

Operations Division  
Regulatory Branch

SUBJECT: CEMVN-OD-SE(General Permit)NOD-1

DEPARTMENT OF THE ARMY  
GENERAL PERMIT

Authorization No.: (General Permit)NOD-1  
EL-20-000-4527

Under authorization granted by applicable sections of Parts 320 through 330 of Title 33, Code of Federal Regulations, and delegated authority from the Commander, U.S. Army Corps of Engineers, the District Engineer at New Orleans has determined that it is in the public interest to issue a time extension for the general permit for the construction and maintenance of camps and associated structures for private use.

Specific legislation requiring DOA permits for work of this nature:

- a. Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403) and
- b. Section 404 of the Clean Water Act (33 U.S.C. 1344).

This authorization pertains specifically to construction of camp buildings and associated structures used for noncommercial and nonprofit purposes in navigable waters of the United States, located within the boundaries of the U.S. Army Engineer District, New Orleans. The attached map (attachment 1) shows the approximate boundaries of the New Orleans District; and, navigable waters of the United States are defined in Part 329 of Title 33, Code of Federal Regulations.

Associated structures include outbuildings, septic tanks, small wharves or landings, gazebos (at grade or on pilings), walkways, boathouses, bulkheads limited to 500 feet in length with no backfill, and similar structures normally found at recreational camps.

All references to permittee in this general permit, or in the attached standard permit form, shall be understood to refer to the person, family, agency, or group performing the work authorized by this permit.

a. No dredging or filling may be performed under this authorization, except that necessary to install a state-approved sewage treatment facility.

b. Work authorized under this general permit may not be performed in the following areas and waterways:

(1) In or adjacent to waterways in the Louisiana Natural and Scenic River System without prior written approval or concurrence from the Scenic River Coordinator of the Louisiana Department of Wildlife and Fisheries.

(2) Within the boundaries of a wildlife refuge, public park, or similar area, unless written permission is obtained from the appropriate park authority.

(3) Within 1,000 feet of a levee or other flood control facilities constructed or maintained with federal funds, or owned and operated by agencies of state and local governments without the written consent of the appropriate agency or governing body.

(4) In any area where construction of camps is forbidden by state or local law or ordinance.

(5) At or in close proximity to any known historic or archeological sites or within the boundaries of an historic district.

(6) Within 1,500 feet of a colonial bird nesting site.

(7) Within 3,000 feet of a bald eagle nest site during the period of October 1 to May 15 unless the

U.S. Fish and Wildlife Service provides written concurrence that the proposed activity would not adversely affect bald eagles.

(8) Within any area where the activity is likely to adversely affect federally listed threatened or

endangered species, or that is likely to destroy or adversely modify the critical habitat of such species.

(9) Private residences, camps, habitable structures and non-water dependent structures may not be built over state-owned water bottoms, with the exception of appurtenances such as docks, wharves, piers, walkways, boat slips and similar water-related structures.

c. This general permit will be effective until May 31, 2006. It may be further extended at that time.

Applications for work to be performed under authority of this general permit must include the following:

An application (ENG Form 4345), a location map, and a dimensioned and scaled plan view and cross-sections showing the proposed work (sample drawings) are enclosed as attachment 2. Applications for work within the boundaries of any state or federal wildlife refuge or management area must include the written consent of the appropriate Division Chief or Refuge Manager to be considered under the general permit.

Work authorized by the general permit will be subject to applicable conditions on ENG Form 1721, Department of the Army Permit (attachment 3), and the following special conditions.

a. Facilities for collection and disposal of solid and sanitary wastes must be installed at all camps, and must meet the approval of the Chief Sanitarian of the Parish Health Unit. A list of Parish Health Units is attached (attachment 4).

b. No heavy equipment is allowed on vegetated marsh during construction.

c. Non-biodegradable components used in construction will be removed upon termination of the project.

d. The work must not interfere with the public's right to free navigation on all navigable waters of the United States.

e. Any safety lights and signals prescribed by the

U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the applicant's expense.

f. Work authorized by this general permit may not be performed until the NOD has reviewed the application and has issued a written approval.

g. Additional conditions may be added to this general permit by the District Engineer if it is found to be in the public interest to do so.

h. No work may be performed under this general permit unless and until all required local, state and other federal permits, licenses, authorizations, and, certifications are obtained. This includes, but is not limited to:

(1) A Coastal Use Permit or waiver signed by the Secretary of the Louisiana Department of Natural Resources or his designee.

(2) A Water Quality Certification (if required) from the Louisiana Department of Environmental Quality, Office of Environmental Services.

i. This general permit may be suspended, in whole or in part, by the District Engineer if it is found to be in the public interest to do so.

j. The District Engineer may choose not to grant approval under this general permit and require the applicant to go through regular permit processing procedures when he finds that such action is in the public interest.

k. If the proposed project requires any additional work not expressly permitted herein, the permittee shall obtain a separate authorization prior to the commencement of work.

Individual approvals granted under this general permit allow 5 years from the date of the approval letter to complete the project.