

## Red River, Atchafalaya & Bayou Boeuf Levee District Fence Permit Request

NAME AND ADDRESS OF APPLICANT				
<b>Name</b>				
<b>Address</b>				
<b>Email Address</b>				
<b>Phone #</b>	<b>Alternate/Cell Phone#</b>	<b>Fax #</b>	<b>Date</b>	
DETAIL DESCRIPTION				
Location of Construction				
<b>Address:</b>				
<b>Parish</b>	<b>Section</b>	<b>Township</b>	<b>Range</b>	<b>GPS Coordinates</b> <i>(Must include topo/aerial map with GPS Coordinates)</i>
<b>Name of Levee</b>			<b>Name of Professional Engineer/Architect</b>	
<b>Please attach check for:</b>				
<input type="checkbox"/> \$75.00 Individuals <input type="checkbox"/> \$250.00 All Others (excluding Governmental)			<input type="checkbox"/> Small Cattle Guard (10' x 12') \$1,250 <input type="checkbox"/> Large Cattle Guard (10' x 20') \$2,500	
<p><b>I hereby jointly and severally guarantee the full and prompt performance of any of the conditions included in the Permit Request Application issue to me, including all Exhibits, without any additional notice, together with any expenses and/or fees actually incurred by the RRABB Levee District in enforcing compliance or canceling the Permit Request. I also affirm that I have read the terms and conditions of Exhibit A and Exhibit B and accept all of its terms and conditions:</b></p>				
<p>By: _____</p> <div style="display: flex; justify-content: space-between;"> <span>Applicant Signature</span> <span>Print Name</span> </div>				

See attached Exhibits:

- Exhibit A: General Guidelines for Fences, Gates and Cattle Guards
- Exhibit B: Terms and Conditions for RRABB Levee District Permit Application

Permit Request should be mailed or email to RRABB. RRABB will forward to the U.S. Army Corps of Engineers and Louisiana Department of Transportation and Development for review/recommendation.

RRABB Levee District  
10 Calvert Drive  
Alexandria, LA 71303

Phone (318) 443-9646  
Fax: (318) 443-9650  
Email: eburke@rrabb.net

## **Exhibit A: General Guidelines for Fences, Gates and Cattle Guards**

### Fences:

- A fence permit will not be issued unless the applicant has a regulation type cattle guard with an appropriate gate secured by a lock utilizing a key or master key of the RRABB Levee District (see below)
- The Applicant, not RRABB, will be responsible for the construction of the requested fence
- Permit Application is for cross fences only
- Applicant constructs, maintains and cleans fences at their cost.
- Electric fences are not allowed
- Type of fence and material used must be stated under the Detail Description of the Permit Request Form.

### Cattle Guards:

- The cattle guard, gate and key will be installed by RRABB Levee Board employees and maintained by the Levee District
- RRABB will pay half the cost to build and the applicant pays the remaining half
- Dimensions and cost of small cattle guard: 10 feet long x 12 feet wide = \$1,250 (applicant cost)
- Dimensions and cost of large cattle guard: 10 feet long x 20-22 feet wide = \$2,500 (applicant cost)
- Reference Adopted Resolution 47-2010

## **Exhibit B: Terms & Conditions for RRABB Levee District Permit Request**

- I. Unless expressly excluded in the Permit Request issued to Applicant, each Permit Request automatically includes, but is not limited to, the following conditions as if they were fully stated in the Permit Request issued to Applicant:
- A) A copy of the Permit Request must be in Applicant's possession at all times, and available for viewing by the District, the U. S. Army Corps of Engineers, and Department of Transportation and Development, or their successors or designees.
  - B) The Permit Request is non-negotiable and non-transferable.
  - C) Applicant will maintain the servitude area clean and free of any debris resulting from Applicant's activities; otherwise, RRABB may demand that Applicant sign a "Hold Harmless" agreement accepting responsibility for all damages it occasions to RRABB or others at its own expense and cost, or reimburse RRABB for any clean-up costs.
  - D) Applicant is responsible for all construction/work activities as requested in the permit application. RRABB will not perform any work/construction activities on behalf of the applicant, nor will RRABB perform any future maintenance on the approved activities unless the maintenance falls within RRABB's statutory obligations to perform such maintenance. Applicant is responsible for making sure all approved activities will perform and function properly as designed with no adverse impacts on the levee protection system on drainage.
  - E) Applicant will not place any fill materials on the batture or flood side of the levees that raise elevations above natural grade without the expressed approval of the District.
  - F) Should Applicant elect, or is required by the landowner or the District to cease operations at the work area, all structures and materials at the area shall be removed from the area and the area returned to its natural state before abandoning the area at Applicant's costs with approval of the District.
  - G) Any damage to the levee, berm, or servitude, or the property of third parties is to be repaired at Applicant's expense.
  - H) Applicant agrees to hold harmless, indemnify, and defend District against any and all damages, including damages to the levee, berm, and servitude, and all claims, actions, or liabilities which might arise from Applicant's use of the Permit Request or the result of the Applicant's activities; all of Applicant's employees or guests are bound by these requirements.
  - I) Applicant acknowledges the District's obligation to insure and protect the flood protection system, to maintain the levee system, and to exercise its law enforcement jurisdiction on or adjacent to the levees. Consequently, if an emergency occurs and the District determines that the performance of its above obligations are detrimentally affected because of the requested activities, construction, or structures, the District may immediately, without notice, revoke the "Letter of No Objection." If no emergency exists, but the performance of the above obligations by the District are detrimentally affected because of the requested activities, construction, or structures, or if it is ordered by U. S. Army Corps of Engineers or the Louisiana Department of Transportation and Development, the District may revoke the Permit Request after thirty (30) days prior written notice and a hearing.
  - J) If it is necessary for District to file suit to enforce the conditions of the Permit Request, Applicant agrees to pay the District's reasonable attorney's fees and court costs. If the District shall, without its fault, be made a party to any claim or litigation commenced by or against Applicant, Applicant agrees to pay all costs and reasonable attorney's fees incurred by District in connection therewith.
  - K) Should changes in the location or the section of the existing levee and/or waterway, or in the generally prevailing conditions in the vicinity be required in the future, in the public interest, the Applicant shall make such 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.

- L) Permit Request issued may contain special conditions, in addition to the conditions stipulated above.
- M) Gates, keys, locks, usage of the premises are authorized for the District and/or its designees at all times and without prior approval of Applicant.
- N) Applicant shall hold RRABB harmless of any damage to the property and/or to third persons occasioned by the fault of Applicant.
- O) RRABB does not warrant title to the property.
- P) RRABB through its superintendent or designee shall determine the reasonableness of the construction period provided and reserves the right to reject any request based on the length of time provided.
- Q) All requirements related to provision and proof of the performance bond are due prior to approval and submission of this request to the Board of Commissioners for RRABB.
- R) The amount and/or sufficiency of the performance bond shall at all times be discretionary for RRABB.
- S) All extensions of the time for construction are within the discretion of RRABB; extensions for construction should be made within the period provided in ("O")
- T) Failure to timely perform may forfeit the performance bond in favor of RRABB and may result in the cancellation of the Permit Request.
- U) RRABB shall be a noticee for mail purposes for all insurance and performance bonds.

### **Instructions**

I. A Levee Board Permit Request is required when any proposed activity will:

- A) Any activity including subsurface work on the batture or within 1500' of the levee centerline, and 300' within a Federal or Non-Federal levee;
- B) Take place on, over, or adjacent to any portion of the levee 100' statutory easement right-of-way;
- C) Require piling to be driven or excavations made or wells drilled within 1,500' of the landside levee toe;
- D) Produce heavy detonation (explosives) within two miles of the landside levee toe;
- E) Place any object or material, which interferes with the safety, inspection, construction, or maintenance of a levee within 15' of the landside levee toe and 40' from the floodside of the levee toe;
- F) Any activity including but not limited to any type of structure, electric or phone pole, water or gas lines within 300'
- G) In addition if the proposed work/activity, such as those listed above, is located on the levee itself (from flood side levee toe to land side levee toe) then a request letter must be addressed to the USACE District Commander of the appropriate district office. This request letter shall be sent to RRABB as instructed on Page 4 Item III.A) for further processing. Instructions for submitting the letter are as follows:

USACE Written Request: Document the initiation of the Section 408 process. Information for this request will be used by the USACE District to determine documentation and approval requirements.

All requests for Section 408 permission must be submitted in writing to RRABB, addressed to the USACE District Commander of the appropriate USACE district office having jurisdiction over the USACE project that would be impacted by the alteration.

The USACE Written Request must include:

1. A complete description of the proposed alteration including necessary drawings, sketches, maps and plans that are sufficient for the district to make a preliminary determination as to the location, purpose and need, anticipated construction schedule, and level of technical documentation needed to inform it evaluation. Detailed engineering plans and specifications are not required but could be submitted at the same time if available.
2. A written statement regarding whether the requester is also pursuing authorization pursuant to Sections 10/404/103 and, if so, the date or anticipated date of application/preconstruction notification submittal.
3. Information regarding whether credit under Section 221 of the Flood Control Act of 1970, as amended, or other law or whether approval under Section 204(f) of WRDA 1986 is being or will be sought.
4. A written statement of whether the requester will require the use of federally-owned real property or property owned by the non-federal sponsor.

## II. General Permit Request information:

- A) Applicant must check the appropriate box that applies to his/her request.
- B) Name, address, and telephone number of Applicant. If Applicant is an agent for the owner/operator, give full name, address, and telephone number of owner/operator;
- C) A detail description, purpose, plan, profile, a site vicinity map indicating location of project, and a plan view drawing, drawn to scale of 1" = 50', showing all existing and proposed facilities at the site;
- D) Name of landowner at location;
- E) Location of proposed activity Section, Township, Range, Latitude and Longitude coordinates, adjacent roadways, levee stations(s), waterways;
- F) Applicant must warrant that the information submitted in Permit Request is true and correct and will not change during processing period.

## III. General Permit Request information:

- A) Where to mail or email Permit Request:  
Permit Request should be mailed or emailed to RRABB Levee District. RRABB will forward to the U.S. Army Corps of Engineers and Louisiana Department of Transportation & Development for review/recommendation.

RRABB Levee District  
10 Calvert Drive  
Alexandria, LA 71303

Phone: (318) 443-9646  
Fax: (318) 443-9650  
Email: eburke@rrabb.net

- B) Permit Request Fee:  
Processing fees, payable by check or money order to the RRABB Levee District, are as follows:

Permit Request for Individuals	\$ 75.00
Permit Request for Non-Individual, Commercial	\$250.00

Governmental bodies or agencies and non-profit charitable organizations are exempt from this fee, but must obtain a Permit Request.

- C) Insurance Requirements:  
For projects with an estimated cost in excess of \$500,000 Applicants or their contractors are required to carry public liability insurance with limits of no less than \$1,000,000.00 in a form and content acceptable to the Levee District, provided that RRABB is a named insured in the policy; surety bonds or their equivalents may be required for long-term facilities or activities; otherwise, RRABB may demand that Applicant sign a "Hold Harmless Agreement" accepting responsibility for all damages it occasions to RRABB or others at its own expense and cost. Provided that the insurer will immediately notify RRABB and applicant of any changes in coverage for any reason.
- D) **Processing Time:**  
**The Applicant should be aware that adequate review of Permit Request takes time to review. Allow a minimum of 45-120 days to process, depending on the nature of the requests being reviewed at the time and possible delays for modifications to the original proposal. Therefore, providing complete and accurate information and clear drawings for the proposed project is important. In addition, all requests will be discussed at the regular Board meeting to be held on the first Tuesday of each month.**