

**LAFOURCHE PARISH COUNCIL  
MARCH 11, 2008  
TWO-THIRDS AGENDA**

**A. RESOLUTION:**

- 1. A RESOLUTION TO PURCHASE 6 ACRES OF BOTTOMLAND HARDWOOD MITIGATION CREDITS FOR THE CHOUPIC LEVEE IN THE AMOUNT OF THIRTY SEVEN THOUSAND TWO HUNDRED DOLLARS (\$37,200) AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER ASSOCIATED DOCUMENTS. (M. DELATTE FOR ADMINISTRATION)**

On motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the following resolution was introduced and adopted;

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION TO PURCHASE 6 ACRES OF BOTTOMLAND HARDWOOD MITIGATION CREDITS FOR THE CHOUPIC LEVEE IN THE AMOUNT OF THIRTY SEVEN THOUSAND TWO HUNDRED DOLLARS (\$37,200) AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER ASSOCIATED DOCUMENTS.**

**WHEREAS**, on June 26, 2007 the council approved purchasing 20 acres of mitigation credits from Delta Builders, Inc. as a sponsor of record for the Welcome Mitigation Bank; and,

**WHEREAS**, an additional 6 acres of bottomland hardwood mitigation credits is needed in order to obtain the proper permits for the Choupic Levee at a cost of \$37,200; and,

**WHEREAS**, budgeted funds are in place to cover this purchase; and

**WHEREAS**, it is the recommendation of the Administration that the Parish Council approve the purchase of 6 acres of bottomland hardwood from Assumption Land Company, L.L.C. as negotiated by the Department of Natural Resources, and authorize the Parish President to sign, execute and administer any and all associated documents; and,



**WHEREAS**, this resolution was sponsored for administration by Mr. Michael Delatte, Councilman, District 2; and

**THEREFORE, BE IT RESOLVED**, that the Lafourche Parish Council convened in regular session on \_\_\_\_\_, and does hereby approve the purchase of 6 acres of bottomland hardwoods in and for the sum of Thirty-seven Thousand Two Hundred (\$37,200) and no/dollars from Assumption Land Company, L.L.C. as negotiated by the Department of Natural Resources; and authorizes the Parish President to sign, execute and administer all associated documents

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be forwarded to Assumption Land Company, L.L.C., of 184 Cedar Grove Road, Labadieville, Louisiana 70372, Lafourche Parish Government Office of Finance, Coastal Zone Management, and the Parish Administrator.

This resolution having been submitted to a vote, the vote thereon was as follows:

**YEAS:**

**NAYS:**

**ABSENT:**

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_.

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**MICHAEL F. DELATTE  
CHAIRMAN  
LAFOURCHE PARISH COUNCIL**

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**CARLEEN B. BABIN, COUNCIL CLERK  
LAFOURCHE PARISH COUNCIL**

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I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. adopted by the Assembled Council in Regular Session on \_\_\_\_\_, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS \_\_\_\_\_,  
DAY OF \_\_\_\_\_, 2008.

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**CARLEEN B. BABIN, COUNCIL CLERK  
LAFOURCHE PARISH COUNCIL**

WETLAND MITIGATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS THAT:

ASSUMPTION LAND COMPANY, L.L.C, whose address is 184 Cedar Grove Road, Labadieville, Louisiana 70372 (hereinafter referred to as "Obligor") and Lafourche Parish Government, whose address is 402 Green Street, Post Office Drawer 5548, Thibodaux, Louisiana, 70302-5548 (hereinafter referred to as "Obligee") hereby enter into this agreement relative to the Obligee acquiring mitigation "credits" from the Obligor relative to the ASSUMPTION LAND COMPANY, L.L.C.-ALC I PLANTATION MITIGATION AREA. It is specifically intended by the Obligee and understood by the Obligor that such credits are purchased by the Obligee in accordance with regulatory directives providing for mitigation banking for the purpose of complying with certain compensatory wetland mitigation requirements made as a part of Obligee's following permits:

U.S. Army Corps of Engineers Permit No. MVN-2005-1631-CY

Obligor and Obligee understand that the Obligor is authorized to operate a "mitigation bank" as set forth in that certain Interagency Agreement between Assumption Land Company, L.L.C.-ALC I Plantation Mitigation Area and the Corps of Engineers, U.S. Fish and Wildlife Service, Southeast Region, Environmental Protection Agency, Region VI, U.S. Department of Agriculture, Louisiana Department of Wildlife and Fisheries and the Louisiana Department of Environmental Quality (a copy of which is incorporated herein by reference as if copied completely). Obligor covenants that it will operate said "mitigation bank" in accordance with all the specific terms and conditions of the Interagency Agreement as of the date of this Wetland Mitigation Agreement.

For and in the consideration of the covenants and conditions herein contained, the receipt and sufficiency of which is hereby acknowledged by and between the parties hereto, Obligor and Obligee agree as follows:

1. Obligee has paid Obligor the sum of Thirty-Seven Thousand -Two Hundred Dollars (\$37,200.00) cash, contemporaneous with the execution of this Wetland Mitigation Agreement by Obligor and Obligee.
2. Obligor sells to Obligee and the Obligee accepts all of the mitigation credits attributable to an additional 6.0 acres of the mitigation bank operated by the Obligor as the Assumption Land Company, L.L.C. - the ALC I Plantation Mitigation Area pursuant to the aforesaid Interagency Agreement; it being understood that no other rights in, over or to property are here conveyed, the Obligor reserving said property and other rights in and to itself.
3. This agreement shall be governed by and construed under the laws of the State of Louisiana.

For all purposes whatsoever, the effective date of this Wetland Mitigation Agreement shall be March 11, 2008.

WITNESSES:

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OBLIGOR:

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Assumption Land Company, L.L.C.  
By: Howard J. Robichaux

OBLIGEE:

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Lafourche Parish Government  
By: Charlotte A. Randolph, Parish President