

## False River Ecosystem Restoration Phase II North Flats

PEC is in the process of developing the necessary documents and data to proceed with the permitting of the proposed dredging of the North Flats with sediment transported to the Mississippi River.

Through meetings with our environmental team we have identified the following potential permits required for the proposed restoration project:

### DREDGING AND SEDIMENT DISPOSAL IN THE MISSISSIPPI RIVER

Section 404 of the Clean Water Act. Section 404 requires prior authorization from the Corps for the discharge of dredged or fill material into waters of the U. S., including wetlands. The term "discharge of dredged material" means any addition of dredged material into, including redeposit of dredged material other than incidental fall back within, the waters of the United States. The term "discharge of fill material" means the addition of fill material into waters of the United States.

This will require a Jurisdictional Determination (JD) on all land areas along the dredge effluent pipe route as well as potential booster pump sites or lay down yards along the route.

Section 10 of the Rivers and Harbors Act of 1899. Section 10 requires prior authorization from the Corps for structures and/or work in or affecting navigable waters of the U.S. Generally, any work or structures in, over, or under navigable waters of the U.S. require a permit from the Corps. Navigable waters of the U.S. are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

LDEQ Water Quality Certification. Section 401 of the Clean Water Act requires that an individual water quality certification be issued, by the appropriate state water quality office, for all work authorized under Section 404.

Louisiana Pollutant Discharge Elimination System (LPDES) Louisiana's Water Quality Regulations (LAC 33:Chapter IX) require permits for the discharge of pollutants from any point source into waters of the state of Louisiana. This surface water discharge permitting system is administered under the Louisiana Pollutant Discharge Elimination System (LPDES) program.

Louisiana State Land Office Permit Right of Way on State owned lands.

### CROSSING THE MISSISSIPPI RIVER LEVEE

Section 408 Completed Works Permit. 33 USC 408 (Section 408) provides that the Secretary of the Army may, upon the recommendation of the Chief of Engineers, grant permission to other entities for the permanent or temporary alteration or use of any USACE Civil Works project (Mississippi River Levee).

Atchafalaya Basin Levee District. Permit to cross levee.

**BORING FOR PIPE UNDER RIVER ROAD (LA HWY 415)**

Louisiana Department of Transportation and Development Project Permit. Required for installation of any facility within the highway right of way.

**CROSSING UNDER RAILROAD**

Kansas City Southern Railroad Project Permit Required for any work or operations within the KCS right of way.

**Pointe Coupee Parish Police Jury  
M-1 Channel Improvements  
Project Update of May 17, 2017  
PEC Project No. 11139.01**

- M-1 Channel Improvements bid on March 16, 2017
- Contract awarded by the Police Jury on March 28, 2017
- Preconstruction Conference on May 4, 2017
- Notice to Proceed issued for June 1, 2017  
(High water on the Mississippi River will delay delivery of Class 130 Rip Rap from Genevieve, Missouri)
- Contract End Date is September 28, 2017
- We will Change Order M-2 Channel work into the existing contract. There are 5 weirs/baffles.
- NRG has signed the access agreement which is good for 3 of the 5 weirs/baffles. Police Jury will sign these on Thursday, May 18.
- Neal Construction will help us with the 2 others.



NRG NEW ROADS HOLDINGS, LLC

LOUISIANA GENERATING, LLC

NRG

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M-2

**Legend**

- Primary Weir/Baffle Locations
- Secondary Weir/Baffle Locations
- Wetland Delineation Boundary
- Parcels
- River

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community