



REPLY TO
ATTENTION OF:
Operations Division
Regulatory Branch

DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT, CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

July 29, 2005

SPECIAL PUBLIC NOTICE

TIME EXTENSION AND AMENDMENT OF THE GENERAL PERMIT FOR MAINTENANCE OF TRENASSES (PIROGUE DITCHES)

Interested parties are hereby notified that the general permit, originally issued by this District on February 3, 1978, for the maintenance of trenasses (pirogue ditches) is extended until July 31, 2010.

By public notice dated April 22, 2005, the time extension was advertised for public comment. All available information was considered in determining that the overall public interest would be best served by granting the time extension. The enclosed permit reflects a change in condition "f" to include a reference to the Joint Louisiana Coastal Zone and Corps of Engineers application form, and the removal of condition "p".

Additional written comments or suggestions for further modification of this general permit are solicited. Interested parties should address their comments to the Regulatory Branch of this district, at the address shown at the head of this notice. Letters of comment should refer to (General Permit)NOD-2.

A handwritten signature in cursive script, reading "Ronald J. Ventola", is positioned above the typed name.

Ronald J. Ventola
Chief, Regulatory Branch

Attachments



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT, CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

JUL 29 2005

(General Permit)NOD-2

DEPARTMENT OF THE ARMY

GENERAL PERMIT

Authorization No.: (General Permit)NOD-2

Original Effective Date: February 3, 1978

Present Expiration Date: July 31, 2010

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 not contrary to the public interest to issue a general permit time extension for the maintenance of existing trenasses (piroque ditches).

Specific legislation requiring Department of the Army permits for work of this nature:

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

Therefore, any person wishing to maintain and/or deepen trenasses is authorized to do so by the Secretary of the Army, subject to the conditions, requirements, and guidelines hereafter listed in this document.

Trenasses are small ditches constructed in marshes and other wetland areas that are used by hunters, fishermen, trappers, and others in pirogues or other small watercraft as navigation channels. The areas traversed by trenasses are usually highly organic and/or soft clay soils, standing water, and interlaced with small water bodies. It is difficult, if not impossible, for people to walk in such areas.

This general permit authorizes maintenance and deepening of trenasses in the New Orleans District. The approximate boundaries of the New Orleans District are shown on the map attached to this general permit (see attached).

Navigable waters of the United States and waters of the United States are defined by Parts 328 and 329 of Title 33, Code of Federal Regulations.

The work must be performed in accordance with the drawings attached hereto, which are incorporated into and made a part of this permit.

The work must be performed in accordance with the applicable standard conditions of the regular Department of the Army Permit (ENG Form 1721). A copy of the form is attached hereto and made a part of this general permit. All references to the "permittee" in the standard permit form shall be understood to refer to persons, groups, or corporations performing work under authorization of this general permit.

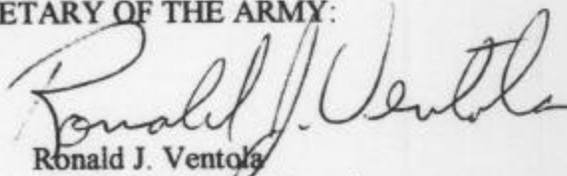
Additional conditions to which the work authorized by this general permit is subject to follows:

- a. Work may be performed within existing trenasses subject to the following:
 - (1) Maximum width of excavation is 6 feet.
 - (2) Maximum depth to which trenasses may be excavated is 3 feet below natural ground level.
 - (3) Material excavated from the trenasses must be deposited so as not to impede normal water interchange in the area.
 - (a) No material may be deposited into any watercourse crossed by a trenasse.
 - (b) Material shall be deposited on alternate sides of the trenasse. The maximum length of any continuous deposition site shall not exceed 500 feet.
 - (c) When placed in wetlands, dredged material shall not be deposited greater than 6-inches above the existing ground level.
 - (d) Use of machines or equipment to maintain trenasses whereby the dredged material is widely scattered and not deposited in piles is acceptable.
 - (e) Turbidity shall be kept to a practicable minimum.
- b. Construction of new trenasses is not authorized by this general permit. Thus, trenasses may not be extended to connect with bayous, canals, lakes, lagoons, ponds, or other open water bodies.
- c. Work may not be performed in or within 500 feet of any water body included in a federal or state system of natural and scenic waterways.

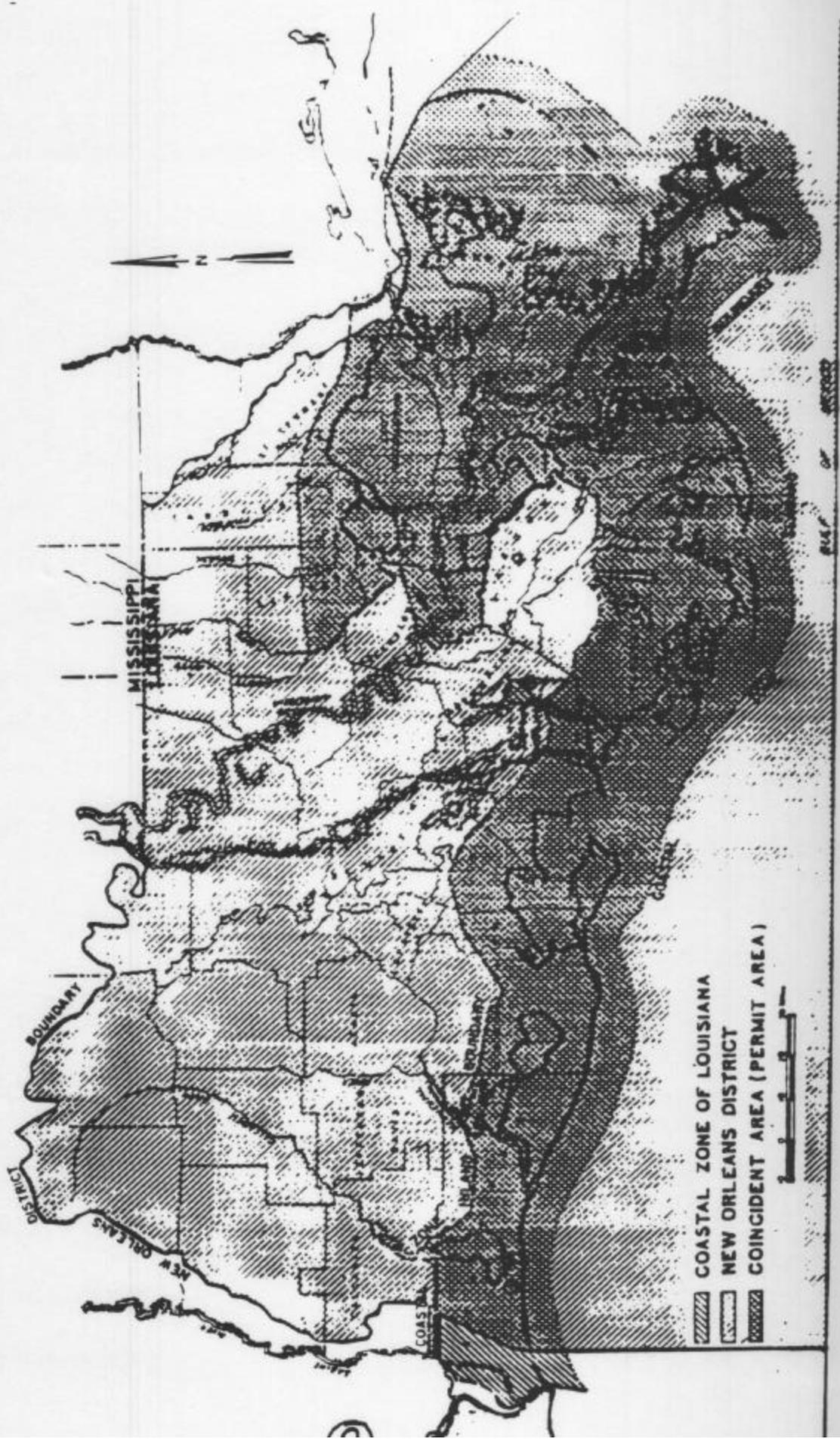
- d. Work may not be performed within the boundaries of any wildlife refuge or game management area without specific authorization of the facility manager.
- e. Work may not be performed within 500 feet of a levee or floodwall constructed or maintained with federal funds under authority of this general permit, unless clearance can be obtained from the various office elements of this District, including the Engineering Division.
- f. Each person wishing to perform work must submit a complete application to: Regulatory Branch, U. S. Army Corps of Engineers, P. O. Box 60267, New Orleans, Louisiana 70160-0267. Projects that fall within the Louisiana Coastal Zone must forward the application to the Louisiana Department of Natural Resources, Coastal Management Division, P. O. Box 44487, Baton Rouge, Louisiana 70804-4487. A complete application includes all the following items: application form (ENG FORM 4345) **or** Joint Permit Application (for work within Louisiana Coastal Zone), vicinity map, plan view showing complete project including the deposition sites, and cross sections with all dimensions.
- g. Each person must receive written authorization before commencing the work.
- h. All authorizations, licenses, or approvals required by state and local laws or regulations must be obtained before the work may be performed.
- i. Approval under this general permit does not replace nor supersede the requirement to obtain a water quality certification from the Louisiana Department of Environmental Quality or a Coastal Use Permit from the Louisiana Department of Natural Resources.
- j. The District Engineer may add additional conditions when he determines this is necessary to protect the public interest.
- k. This general permit may be suspended in whole or in part and/or revoked if the District Engineer determines that such action is necessary in the public interest.
- l. Public notices will be issued to advise interested parties if revisions or additions to the permit are made, or if the permit is suspended or revoked.
- m. In cases when the District Engineer deems it necessary in the public interest, applications for authority to perform work under the general permit may be rejected and the applicants advised to apply for individual permits.

- n. This permit will be effective until July 31, 2010. It may be further extended at that time, subject to additional public interest review.
- o. Work may not be performed under authority of this general permit at a recorded historic or archeological site. If cultural resources are uncovered, work must be suspended and notification given to the State Archeologist.
- p. No activity that 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, is authorized under this general permit.
- q. This general permit does not authorize any work within 1,500 feet of a colonial bird nesting site.
- r. This general permit does not authorize any work within 3,000 feet of a bald eagle nesting site.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



Ronald J. Ventola
Chief, Regulatory Branch
for
Richard P. Wagenaar
Colonel, U.S. Army
District Engineer



Application No. _____

(GENERAL PERMIT)NOD-2
Maintenance and Deepening
of Trenasses

Name of Applicant _____

Effective Date _____

Expiration Date (If applicable) _____

DEPARTMENT OF THE ARMY PERMIT

Referring to written request dated _____ for a permit to:

() Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

() Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1062; P.L. 92-632);

(Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:

(Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

is

(Here to be named the ocean, river, harbor, or waterway concerned.)

at

(Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

In accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings give file number or other definite identification marks).

subject to the following conditions:

1. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit, which may result in the modification, suspension or revocation of this permit, in whole or in part, or at least more opportunity in General Conditions set forth herein, and in the institution of such legal proceedings as the United States Government may deem appropriate, whether or not this permit has been previously modified, suspended or revoked.

ENG FORM 1721
1 APR 74

EDITION OF JUNE 1968 IS OBSOLETE.

(ER 1145-2-303)

Incl 2

~~That the permittee shall not be held liable for any damage to property or persons caused by the activity authorized herein, unless such damage is caused by the negligence of the permittee or his agents, employees or subcontractors.~~

~~This permit shall be valid for a period of _____ days from the date of issuance of this permit unless otherwise provided for in the permit.~~

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is required by law, he must restore the area to a condition satisfactory to the District Engineer.

~~That the permittee shall be held liable for any damage to property or persons caused by the activity authorized herein, unless such damage is caused by the negligence of the permittee or his agents, employees or subcontractors.~~

t. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

~~The permittee shall be held liable for any damage to property or persons caused by the activity authorized herein, unless such damage is caused by the negligence of the permittee or his agents, employees or subcontractors.~~

The following Special Conditions will be added when appropriate

~~STRUCTURES FOR SHIPYARDS - That the permittee shall be held liable for any damage to property or persons caused by the activity authorized herein, unless such damage is caused by the negligence of the permittee or his agents, employees or subcontractors.~~

~~DISCHARGE OF OREDDO MATERIAL INTO OCEAN WATERS - That the permittee shall be held liable for any damage to property or persons caused by the activity authorized herein, unless such damage is caused by the negligence of the permittee or his agents, employees or subcontractors.~~

~~ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS - That the permittee shall be held liable for any damage to property or persons caused by the activity authorized herein, unless such damage is caused by the negligence of the permittee or his agents, employees or subcontractors.~~

MAINTENANCE DREDGING (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for ~~the purpose of maintaining the navigability of the waterway and for the purpose of maintaining the safety of the waterway.~~

Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

This permit shall become effective on the date of the District Engineer's signature.

~~Permittee hereby agrees to comply with the terms and conditions of this permit.~~

PERMITTEE DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

DATE

DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

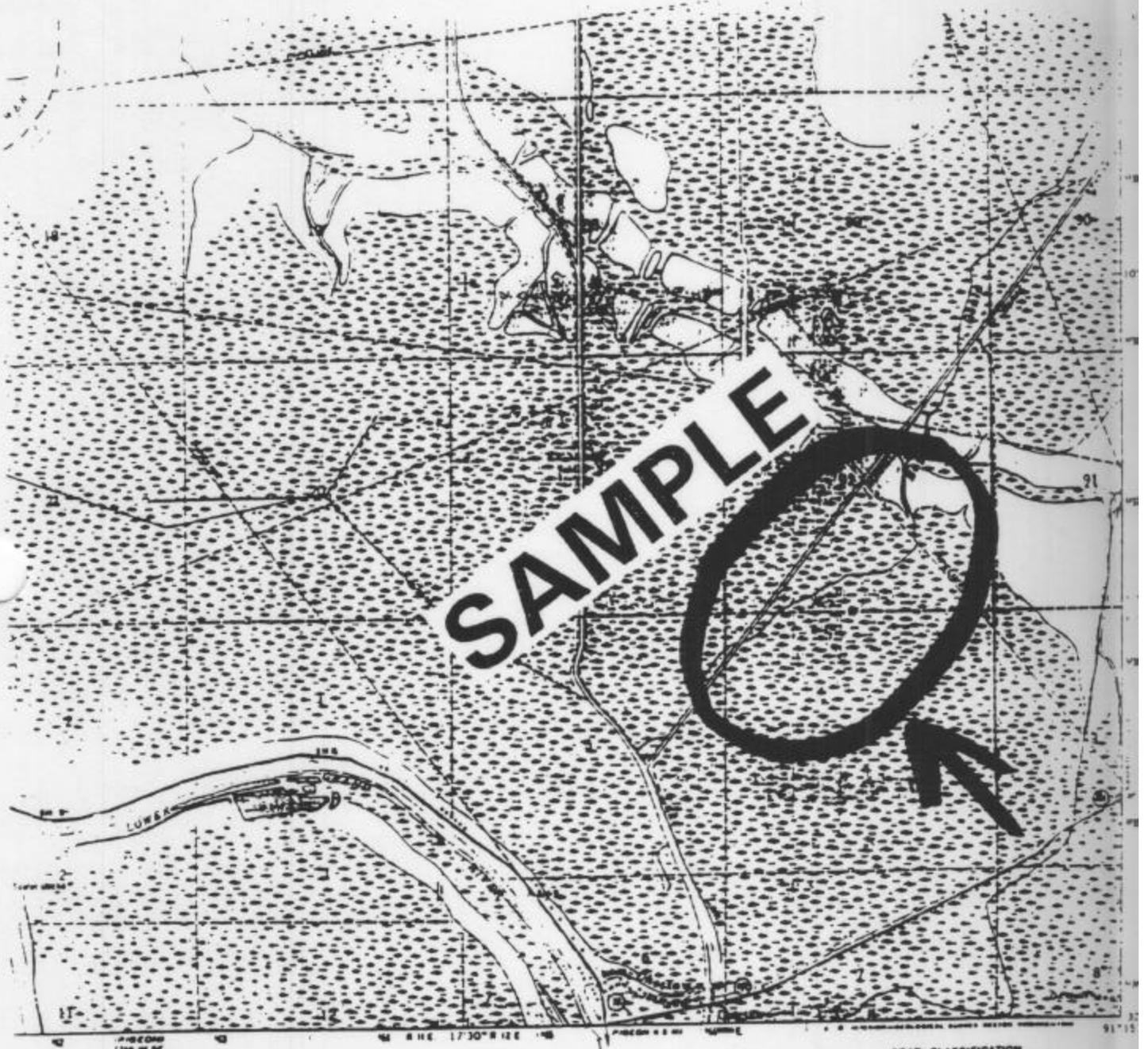
~~Permittee hereby agrees to comply with the terms and conditions of this permit.~~

~~PERMITTEE~~ DATE

VICINITY MAP

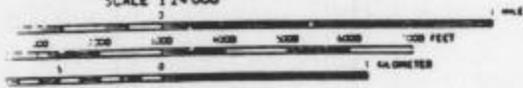
NOD - 2

JOHN DOE
APPLICATION FOR CLEANING OUT OF TRENASSES.
APPROXIMATELY 4,100 FEET LONG.



SAMPLE

SCALE 1:24,000



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
CAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22082
U.S. DEPARTMENT OF PUBLIC WORKS, BATON ROUGE, LOUISIANA 70804
AUG. TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



Regions shown in purple and outlined outlined
in cooperation with State of Louisiana agencies

ROAD CLASSIFICATION

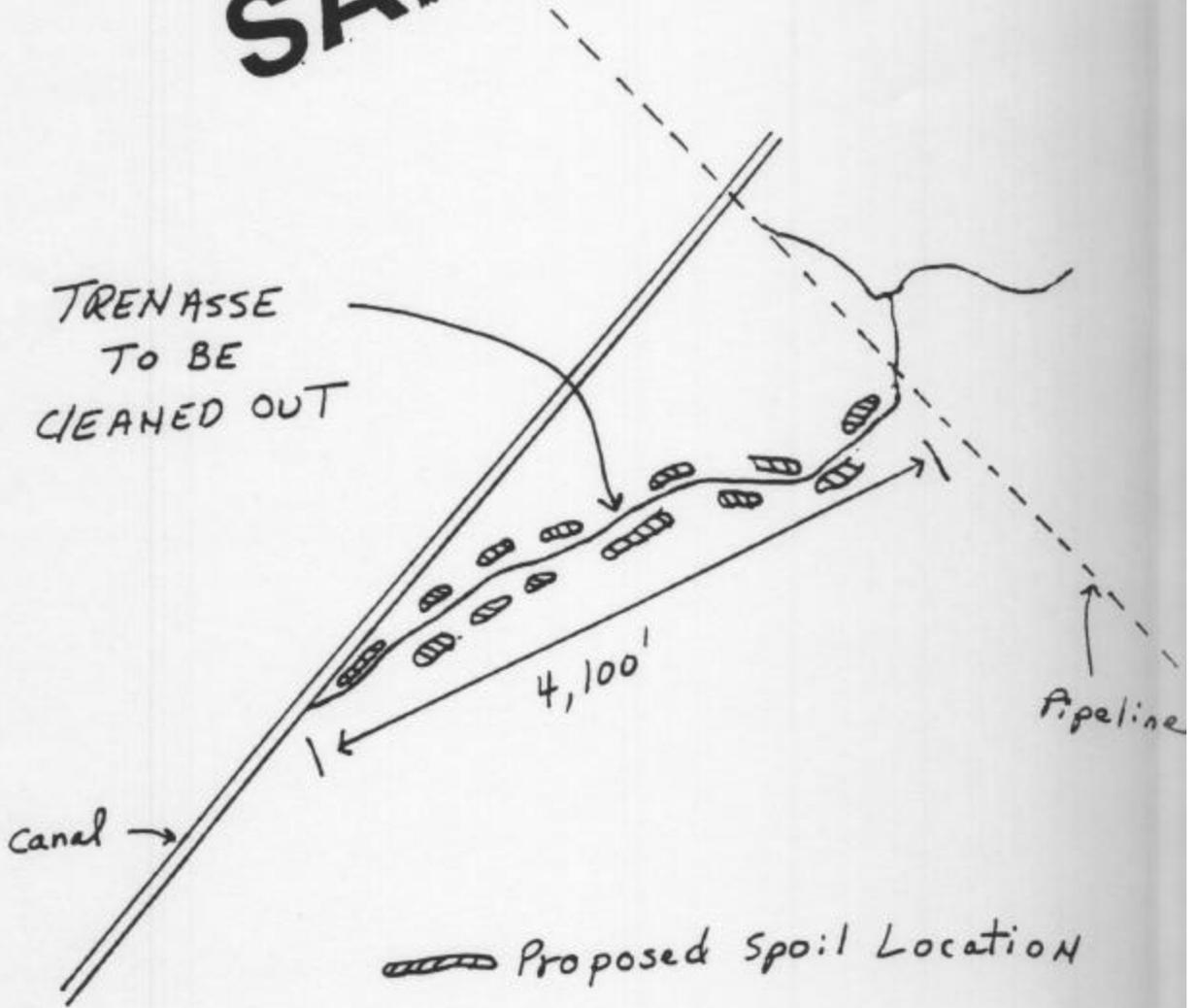
- Secondary highway, all weather hard surface
- Light-duty road all weather improved surface
- Unimproved road, fair or dry weather
- State Route

BAYOU SORREL, L.A.

FORMERLY GRESSENT
NE 1/4 LAKE CHARLES QUADRANGLE
N 10075 - W 9115 75

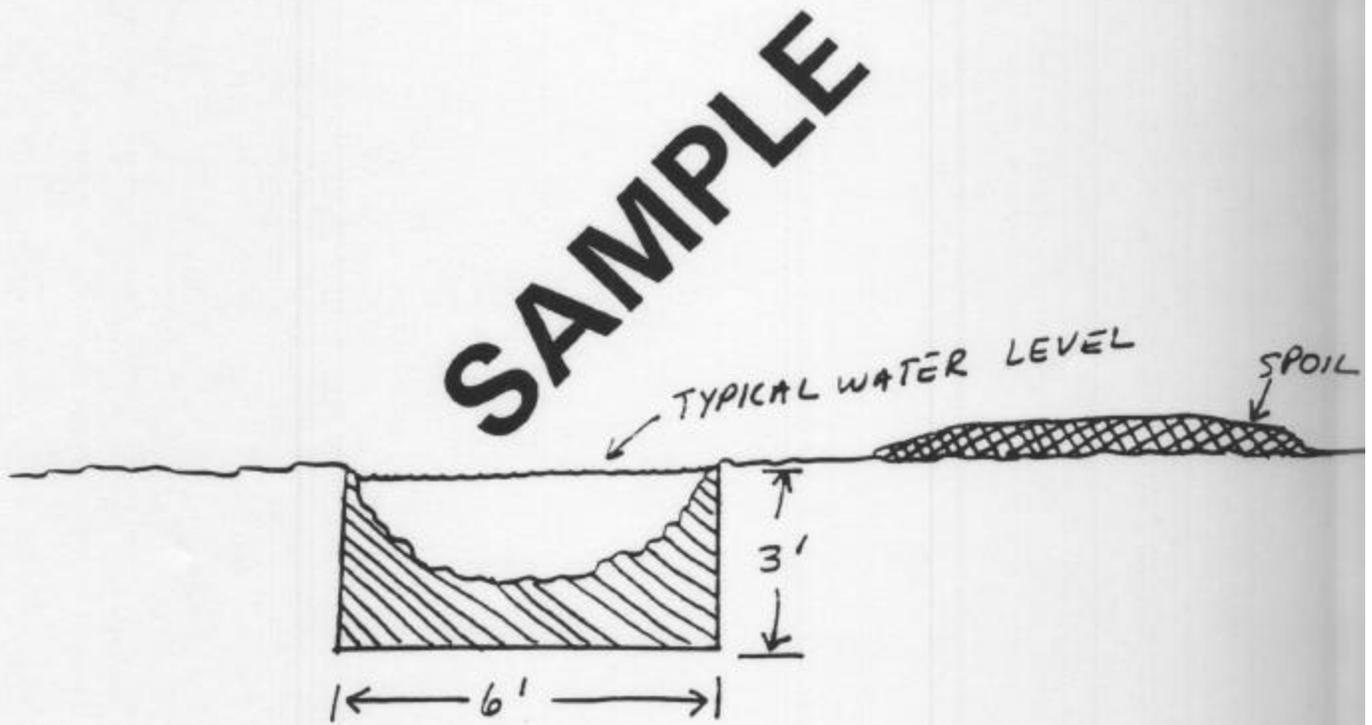
1969

SAMPLE



CROSS SECTION
TYPICAL

NOD-2



-  Proposed Excavating
-  Proposed SPOIL PLACEMENT

DREDGING TRENASSES FOR HUNTING ACCESS. DREDGING WILL BE BY MARSH BUGGY. APPROXIMATELY 2,050 CUBIC YARDS WILL BE DREDGED AND PLACES ON ALTERNATE SIDES OF THE DITCH.