



DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT, CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

JUL 12 2005

REPLY TO
ATTENTION OF:

Operations Division
Regulatory Branch

SUBJECT: CEMVN-OD-S (General Permit) NOD-29

SPECIAL PUBLIC NOTICE

**TIME EXTENSION
OF THE GENERAL PERMIT TO
DREDGE AND MAINTAIN BOAT SLIPS, INSTALL AND MAINTAIN
APPURTENANT STRUCTURES AND FILL, SUCH AS ASSOCIATED WALKWAYS,
BOAT SHEDS, BOATHOUSES, RIPRAP, BULKHEADS AND DEPOSITION OF
HAULED OR DREDGED MATERIAL BEHIND THE BULKHEADS FOR
STABILIZATION IN MANMADE CANALS ONLY**

Interested parties are hereby notified that the General Permit, originally issued by this district on November 29, 1985, to dredge and maintain boat slips, install and maintain appurtenant structures and fill, such as associated walkways, boat sheds, boathouses, riprap, bulkheads and deposition of hauled or dredged material behind the bulkheads for stabilization in manmade canals only, is extended until November 30, 2010.

All available information was considered in determining that the public interest would best be served by this time extension. It is particularly noted that no significant adverse effects were noted or reported to us during the time the permit was previously in force.

Any person wishing to provide additional comments to assist in improving this General Permit or advising us of adverse impacts is requested to address them to the Central Evaluation Section, Regulatory Branch, at the above address. Please refer to (General Permit) NOD-29 in any future correspondence. This general permit will be suspended, revoked, or modified if it is shown to be in the public interest to take such action.

A copy of the general permit is attached. Additional copies are available upon written request to the Regulatory Branch of this District at the above address.

Ronald J. Ventola
Chief, Regulatory Branch



DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

Operations Division
Regulatory Branch

DEPARTMENT OF THE ARMY GENERAL PERMIT
TO
DREDGE AND MAINTAIN BOAT SLIPS, INSTALL AND MAINTAIN
APPURTENANT STRUCTURES AND FILL, SUCH AS ASSOCIATED WALKWAYS,
BOAT SHEDS, BOATHOUSES, RIPRAP, BULKHEADS AND DEPOSITION OF HAULED
OR DREDGED MATERIAL BEHIND THE BULKHEADS FOR STABILIZATION IN
MANMADE CANALS ONLY

AUTHORIZATION NO.: (General Permit) NOD-29

ORIGINAL EFFECTIVE DATE: 30 November 1985

PROPOSED EXPIRATION DATE: 30 November 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 Commander and District Engineer at New Orleans has determined that it is not contrary to the public interest to issue a general permit time extension to:

Dredge and maintain boat slips, install and maintain appurtenant structures and fill, such as associated walkways, boat sheds, boathouses, riprap, bulkheads and deposition of hauled or dredged material behind the bulkheads for stabilization (see enclosed sample drawings).

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

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

This general authorization for the above-cited work is granted subject to the following conditions:

- a. This general permit would only be applicable to allow an individual to obtain a boat slip and associated work for recreational use only in a manmade waterway. It would authorize the dredging and maintenance of a boat slip with a maximum area of 500 square feet with a

maximum depth of 4 feet below mean low water elevation, but not to exceed the average depth of the adjacent waterway, and up to a 10-foot continuous extension of the dredging into the waterways, with same width and depth of slip.

b. The material removed is to be placed on the applicant's property in a nonwetland area above the mean high water shoreline or hauled from the site for disposal in a nonwetland area. An average of one cubic yard per running foot, of dredged or fill material, placed along the bank below the plane of the ordinary high water mark or the high tide line may be deposited behind the bulkhead for stabilization.

c. Up to 68 feet of bulkhead or riprap may be installed and maintained within the slip. Additionally, bulkhead or riprap wing extensions of up to 5 feet on either side or both sides of the slip may be installed and maintained in the waterway along the bank or at or above the high water shoreline, whichever is more landward.

d. A boat shed or boathouse may be installed and maintained within the slip area.

e. Work authorized under this general permit may not commence 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 (if applicable) signed by the Secretary of the Louisiana Department of Natural Resources or designee: and

(2) A water quality certification (if required) from the Louisiana Department of Environmental Quality, Office of Environmental Services.

f. Applicants wishing to perform work under authority of this general permit must make written application to the Regulatory Branch of this District and receive written authorization before commencing work. Written requests must include a map showing the location of the proposed work and 8 x 11-inch drawings, showing as a minimum, the information on the enclosed sample drawings, to illustrate the work to be done.

g. This general permit may be suspended, modified, or revoked by the District Engineer any time it is found to be in the public interest to do so.

h. 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.

i. Public notice will be given any time this general permit is modified, revoked or suspended.

j. If cultural artifacts are discovered at a worksite, work must be suspended and notification given by the permittee to the State Historic Preservation Officer. Work may not resume until proper provisions are made for study, preservation, or recovery of the artifacts.

k. Applicable provisions of the regular Department of the Army permit (ENG Form 1721) are made a part of this general permit. A copy of the form is enclosed.

l. 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.

m. The permittee agrees to make every reasonable effort to prosecute the construction or operation of the work authorized herein in a manner so as to minimize any adverse impact of fish, wildlife, and natural environmental values.

n. The permittee agrees that he or she will prosecute the construction or operation of work authorized herein in a manner so as to minimize any degradation of water quality.

o. The permittee shall maintain the structure or work authorized herein in good condition and in reasonable accordance with the plans and drawings approved under this general permit.

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

Authority under this general permit does not include the following:

- a. Dredging of any vegetated wetlands is not authorized under this general permit.
- b. Use of the boathouse or boat shed as a habitable structure or structural support for a habitable structure.
- c. Access road to the boat slip area or construction of a parking area in a wetland.
- d. Deposition of fill or dredged material in wetlands or waterways, either onsite or offsite, other than the minimum amount of material necessary to stabilize the bulkheads.
- e. Issuance of more than one approval to an individual regardless of the amount of property that individual owns.
- f. Two or more boat slips on one property, including existing slips.

g. Present or future commercial use of the boat slip, or obtaining the approval for improving the property intended for sale.

Areas where work may not be performed:

a. 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.

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

c. Within the boundaries of the National or State Wildlife Refuge, Game Management Area, or similar area without specific prior authorization from the manager of the facility or appropriate official at the managing agency.

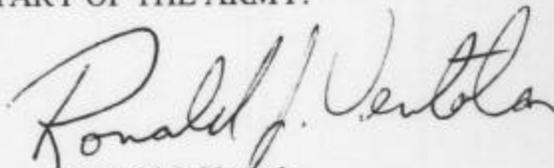
d. Work within one mile of a site eligible to be listed on the National Register of Historic Places, or within one-half mile of a known archeological site, or within one-half mile of any cultural resources site.

e. Within any natural water bottoms.

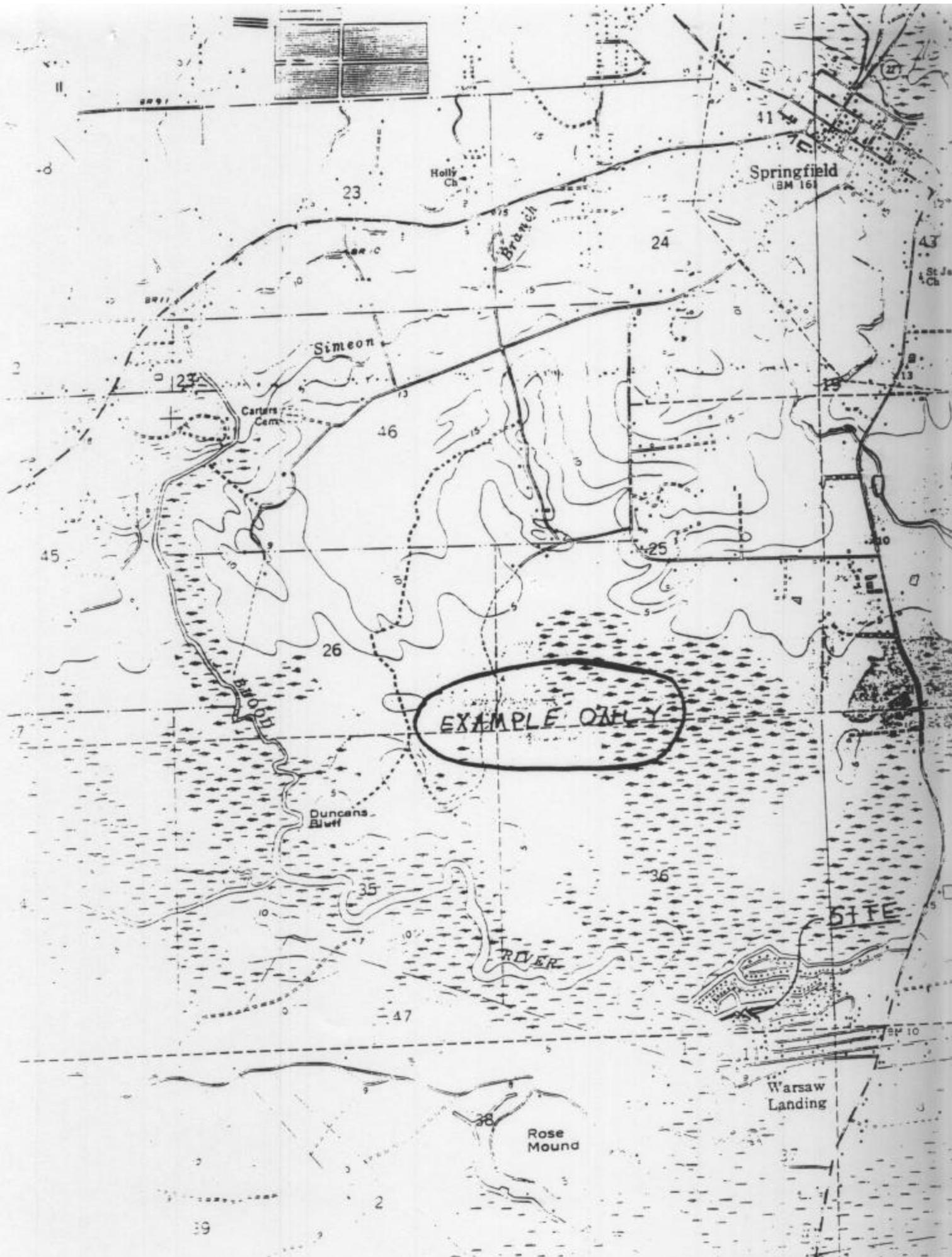
f. Within 1,500 feet of colonial bird nesting sites.

g. 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
Stephen E. Jeselink
Lieutenant Colonel, U.S. Army
District Engineer



EXAMPLE ONLY

Springfield
BM 161

Simeon

Branch

BLOOD

Duncans Bluff

RIVER

SITE

Warsaw
Landing

Rose
Mound

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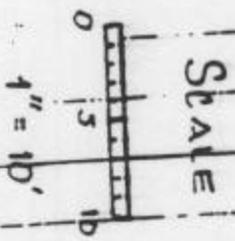
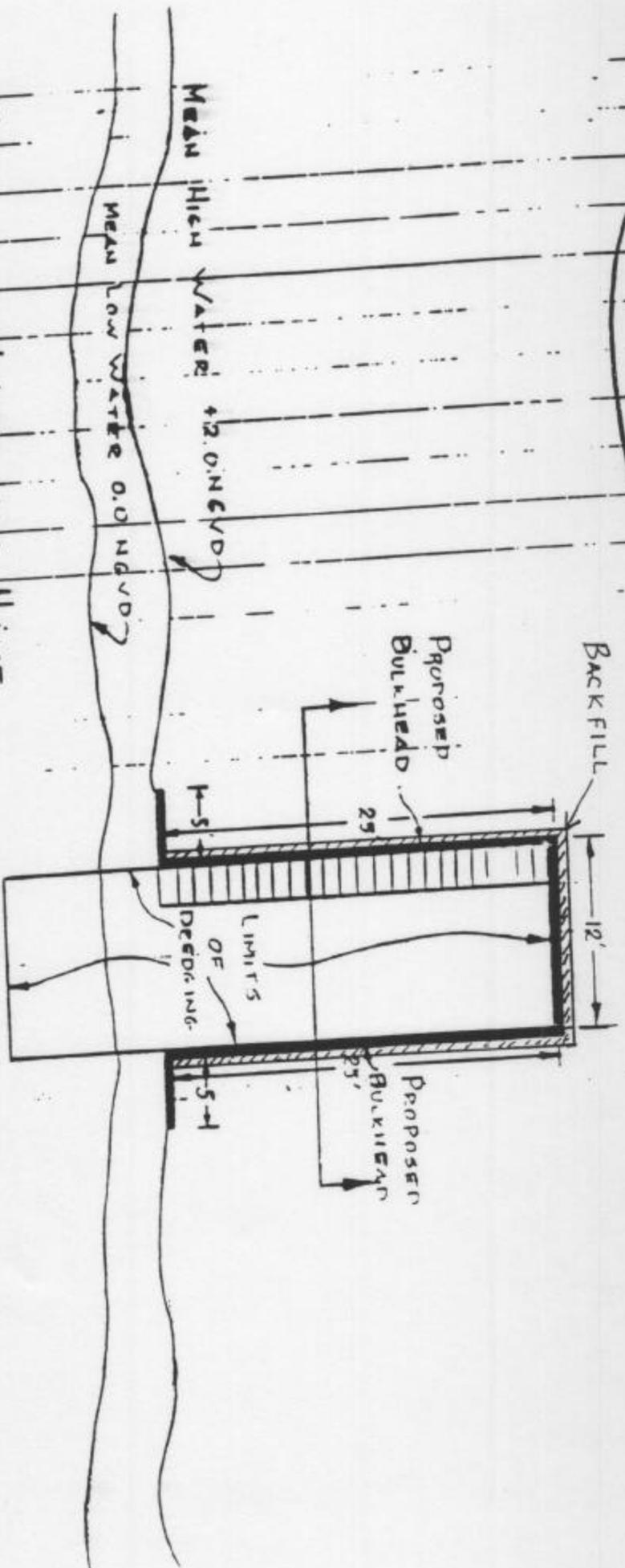
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EXAMPLE ONLY

PLAN VIEW



WATERWAY NAME

FLOW

APPLICATION BY:

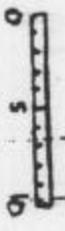
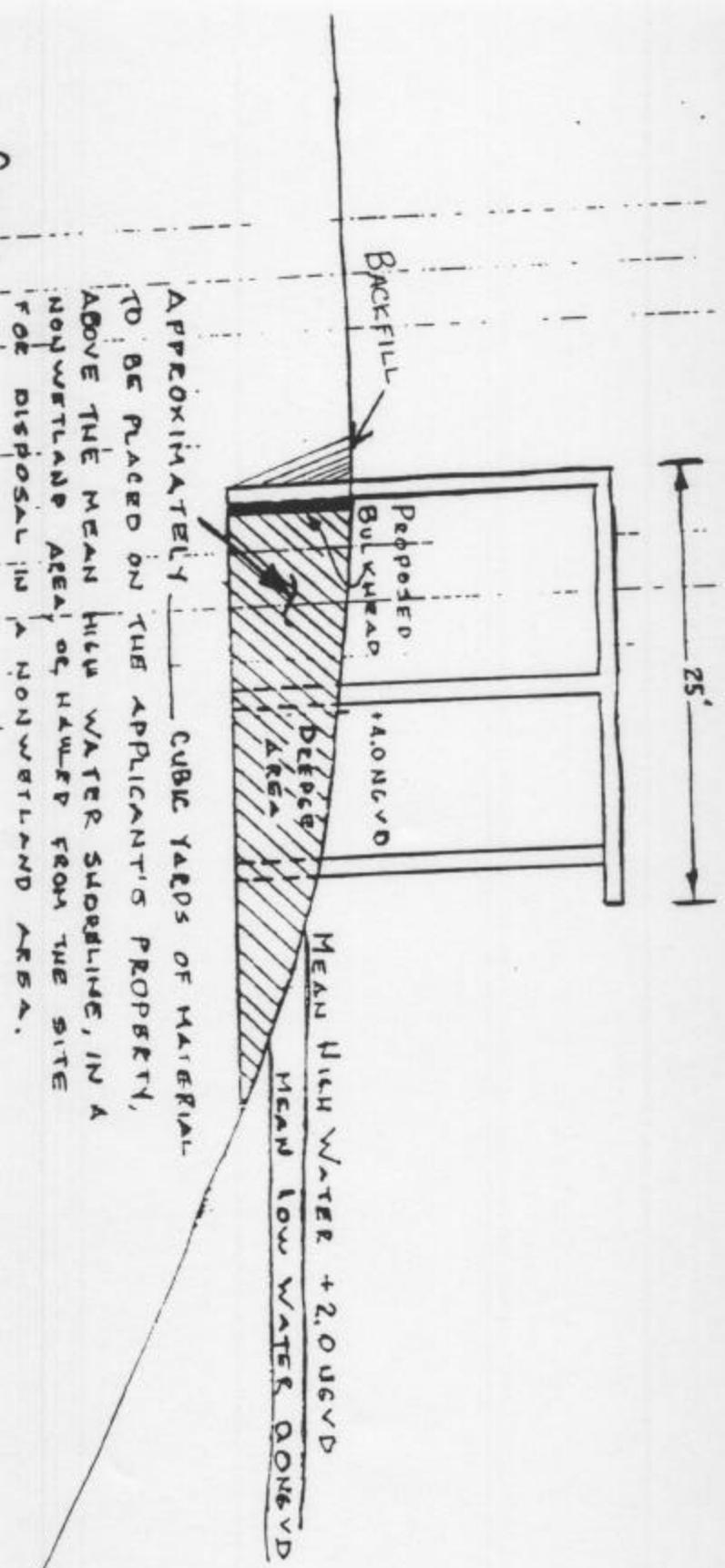
ON: (WATERWAY NAME)

NEAR: (CITY)

IN _____ PARISH

SHEET: 3

EXAMPLE ONLY - SECTION VIEW



1" = 10'

SCALE

APPLICATION BY:
 ON: (WAREHOUSE NAME)
 NEAR: (CITY)
 IN _____ PARISH

DEPARTMENT OF THE ARMY PERMIT

Permittee _____

(Permit No. (GENERAL PERMIT) NOD-29

Issuing Office _____

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

Project Location:

Permit Conditions:

General Conditions:

~~1. The time limit for completing the work authorized ends on _____ . If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.~~

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, ~~although you may make a good faith transfer to a third party in compliance with General Condition 4 below.~~ Should you wish to cease to maintain the authorized activity or ~~should you desire to abandon it without a good faith transfer,~~ you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

Section 404 of the Clean Water Act (33 U.S.C. 1344).

Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

