

Sec. 39-10. - Parish infrastructure and environmental review (PIER) certificate required.

(a) Jefferson Parish is committed to providing aggressive leadership, direction and consonance in the development and implementation of policies, plans, and programs which limit development in sensitive environmental areas and high flood hazard areas, while achieving a proper balance between development and conservation, restoration, creation and nourishment of coastal resources in Jefferson Parish.

(b) It is the purpose of the parish infrastructure and environmental review (PIER) certificate to enhance and to protect the infrastructure and ecological systems of the parish. The PIER certificate approval process reviews activities, outlined in section 39-10(d) of this article, to:

(1) Assure that the proposed activity complies with local parish ordinances, land use plans, wetland conservation plans, and flood prevention and protection goals.

(2) Assure that the proposed activity does not negatively impact parish infrastructure facilities and planned parish infrastructure projects.

(3) Minimize expenditures of public money for costly erosion control, environmental restoration projects and flood related damages.

(c) This article shall apply to all areas within the jurisdiction of the Jefferson Parish Council located on the unprotected side of the Pontchartrain and Vicinity and the West Bank and Vicinity hurricane protection levees, the Mississippi River and Tributaries Protection Levee, and the urban growth limit line established in section 25-43, or revisions thereto.

(d) A PIER certificate from the Jefferson Parish Council shall be required prior to the performing of any land altering activity including, but not limited to, the following: the construction of any well, well site, well platform, other mining operation, pipeline, canal; or for the dredging of canals, bayous, wetlands, lakes, bays, slips, shells or other excavation; or the construction of bulkheads, drainage control structures, flood control structures, landfills, spoil areas, platforms, board roads, levees, battures; or the construction of residential, non-residential or other facilities requiring a coastal use permit from the Louisiana Department of Natural Resources or a Section 10/404 permit from the U.S. Army Corps of Engineers Section 10/404.

(e) An application for a PIER certificate, as required by section 39-10(d) of this article, shall be made on forms furnished by the Jefferson Parish Department of Environmental Affairs and shall be signed and certified as to authenticity by an authorized agent, representative or owner.

(f) Accompanying the application must be a clear description of the facility and its proposed purpose, plans, specifications, locations, vicinity maps, construction costs, proposed maintenance plan, possible environmental impacts and plans for minimizing impacts, acres of land and water bottoms affected, proposed mitigation plans, and the names and addresses of its owner, contractor, and the authorized agent or representative.

(g) All mitigation plans shall be in accordance with local, state and federal guidelines.

(h) All emergency operations shall be carried out in accordance with state and federal laws.

(i) A non-refundable application fee to cover all administrative costs associated with review and

processing of the PIER certificate will be charged and must accompany the certificate application. PIER certificate processing fees will be credited to account number 10010-0000-5133, environmental permits.

(1) For construction related to any single-family dwelling unit and associated structures the following processing fee will apply:

Project Value

| | Acres of Land & Water Bottoms Impacted | Application Processing Fee |
|-------------------------|---|-----------------------------------|
| Less than \$100,000.00 | Less than 0.25 | \$100.00 |
| Less than \$100,000.00 | 0.25 to less than 0.5 | 150.00 |
| \$100,000.00 or greater | Less than 0.5 | 200.00 |
| \$100,000.00 or greater | 0.5 to less than 1 | 250.00 |
| \$100,000.00 or greater | 1 or greater | 300.00 |

(2) For construction related to any commercial/industrial, non-residential facility, including activities that relate to any of the following: the construction of any well, well site, well platform, other mining operation, pipeline, canal; or for the dredging of canals, bayous, wetlands, lakes, bays, slips, shells or other excavation; or the construction of bulkheads, drainage control structures, flood control structures, landfills, spoil areas, platforms, board roads, levees, and battures, the following processing fee will apply:

Project Value

| | Acres of Land & Water Bottoms Impacted | Application Processing Fee |
|-------------------------|---|-----------------------------------|
| Less than \$200,0000.0 | Less than 1 | \$500.00 |
| Less than \$200,000.00 | 1 to less than 3 | 1,000.00 |
| Less than \$200,000.00 | 3 to less than 10 | 2,000.00 |
| \$200,000.00 or greater | Less than 10 | 2,500.00 |
| Any value | 10 to less than 15 | 3,500.00 |
| Any value | 15 or greater | 5,000.00 |

(3) Each application will be reviewed on a case by case basis. In the event that review of the application requires special field work or survey, the applicant shall be required to pay the cost. The director of environmental affairs shall notify the applicant of the cost of such work and shall not proceed until the cost of same is paid by the applicant.

(4) For construction or maintenance of public works projects financed by local, state or federal government funds, a processing fee will not be charged.

(5) For construction or maintenance of coastal restoration projects, a processing fee will not be charged.

(j) The required items listed in subsection (g) along with the PIER certificate application processing fee shall be sent to the parish clerk of council at the following address:

Jefferson Parish Clerk of Council
P.O. Box 9
Gretna, LA 70054

(k) When filed, a copy of the supplied materials listed above shall be forwarded to the director of the department of environmental affairs, who shall review the application for completeness. When the director has determined that the application is complete, the application shall then be forwarded to the appropriate parish departments for review and comment, which departments shall include, but not be limited to, the planning department, the engineering department, inspection and code enforcement, and the parish attorney's office.

(l) The parish departments shall review the application materials for compliance with parish regulations and compatibility with existing uses or planned parish projects.

(m) The parish may place any reasonable conditions deemed necessary so as to assure that the proposed activity complies with local parish ordinances, land use plans, wetland conservation plans, and flood prevention and protection goals and does not negatively impact parish infrastructure facilities and planned parish infrastructure projects.

(n) Once all recommendations or approvals are received from the appropriate parish departments, the director of the department of environmental affairs will prepare a recommendation to issue or deny the PIER certificate, route the recommendation for placement on the next council agenda, and notify the applicant of the date the recommendation will be before the council.

(o) The director's recommendation to issue or deny a certificate shall be considered then confirmed or denied by a resolution of the Jefferson Parish Council.

(p) After passage of a council resolution the applicant shall either receive a PIER certificate from the Jefferson Parish Council or shall be advised in writing as to specific reasons for the denial of same.

(q) This article is not intended to impair any existing federal or state regulations or statutes.

(r) If any section, sentence, clause, or any part of the above section should be decreed invalid or unconstitutional for any reason, such invalidity shall not affect the remaining provisions thereof. In the event any of the above criteria, standards, or regulations is in conflict with each other or with federal, state, or local regulations, the more restrictive shall govern.

(Ord. No. 17501, §§ 1—4, 5-11-88; Ord. No. 20921, § 15, 3-15-00; Ord. No. 23102, § 1, 7-18-07)