



# DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT, CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO  
ATTENTION OF:

NOV 22 2002

Operations Division  
Regulatory Branch

SUBJECT: CEMVN-OD-SE (General Permit) NOD-6  
EL-20-020-1631

## SPECIAL PUBLIC NOTICE

TIME EXTENSION FOR THE GENERAL PERMIT FOR  
EMERGENCY REPAIRS, EROSION PROTECTION  
AND RESTORATION ALONG PUBLIC HIGHWAYS  
WITHIN THE BOUNDARIES OF THE NEW ORLEANS DISTRICT

Interested parties are hereby notified that (General Permit) NOD-6, originally issued by this office on June 24, 1981, is being extended until November 30, 2007.

The proposed time extension was advertised for public comment on April 2, 2002. Changes made to the general permit are as follows:

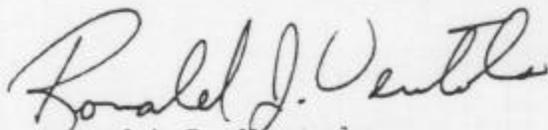
a. Condition a. is being revised to read: Within one quarter mile of a potentially eligible, eligible, or listed on the National Register of Historic Places, cultural resource site or a traditional tribal cultural property, without completion of consultation and approval from the Louisiana State Historic Preservation Officer (SHPO) and/or the appropriate federally recognized Indian tribe.

All available information was considered in determining that the overall public interest would be best served by granting the time extension.

Although the general permit is being extended, persons who become aware of problems or adverse impacts are requested to notify the Regulatory Branch of this District at the above address. This general permit will be suspended, revoked, or

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modified if it is shown to be in the public interest to take such action.

A handwritten signature in cursive script, reading "Ronald J. Ventola".

Ronald J. Ventola  
Chief, Regulatory Branch

Enclosure



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REPLY TO  
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SUBJECT: CEMVN-OD-SE (General Permit) NOD-6

## DEPARTMENT OF THE ARMY GENERAL PERMIT

Authorization No.: (General Permit) NOD-6  
EL-20-020-1631

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 to authorize the State of Louisiana, Department of Transportation and Development, Office of Highways to:

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

b. Discharge dredged and/or fill material into waters of the United States, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344.)

Therefore, the Office of Highways is authorized to perform the following work when repairs are needed:

a. Install and maintain bulkheads, fill, riprap, and articulated concrete matting to provide erosion protection for existing public roads which parallel waterways, and

b. Install and maintain bulkheads, fill, riprap, and articulated concrete matting at bridge ends to maintain revetments, embankments, and bank lines at bridge sites in an "as-built" condition.

Work may be done in and immediately adjacent to navigable waters of the United States and waters of the United States hereafter specified within the boundaries of the U.S. Army Engineer District, New Orleans.

The work must conform to the attached drawings. It should be specifically noted that this permit does not authorize dredging fill material from the adjacent waterway.

**LIST OF ROADWAY SEGMENTS COVERED BY THIS PERMIT:**

<u>HIGHWAY NO.</u>	<u>PARISH(ES)</u>	<u>LIMITS</u>
LA 45	Jefferson	Crown Point to lower Lafitte
LA 301	Jefferson	Crown Point to lower Barataria
LA 560-4	Jefferson	LA 45 to its dead end
US 90	Orleans	Chef Menteur Pass to the Rigolets
US 11	Orleans	US 90 to I-10
LA 624	St. Bernard	SE of Yscloskey
LA 46	St. Bernard	LA 300 to LA 624
LA 300	St. Bernard	LA 46 to Delacroix
LA 308	Lafourche	Downstream from Thibodaux
LA 1	Lafourche	Downstream from Thibodaux
LA 665	Terrebonne	LA 56 to southern end

LA 55	Terrebonne	LA 56 to southern end
LA 56	Terrebonne	South of Houma
LA 57	Terrebonne	South of Houma
LA 315	Terrebonne	South of Houma
US 90	Terrebonne	Houma to Gibson
LA 70	St. Mary, St. Martin & Assumption	Morgan City to Pierre Part
LA 75	Iberville	Plaquemine to Pigeon
LA 3066	Iberville	LA 75 to Indian Village
LA 77	Iberville	Plaquemine to Indian Village
LA 27	Calcasieu & Cameron	LA 397 to Creole
LA 27	Calcasieu & Cameron	LA 82 to LA 108
LA 82	Cameron	From its junction with LA 27, west of Calcasieu River, to the point at Ocean View Beach

If other roads need to be added, the permit may be revised after full processing, including distribution of a public notice to all known interested parties.

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

a. Within one quarter mile of a potentially eligible, eligible, or listed on the National Register of Historic Places, cultural resource site or a traditional tribal cultural property, without completion of consultation and approval from the Louisiana State Historic Preservation Officer (SHPO) and/or the appropriate federally recognized Indian tribe.

b. 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.

c. 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.

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

e. Within an area where mitigation has been implemented as a requirement of a permit action.

f. 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.

g. Within 1,500 feet of a colonial bird nesting site.

Individual permits must be obtained for work proposed in the waterways and areas listed in (a) through (g) above.

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 attachments 1 and 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 (see attachment 1). All references to the "permittee" in the standard permit shall be understood to refer to the Louisiana Department of Transportation and Development, Office of Highways.

Additional special conditions to which the work authorized by this general permit are as follows:

- a. Work may be performed only adjacent to existing public roads.
- b. The work must be performed by or under the supervision of the Office of Highways.
- c. Work may not be performed by private interests or other government agencies under this general authorization.
- d. No dredging may be performed under authority of this general permit, except that material that has sloughed from a roadway embankment may be removed from the water and deposited behind the bulkhead. No dredging is allowed to provide access to the project site. This dredging includes wheelwashing and propwashing.
- e. Bulkheads may be constructed along the existing bankline or within 20 feet of the roadway surface, whichever is further channelward.
- f. If archaeological artifacts are located during the operations authorized by this general permit, work will be suspended until the State Historic Preservation Officer has been notified and opportunity provided for the artifacts to be evaluated, studied, recovered, and/or preserved.
- g. Backfill may be placed only on the landward side of the bulkhead and/ except as provided in (d) above, backfill must not be dredged from adjacent waterways or any wetlands.

h. Backfill may be hauled to the work site or dredged from adjacent nonwetland areas, providing adjacent borrow pits are not directly connected with waterways or wetlands.

i. No work may be performed until the Office of Highways submits satisfactory plans for the proposed activity and receives written authorization from the District Engineer. The application must contain a map or drawing showing the location of the proposed work.

Conformance with descriptions and quantities contained herein does not necessarily guarantee authorization under this general permit. In cases when the District Engineer considers it necessary, application will be required for individual permits.

j. 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.

k. 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.

l. Additional conditions deemed necessary to protect the public interest may be added to the general permit by the District Engineer at any time. If additional conditions are added, the public will be advised by public notice.

m. The intent of this general permit is to quickly authorize repairs to existing roads when damages result from storms, hurricanes, floods, tidal surges, and similar catastrophic events. Applications for approval of routing

or non-emergency maintenance must be submitted at least 45 days prior to the scheduled commencement date. Individual permits may be required for non-emergency or routine activities instead of granting approval under this general permit.

n. 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 impacts on fish, wildlife, special aquatic sites (including wetlands,) and natural environmental values.

o. The permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections of the project site(s) and disposal site(s) at any time deemed necessary in order to assure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

p. The authorization to perform work under this general permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion or rights or any infringement of federal, state, or local laws or regulations.

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

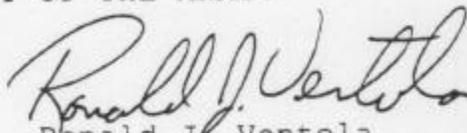
r. No heavy equipment is allowed on vegetated marsh during construction.

s. The permittee agrees to prosecute the construction of work authorized by this general permit in a manner so as to minimize any degradation of water quality.

t. Any modification, suspension, or revocation of this general permit shall not be the basis for any claim for damages against the United States.

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

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

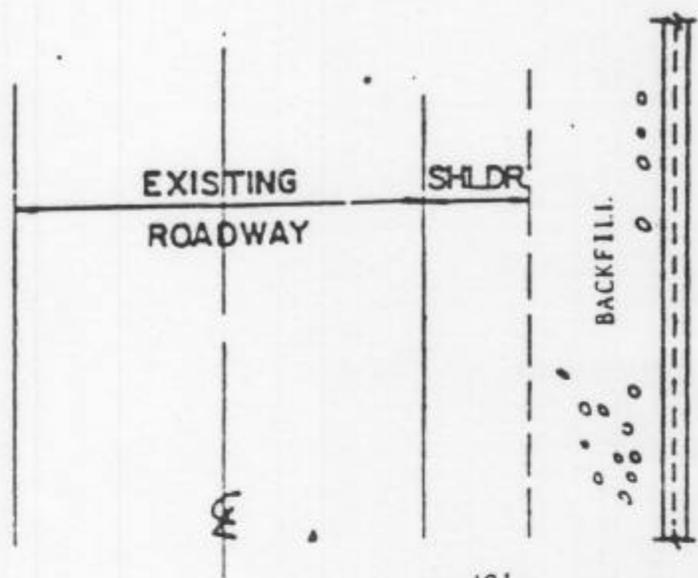


Ronald J. Ventola  
Chief, Regulatory Branch  
for

Peter J. Rowan  
Colonel, U.S. Army  
District Engineer

Enclosures

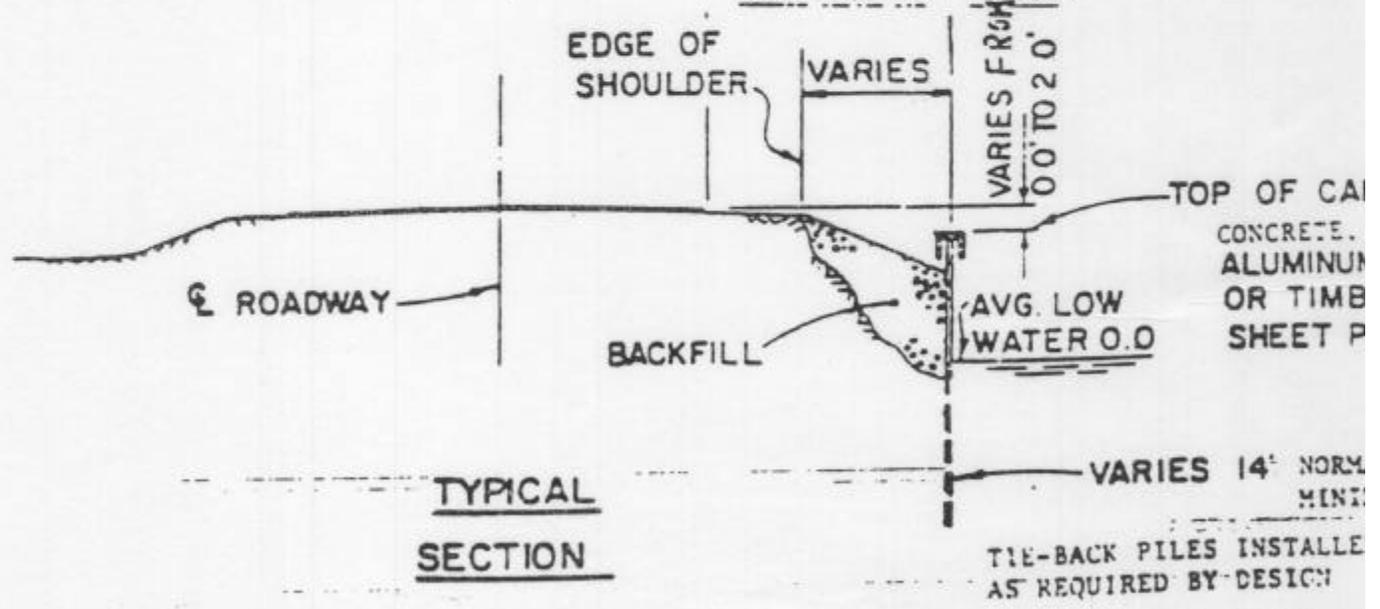
1. ENG Form 1721
2. Typical Drawings



**NOTE:**  
 No dredging may be performed except that necessary to remove material which has sloughed off the roadway embankment.

PLAN

10'  
 (Or at the Bankline)  
 Whichever is greater.



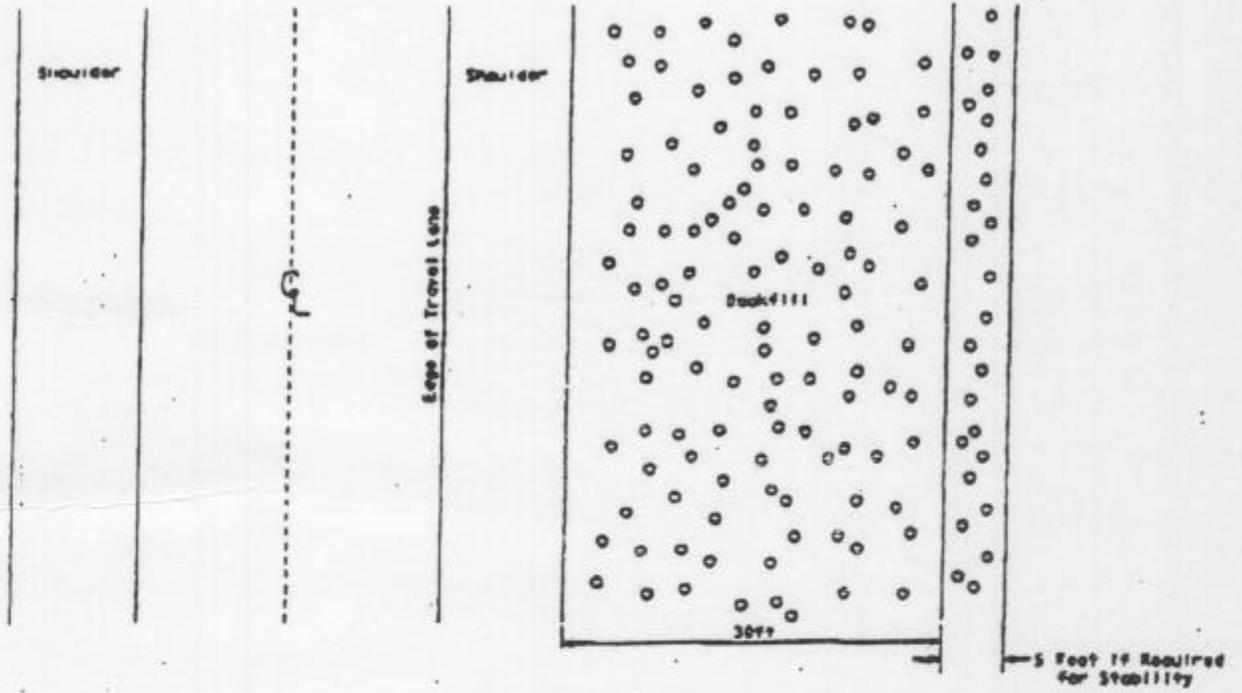
TYPICAL SECTION

NOT TO SCALE

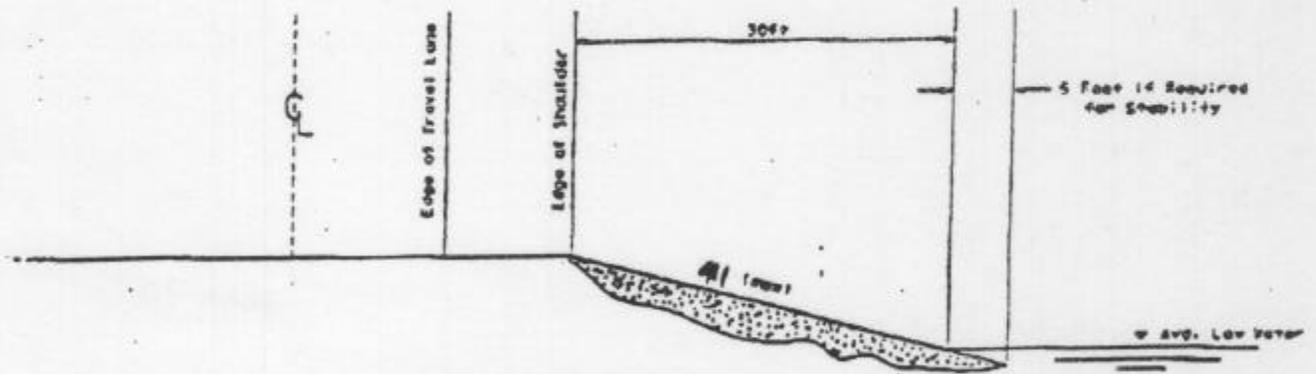
**PROPOSED  
 TYPICAL EROSION PROTECTION BULKHEAD  
 ALONG WATERWAYS**

(GENERAL PERMIT) NOD-6

*Incl 2*

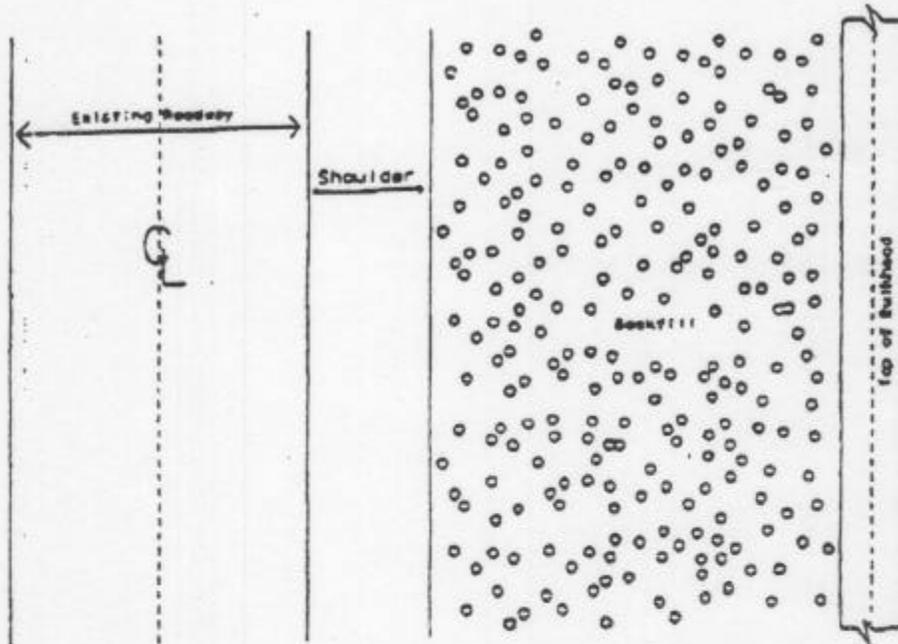


Plan View

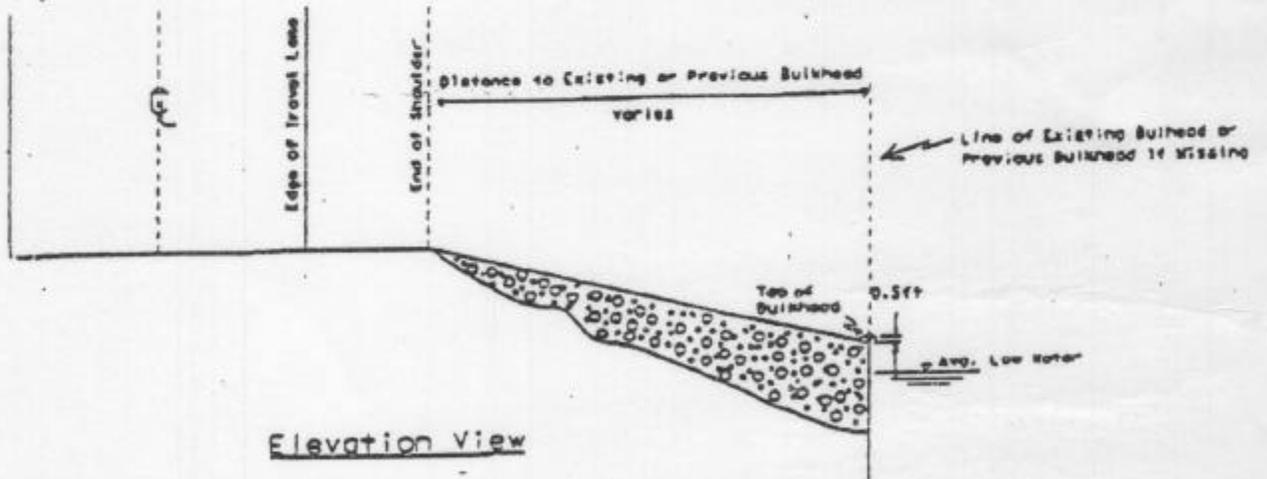


Elevation View

TYPICAL SECTION



Plan View



Elevation View

TYPICAL SECTION

