







ORDINANCE NO. 25-

The following Ordinance was offered by Council Member Schulz who moved its adoption:

1           An Ordinance to amend the provisions of Chapter 20 of the Plaquemines Parish  
2           Code of Ordinances to provide for the preservation of heritage trees; and otherwise  
3           to provide with respect thereto.  
4

5           *DIGEST:* To propose requiring a permit to remove a substantial trees. *The digest is for*  
6           *informational purposes only and is superseded by the language of the actual ordinance or*  
7           *resolution.*  
8

9           WHEREAS, an element of the beauty and charm of Plaquemines Parish is the significant number  
10           of large trees, which form a part of the heritage of the Parish; and  
11

12           WHEREAS, beyond their beauty, heritage trees protect Plaquemines Parish from the effects of  
13           erosion and provide a general benefit to the community; and  
14

15           WHEREAS, as Plaquemines Parish experiences increased development, there is a need to control,  
16           to the extent practical and feasible, the removal of heritage trees;

17           NOW, THEREFORE:

18           BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

**Sec. 20-7.1 - Tree Preservation**

- 19  
20  
21
- 22           (a) *Definitions.* The following words, terms, and phrases, when used in this Section, shall have  
23           the meanings ascribed to them in this section.
  - 24           (b) *Heritage tree* shall mean a tree within the Parish of Plaquemines that has a circumference  
25           of 30 inches or more when measured at 48 inches (4 feet) from the ground (also referred  
26           to as diameter breast height).
  - 27           (c) *Diameter breast height* shall mean the diameter of a tree 48 inches (4 feet) above ground  
28           level.
  - 29           (d) *Tree removal* shall mean cutting, uprooting, or severing the main trunk of the tree, or any  
30           other act, which causes or may reasonably be expected to cause the death of the tree.
  - 31           (e) *Significant alteration* or to *significantly alter* shall mean to cut, prune, trim, break or  
32           remove a portion of a tree in such a way that either (i) its natural character is significantly  
33           altered, or (ii) the height and/or spread of the tree crown is reduced by more than one-  
34           quarter.
  - 35           (f) *Topping* or to *top* shall mean the severe cutting back of limbs to stubs within the tree's  
36           crown to such a degree as to remove the normal canopy and disfigure the tree.
  - 37           (g) *Tree crown* shall mean the leaves and branches of a tree measured from its lowest branch  
38           on the trunk to the top of the tree.
  - 39           (h) *Preservation of heritage trees.* All heritage trees shall be protected and maintained in  
40           accordance with the pruning standards published by the American National Standards  
41           Institute (ANSI A300) and the companion best management practices published by the  
42           International Society of Arboriculture. It shall be unlawful for any person to top or to  
43           remove or cause the removal or to significantly alter any heritage tree without having first  
44           received a permit from the parish.
  - 45           (i) *Removal or significant alteration of heritage trees.* The removal or significant alteration  
46           of a heritage tree must be approved by the parish and must follow the guidelines set forth:
    - 47           (1) *Application submittal.* A permit shall first be obtained from the department of  
48           planning, permits and zoning prior to removing or significantly altering a heritage tree.  
49           The application for a permit to remove or significantly alter a heritage tree shall be on

50 a form provided by the parish for this purpose. An application for the removal or  
51 significant alteration of a heritage tree shall include the following:

- 52 i. The reason for proposed removal/significant alteration;
- 53 ii. The approximate location of the heritage tree(s);
- 54 iii. The diameter of the trunk of each heritage tree as measured from diameter breast  
55 height;
- 56 iv. The applicant for the permit must state in writing that why the proposed tree  
57 removal or significant alteration will enhance the health, safety, and welfare of the  
58 public or otherwise benefit the public interest and the applicant must offer evidence  
59 to that effect.

60 (2) *Action on application for removal.*

- 61 i. A permit may be granted for the removal of a heritage tree if one of the following  
62 conditions is determined by the parish to exist:
  - 63 a. The heritage tree is determined by an International Society of Arboriculture  
64 certified arborist to be hazardous or diseased, dead, or dying to the point that  
65 repair or restoration is not practical;
  - 66 b. Allowing the heritage tree to remain would impose a threat to the safety of  
67 persons or property;
  - 68 c. Allowing the heritage tree to remain would impose an economic burden upon  
69 the owner of the property entirely out of proportion with the benefit gained by  
70 retaining the tree; or
  - 71 d. The location of the heritage tree prevents necessary vehicular traffic lanes or  
72 prevents the construction of utility lines or drainage facilities.
- 73 ii. To the extent that any of these conditions can be cured by substantial alteration  
74 to the tree, rather than removal, then a permit for substantial alteration should  
75 be issued in lieu of a permit for removal.
- 76 iii. In considering an application for tree removal of a heritage tree, setbacks and  
77 parking requirements may be adjusted to facilitate preservation of a heritage  
78 tree. A permit for removal of a tree should only be granted as a last resort when  
79 all other efforts to save the tree(s) by redesign of building placement and site  
80 plans have failed.
- 81 iv. The parish is empowered to issue or deny the permit, within 30 days of the date  
82 of the application, based upon review of the condition of the heritage tree,  
83 location, site conditions and any additional supportive materials required to be  
84 submitted as part of the application.

85 (3) *Action on application for significant alteration.*

- 86 iv. A permit may be granted for the significant alteration of a heritage tree if the  
87 proposed pruning or trimming (a) comports with sound arboricultural practices, (b)  
88 minimizes the negative effects on the tree, and (c) one of the following conditions  
89 exist:
  - 90 a. The heritage tree is determined by an International Society of Arboriculture  
91 certified arborist to be hazardous, damaged, or diseased, and the proposed  
92 pruning or trimming comports with sound arboricultural practices;
  - 93 b. The heritage tree poses a threat to safety of persons, property, or vehicular  
94 traffic which dictates a substantial alteration;
  - 95 c. The location of the heritage tree prevents necessary vehicular traffic lanes or  
96 prevents the construction of utility lines or drainage facilities.
- 97 v. In considering an application for significant alteration of a heritage tree, no such  
98 tree shall be significantly altered in a manner which disfigures the tree or in any  
99 manner which would reasonably lead to the death of the tree.

100 (j) Denial. The denial of a permit may be appealed to the Parish Council by providing written  
101 notice to the permit office within three (3) business days of the denial. The matter shall  
102 be placed on the agenda of the next available meeting of the Parish Council.

- 103 (k) *Replacement trees.* Any heritage tree that is removed in accordance with this section shall  
104 be replaced with an equal number of inches of tree(s) of the same or similar varietal.
- 105 (l) *Violations.* If a heritage tree should be cut, cleared, removed, caused to become diseased  
106 or die, or otherwise acted upon without a permit or in violation of a permit issued under  
107 the provisions of this section, this constitutes an offense punishable by a fine not exceeding  
108 \$500.00 per tree or imprisonment for a term not exceeding six months, or both, and the  
109 heritage tree(s) shall be replaced with an equal number of inches of tree(s) of the same or  
110 similar varietal.
- 111 (m) The provisions of this section shall be enforced by the parish permit office, which shall  
112 promulgate a permit application for that purpose.

113 SECTION 2

114  
115 The Secretary of this Council is hereby authorized and directed to immediately certify and release  
116 this Ordinance and that Parish employees and officials are authorized to carry out the purposes of  
117 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

118





RESOLUTION NO. 25-

The following Resolution was offered by Council Member Jurisich who moved its adoption:

1           A Resolution acknowledging President Donald J. Trump’s re-naming of the Gulf of  
2           Mexico to the Gulf of America; and otherwise to provide with respect thereto.

3   DIGEST: This Resolution is to have the official name change of the Gulf of Mexico to the Gulf of  
4   America to be in compliance with President Trumps proclamation. *The digest is for informational*  
5   *purposes only and is superseded by the language of the actual ordinance or resolution.*

6   WHEREAS, on February 9, 2025, as the President was flying over the Gulf of Mexico, the U.S.  
7   Secretary of the Interior, Doug Burgum announced the official name change of the Gulf of Mexico  
8   to the Gulf of America; and

9   WHEREAS, on the same day, President Donald J. Trump signed a proclamation to declare  
10   February 9, 2025, as the “First Ever Gulf of America Day” in the United States; and

11   WHEREAS, this Council is supportive of the President’s name change to the Gulf of America, as  
12   it is a celebration of this great country and its people;

13   NOW, THEREFORE:

14   BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the former Gulf of  
15   Mexico shall be now known in Plaquemines Parish as and referred to as the Gulf of America in any  
16   and all official proceedings, documents and correspondence.

17   BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the  
18   Secretary of this Council is hereby authorized and directed to immediately certify and release this  
19   Resolution and that Parish employees and officials are authorized to carry out the purposes of this  
20   Resolution, both without further reading and approval by the Plaquemines Parish Council.





ORDINANCE NO. 25-

The following Ordinance was offered by Commissioner Schulz who moved its adoption:

1       An Ordinance authorizing Plaquemines Port, Harbor and Terminal District  
2       Executive Director, Charles T. Tillotson to enter into a lease agreement with the  
3       Marine Spill Response Corporation (MSRC) for the dock space at the Fort Jackson  
4       facility and to amend the 2025 Plaquemines Port, Harbor & Terminal District  
5       Operating Revenue Budget; and otherwise to provide with respect thereto.

6       DIGEST: An ordinance to authorize a lease agreement with Marine Spill Response Corporation  
7       for the dock space at Fort Jackson for a period of 12 months with an option for 2 three-month  
8       extensions. Also, to amend the 2025 Plaquemines Port, Harbor & Terminal District Operating  
9       Revenue Budget per the new lease agreement. *The digest is for informational purposes only and*  
10       *is superseded by the language of the actual ordinance or resolution.*

11  
12       WHEREAS, Per a letter dated September 19, 2014, and in accordance with Section 3.1 of the lease  
13       agreement dated June 14, 1994, between Plaquemines Port, Harbor and Terminal District and  
14       Marine Spill Response Corporation the second of two ten-year options to extend the terms of the  
15       lease agreement was executed; and

16  
17       WHEREAS, the lease agreement between the Plaquemines Port, Harbor and Terminal District and  
18       MSRC is set to expire on April 30, 2025, and pursuant to section 3.4 of the original agreement, If  
19       the tenant shall, with the consent of the Landlord, hold over after the expiration of the term of the  
20       lease, the resulting tenancy shall be for an indefinite period of time on a month to month basis; and

21  
22       WHEREAS, the Plaquemines Port, Harbor and Terminal District and MSRC wish to continue the  
23       lease for a 12 month lease term with an option for 2 three month extensions; and

24       WHEREAS, the 2025 Plaquemines Port, Harbor and Terminal District Operating Revenue Budget  
25       line item Rents & Leases-BV MSRC Dock is decreased by \$57,720; funding source Port, Harbor  
26       and Terminal District unrestricted fund balance;

27  
28       NOW, THEREFORE:

29  
30       BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE  
31       GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL  
32       DISTRICT THAT:

SECTION 1

33  
34       The Executive Director of the Plaquemines Port, Harbor and Terminal District, Charles T.  
35       Tillotson is hereby authorized to enter into a lease agreement with the Marine Spill Response  
36       Corporation for dock space at the Fort Jackson facility for a 12-month lease term with an option  
37       for 2 three-month extensions.

SECTION 2

38  
39  
40       The 2025 Port, Harbor and Terminal District, Operating Revenue Budget is amended as follows:

<b>Fund:</b> 445 Port, Harbor & Terminal			
<b>Dept/Div:</b> 000-0000 General			
<b>Object</b>	<b>Description</b>	<b>Inc/ Dec</b>	<b>Amendment</b>
467.450	Rents & Leases-BV MSRC Dock	Dec	(57,720)

SECTION 3

41  
42  
43  
44  
45  
46  
47  
48  
49  
50       The Secretary of this Council is hereby authorized and directed to immediately certify and release  
51       this Ordinance and that Port employees and officials are authorized to carry out the purposes of  
52       this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 25-

The following Resolution was offered by Commissioner Schulz who moved its adoption:

1           A Resolution authorizing Charles D. Tillotson, Executive Director of the  
2           Plaquemines Port Harbor and Terminal District, to issue Task Order #12 to  
3           Lanier & Associates for engineering services related to the detailed design of a  
4           new Port Security Dock at PPHTD's existing facility in Belle Chasse, LA; and  
5           otherwise to provide with respect thereto.  
6

7           DIGEST: Plaquemines Port Harbor and Terminal District requires a new dock to secure its  
8           ferryboats and fire vessels. *The digest is for informational purposes only and is superseded by*  
9           *the language of the actual ordinance or resolution.*  
10

11          WHEREAS, Resolution #25-44 approved the authority to issue Task Order #12 to Lanier and  
12          this resolution clarifies the language and cost of the previously adopted resolution; and  
13

14          WHEREAS, the Port has grant funding from FEMA's Port Security Grant Program that is  
15          currently approved and in the Port's 2025 Operating and Expenditure Budget; and  
16

17          WHEREAS, Lanier will provide detailed engineering and construction management for this  
18          project; and  
19

20          WHEREAS, the total cost of the project is \$623,000;  
21

22          NOW, THEREFORE:

23  
24          BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE  
25          GOVERNING AUTHORITY OF THE PLAQUEMINES PORT HARBOR & TERMINAL  
26          DISTRICT THAT it hereby authorizes Charles D. Tillotson to issue Task Order #12 to Lanier &  
27          Associates for engineering services related to the detailed design of a new Port Security Dock at  
28          PPHTD's existing facility in Belle Chasse, LA.  
29

30          BE IT FURTHER RESOLVED, BY THE PLAQUEMINES PARISH COUNCIL AS THE  
31          SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT HARBOR &  
32          TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed  
33          to immediately certify and release this Resolution and that Port employees and officials are  
34          authorized to carry out the purposes of this Resolution, both without further reading and approval  
35          by the Plaquemines Parish Council.  
36  
37  
38  
39



RESOLUTION NO. 25-

The following Resolution was offered by Commissioner Schulz who moved its adoption:

1           A Resolution authorizing the Executive Director of the Port, Charles Tillotson,  
2           through the Port’s Executive Counsel’s Office and Dwyer Cambre, on behalf of the  
3           Plaquemines Port Harbor & Terminal District, to file suit for the removal of a  
4           Materialmans Lien filed by WSP USA Inc. for monies owed to WSP USA Inc by  
5           Louisiana 23 Development Company, LLC; and otherwise to provide with respect  
6           thereto.

7           Digest: The Port requires authorization to institute legal proceedings to remove a lien on Port assets  
8           for a debt that is owed to WSP by a third party. To facilitate this process, the Port administration  
9           wishes to engage legal counsel to provide services and assistance with respect to removal of the  
10          lien and for any other damages. *The digest is for informational purposes only and is superseded*  
11          *by the language of the actual ordinance or resolution.*

12  
13          WHEREAS, the Port received a Sworn Statement of Claim filed by WSP USA Inc in the land  
14          records of Plaquemines Parish that attempts to preserve WSP USA Inc’s rights under the Louisiana  
15          Public Works Act, LA R.S. 38:2241, *et al* to recover funds from the Port that are owed to WSP  
16          USA Inc by Louisiana 23 Development Company, LLC; and

17          WHEREAS, WSP USA Inc instituted legal proceedings against Louisiana 23 Development  
18          Company, LLC for breach of contract and for money damages, that was litigated in the United  
19          States District Court Eastern District Court of Louisiana, captioned “*WSP USA Inc. v. Louisiana*  
20          *23 Development Company, LLC*” and bearing docket number 2023-7300, with the Honorable  
21          Lance Africk presiding; and

22          WHEREAS, WSP USA Inc. and Louisiana 23 Development Company, LLC entered a Consent  
23          Judgment in favor of WSP USA Inc. and against Louisiana 23 Development Company, LLC, in  
24          the amount of \$1,419,227.51, consisting of \$1,175,544.00 plus \$243,673.51 in contract based  
25          damages; and

26          WHEREAS, the Port was not a party to the contract between WSP USA Inc. and Louisiana 23  
27          Development Company, LLC or the litigation in the United States District Court Eastern District  
28          Court of Louisiana; and

29          WHEREAS, the Port was not a party to the Consent Judgment entered by Judge Africk awarding  
30          WSP USA Inc. damages in the amount of \$1,419,227.51 for breaching the contract between WSP  
31          USA Inc. and Louisiana 23 Development Company, LLC; and

32          WHEREAS, the Port sent written notice to WSP USA Inc. that the Statement of Claim and  
33          Materialsman Line that was filed in the land records of Plaquemines Parish against the Port to  
34          recover amounts owed to WSP USA Inc by Louisiana 23 Development Company, LLC was  
35          improper;

36          NOW, THEREFORE:

37          BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE  
38          GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL  
39          DISTRICT THAT it hereby authorizes the Executive Director of the Port, Charles Tillotson,  
40          through the Port’s Executive Counsel’s Office and Dwyer Cambre, pursuant to the Port’s existing  
41          contract, to institute legal proceedings against WSP USA Inc. to for the removal the Matieralmans  
42          Line filed in the Land Records of Plaquemines Parish and any other damages.

43          BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE  
44          GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL  
45          DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately  
46          certify and release this Resolution and that Port employees and officials are authorized to carry out  
47          the purposes of this Resolution, both without further reading and approval by the Plaquemines  
48          Parish Council.