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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

FLOOD PROTECTION AUTHORITY

Your Flood Defense System

SLFPA-E LEVEE SAFETY PERMIT PROVISIONS
Levee Safety Permit #OL2022-00226 Provisions:

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 Rozas Ward Architects, on behalf of Quarter Holdings, LLC ("Permittee") for an **After the Fact** permit request to repair underground plumbing at 632 Bourbon Street, approximately 1,200 feet landward of the left descending Mississippi River floodwall, vicinity of second order baseline station 479+82, 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 #21378 dated July 28, 2022 and the USACE Letter of No Objection #2022-0751 dated July 28, 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 July 20, 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.

PERMIT OL2022-00226

Southeast Louisiana Flood Protection Authority – East

Hold Harmless Agreement

Contractor shall defend, indemnify and hold harmless **SLFPA-E** and **the Orleans, East Jefferson, and St. Bernard Levee Districts** (collectively, "owner") from and against any and all claims, damages, losses and expenses, including attorney's fees, and all other claims of any kind or nature whatsoever, including claims for contribution, and/or indemnity arising out of or resulting from the performance, nonperformance or mal-performance of the work for which permission was granted provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, death or property damage of whatsoever nature, including the loss of use resulting therefrom caused in whole or in part by any negligent or willful acts or omissions of contractor, its subcontractors or anyone employed by any of them or anyone from whose acts any of them may be liable and excluding any claims caused by the negligence of the owner and/or strict liability of the owner, its agents and employees, or third parties over whom Contractor does not have control.

Contractor: O'Reilly Properties

By: A M Motwani

Printed Name: Aaron Motwani

Title: Owner

Date: 07/28/22

State of Louisiana

July 28, 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: Quarter Holdings, LLC.

Date of Request: 07-28-2022
Agent: Rozas Ward Architects

Applicant's Request: Approval for an AFTER-THE-FACT Letter of No Objection to excavate an alley between 630 and 632 Bourbon Street to make plumbing repairs. The excavation was approximately eight feet long by three feet wide by four feet deep. The excavation has been completed, backfilled with spoils, and paved over. The closest work location was 1,276-feet from the face of the floodwall.

7-28-22 Received via SLFPAE Program
SLFPAE Permit No. OL2022-00226

Project Location: All work occurred on the protected side of the left descending Mississippi River Levee Floodwall at 632 Bourbon Street, New Orleans, Orleans Parish, Louisiana.

Project Coordinates:..... 29° 57' 31.000" , -90° 03' 56.680"

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 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,

Billy Wall

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

21378/bw/mc/tj

cc:

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

Alanna Bailey-Kelly

From: Terry, Albert J Jr CIV USARMY CEMVN (USA) <Albert.J.Terry@usace.army.mil>
Sent: Thursday, July 28, 2022 1:01 PM
To: Permits
Cc: aaronmotwani@yahoo.com; heather@rozas-ward.com; CPRArequest@la.gov; Powell, Amy E CIV USARMY CEMVN (USA)
Subject: ATF LNO for Levee Safety Permit application OL2022-00226
Attachments: Aaron _Motwani_OL2022-00226.pdf; 2018.06.28 (59).JPG

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.

Southeast Louisiana Flood Protection Authority-East (SLFPA-E),

We have reviewed the attached permit request dated July 28, 2022, from Rozas Ward Architects, on behalf of Quarter Holdings, LLC, for an after the fact permit request to repair underground plumbing at 632 Bourbon Street, approximately 1,200 feet landward of the left descending Mississippi River floodwall, vicinity of second order baseline station 479+82, at New Orleans, Louisiana, in Orleans Parish.

This letter of no objection is based upon engineering criteria and potential impacts to the flood protection 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 Division prior to the commencement of any work. The USACE point of contact in the New Orleans District Regulatory Division is Mr. Brad LaBorde, at 504-862-2225 or Brad.LaBorde@usace.army.mil. This letter of no objection does not constitute a response to a Section 404/10 permit application, if required.

Please take this email as our Letter of No Objection for the project. No work shall have commenced until a permit/approval was received from the SLFPA-E.

We have no objection to the request provided:

a. The work was accomplished in accordance with the above referenced attached application and picture.

b. The excavation and subsurface work was performed and completed while the stage of the Mississippi River is below elevation +11.0 feet on the Carrollton gage, at New Orleans, Louisiana. 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.

If you have any questions, please contact me. Additionally, future correspondence concerning this project should reference our Letter of No Objection number 2022-0751. This will allow us to more easily locate records of previous correspondence, and thus provide a quicker response.

Thanks,

Albert J. Terry Jr.
Asst. Operations Manager, Completed Works

Operations Division-CEMVN-ODS-W
New Orleans District-Corps of Engineers
7400 Leake Avenue
New Orleans, LA 70118
504-862-2311

From: no-reply@floodauthority.org <no-reply@floodauthority.org>
Sent: Thursday, July 28, 2022 9:39 AM
To: CPRArequest@la.gov; MVNLeveePermits <MVNLeveePermits@usace.army.mil>
Subject: [URL Verdict: Neutral][Non-DoD Source] Levee Safety Permit application OL2022-00226 submission confirmation

Please note Aaron Motwani has submitted Levee Safety Permit OL2022-00226.

While the permit application and all additional files uploaded by the Applicant or Agent are attached to this email, you will need to login to your account to begin the review process.

Southeast Louisiana Flood Protection Authority - East
6920 Franklin Ave, New Orleans, LA 70122
Please be advised any information provided to the Southeast Louisiana Flood Protection Authority-East, or its member districts (Orleans Levee District, East Jefferson Levee District and Lake Borgne Basin Levee District) may be subject to disclosure under the Louisiana Public Records Law. Information contained in any correspondence, regardless of its source, may be a public record subject to public inspection and reproduction in accordance with the Louisiana Public Records Law, La. Rev. Stat. 44:1 et seq. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail, so that our address record can be corrected.