Orleans, Louisiana in Orleans Parish. (OL2022-00167)

Please take this email as our LNO for the project.

We have no objection provided:

- a. The work is accomplished in accordance with the above referenced application and accompanying drawings.
- b. The excavation and subsurface work is performed and completed while the stage of the Mississippi River is below elevation +15 feet on the Carrollton gage, at New Orleans, Louisiana. If the excavation work is not completed and backfilled prior to the stage of the river exceeding +15 feet on the Carrollton gage, then the applicant must cease all excavation work and be prepared to either flood or backfill the excavation site at the direction of the Corps of Engineers. Information concerning current river stages may be obtained on our website at www.mvn.usace.army.mil.
- c. All open excavations must be backfilled with material removed from the excavations and compacted to the same density of the adjacent in-situ material.
- d. The applicant must provide written notification to this office of the construction timeline to include the proposed start and end dates. Additionally, the applicant must notify this office prior to commencement and upon completion of the work permitted herein.

If you have any questions, please contact me. Additionally, future correspondence concerning this project should reference our Letter of No Objection number 22-0600. This will allow us to more easily locate records of previous correspondence, and thus provide a quicker response.

Thanks,

Madeline C. Carlos
New Orleans District - CEMVN - ODS-W
U.S. Army Corps of Engineers
7400 Leake Avenue
New Orleans, LA 70118
Madeline.c.carlos@usace.army.mil