

# JOINT PUBLIC NOTICE

April 2, 2018

United States Army  
Corps of Engineers  
New Orleans District  
Regulatory Functions Branch  
Post Office Box 60267  
New Orleans, Louisiana 70167-0267

(504) 862-1280  
Project Manager: Brandon Gaspard  
Permit Application Number: MVN-2012-02601-MG  
(General Permit) GP-2

State of Louisiana  
Department of Environmental Quality  
Office of Environmental Services  
ATTN: Water Quality Certifications  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

(225) 219-3003  
Project Manager: Elizabeth Hill  
WQC Application Number: WQC 180329-01

## SPECIAL PUBLIC NOTICE

### PROPOSED TIME EXTENSION AND MODIFICATIONS TO THE GENERAL PERMIT GP-2 FOR TRENASSE (PIROGUE CONVEYANCES) MAINTENANCE WITHIN THE NEW ORLEANS DISTRICT

The general permit GP-2 (previously known as NOD-2) was originally issued on February 3, 1978, and has expired on February 28, 2018. GP-2 has proven to be an effective method to authorize certain projects within the New Orleans District in a timely manner without the need for a public notice and its related costs. Evaluating applications under the general permit procedures for projects that qualify because of their minor impacts allows for better use of personnel resources, yet still allows adequate impact review. A copy of the general permit is attached.

Interested parties are requested to review the enclosed time extension and modification of the General Permit for Trenasse (Pirogue Conveyances) Maintenance Within the New Orleans District.

Specific legislation requiring Department of the Army permits for work of this nature are: [X] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151: 33 USC 403); and/or [X] Section 404 of the Clean Water Act (86 Stat. 816: 33 USC 1344).

Application has also been made to the Louisiana Department of Environmental Quality, Office of Environmental Services, for a Water Quality Certification (WQC) in accordance with statutory contained in Louisiana Revised Statutes of 1950, Title 30, Chapter 11, Part IV, Section 2074 A(3) and provisions of Section 401 of the Clean Water Act (P.L. 95-217).

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close **30 days** from the date of this joint public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit and/or this WQC request and must be mailed so as to be received before or by the last day of the comment period. Letters concerning the Corps of Engineers permit application must reference the applicant's name and the Permit Application Number, and be mailed to the Corps of Engineers at the address above, **ATTENTION: REGULATORY BRANCH**. Similar letters concerning the Water Quality Certification must reference the applicant's name and the WQC Application number and be mailed to the Louisiana Department of Environmental Quality at the address above.

The application for this proposed project is on file with the Louisiana Department of Environmental Quality and may be examined during weekdays between 8:00 a.m. and 5:00 p.m. Copies may be obtained upon payment of costs of reproduction.

### **Corps of Engineers Permit Criteria**

The decision whether to extend the general permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative factors thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed general permit extension. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to modify or not extend the general permit. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

No properties listed on the National Register of Historic Places are near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Copies of this notice are being sent to the State Archeologist and the State Historic Preservation Officer.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of n/a acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, Office of Environmental Services before a permit is issued.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Martin S. Mayer  
Chief, Regulatory Branch

Enclosures



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**CORPS OF ENGINEERS, NEW ORLEANS DISTRICT**  
**7400 LEAKE AVENUE**  
**NEW ORLEANS, LOUISIANA 70118**

Operations Division  
Regulatory Branch

SUBJECT: CEMVN-OD-S  
MVN-2012-02601-MG  
(General Permit) GP-2

**DEPARTMENT OF THE ARMY GENERAL PERMIT FOR TRENASSE (PIROGUE  
CONVEYANCES) MAINTENANCE WITHIN THE NEW ORLEANS DISTRICT**

Authorization No.: (General Permit) GP-2

Original Effective Date: February 3, 1978

Present Expiration Date: April 30, 2023

Under authorization granted by applicable sections of Parts 320 through 332 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 general permit to authorize the maintenance of existing trenasses (pirogue conveyances) occurring within the boundaries of the New Orleans District.

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

- a. Work or structures in or affecting navigable waters of the United States pursuant to Section 10 of the Rivers and Harbors Act of March 3, 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 water conveyances 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 1,500 feet of the Mississippi River and Tributaries levees centerline and/or 300 feet of the levee centerline or 250 feet from the visible levee or berm toe of a federal hurricane risk reduction project under authority of this general permit, unless clearance can be obtained from the various office elements of this District, including our Engineering Division and Operations Division, Completed Works.

f. Each person wishing to perform work must submit a complete application to: Regulatory Branch, U.S. Army Corps of Engineers, 7400 Leake Avenue, New Orleans, Louisiana 70118. Applications for projects that fall within the Louisiana Coastal Zone must be sent to the Louisiana Department of Natural Resources, Office of Coastal Management, Post Office Box 44487, Baton Rouge, Louisiana 70804-4487 or [www.sonris.com](http://www.sonris.com). The New Orleans District's Programmatic General Permit generally supersedes this general permit for activities located within the Louisiana Coastal Zone as incorporated within the New Orleans Corps District Boundaries. Projects will not qualify for this general permit if they qualify for the Programmatic General Permit. 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. The District Engineer may add additional conditions when he determines this is necessary to protect the public interest.

j. 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.

k. 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.

l. In cases when the District Engineer deems it the public interest, applications for authority to perform work under the general permit may be rejected and the application will be evaluated as a standard permit.

m. Permittees must evaluate the effect that the proposed work would have on historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) prior to initiation of work. Historic properties include prehistoric and historic

archaeological sites, and areas or structures of cultural interest that occur in the permit area. If a known historic property would be encountered, the permittee shall notify CEMVN and shall not conduct any work in the permit area that would affect the property until the requirements of 33 CFR Part 325, Appendix C, and 36 CFR Part 800 have been satisfied. If a previously unknown historic property is encountered during work authorized by this General Permit, the permittee shall immediately notify the CEMVN and avoid further impact to the site until the USACE has verified that the requirements of 33 CFR Part 325, Appendix C, and 36 CFR Part 800 have been satisfied..

n. 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.

o. This general permit does not authorize any work within 1,500 feet of a colonial bird nesting site.

p. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure of work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure work shall cause unreasonable obstruction to the free navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

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

r. Permittee must install and maintain, at permittee's expense, any safety lights, signs and signals prescribed by the U.S. Coast Guard, through regulations or otherwise.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Martin S. Mayer  
Chief, Regulatory Branch  
for  
Michael N. Clancy  
Colonel, U.S. Army  
District Commander

Enclosures







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1 in = 19 miles

Revised Boundary

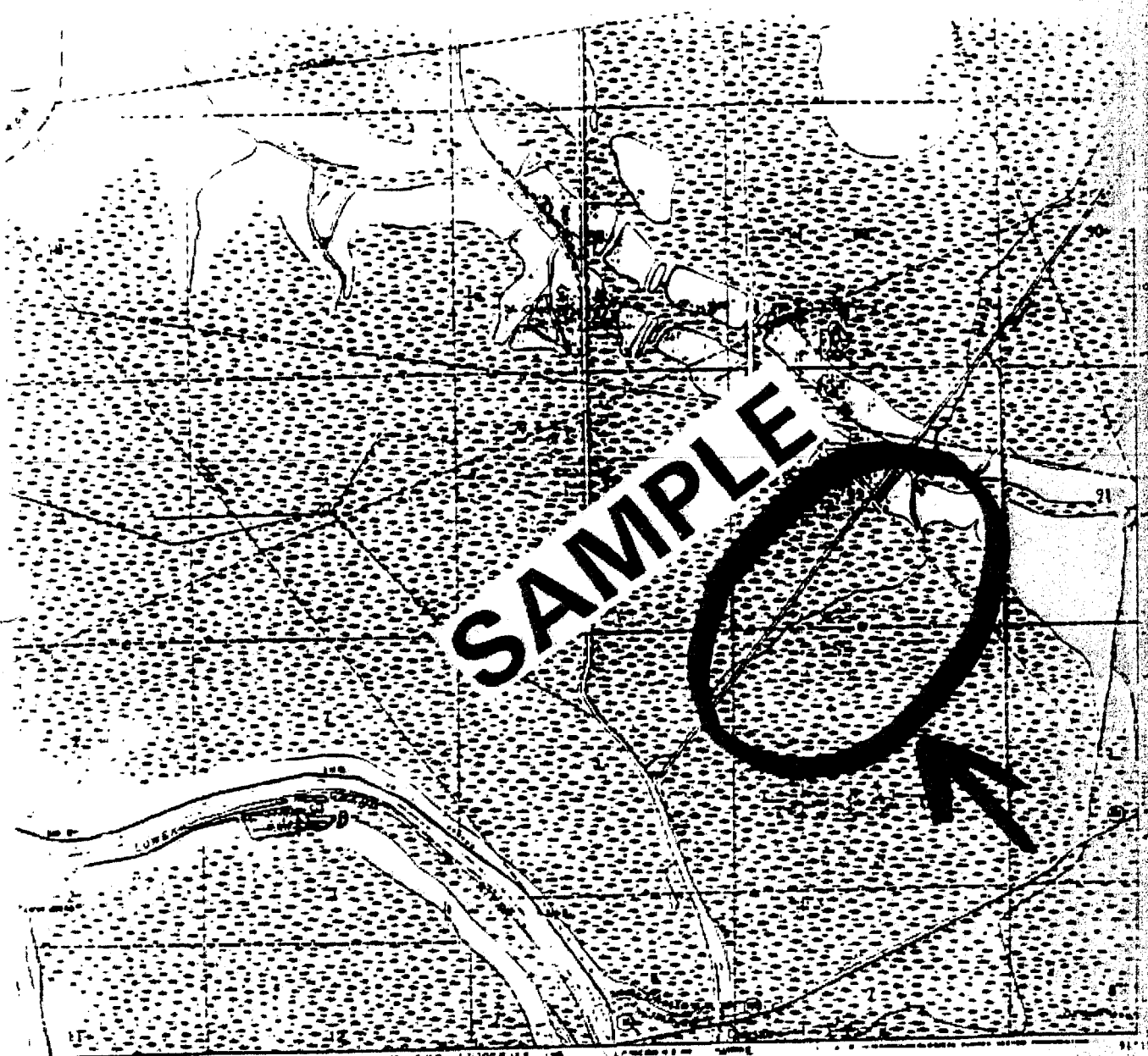
Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, UPR-EGP, and the GIS User Community



VICINITY MAP

MOD - 2

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



CONTOUR INTERVAL 5 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929

COMPARE WITH NATIONAL MAP ACCURACY STANDARDS  
CAL SURVEY, DENVER, COLORADO 80226 OR RESTON, VIRGINIA 22082  
U.S. DEPARTMENT OF PUBLIC WORKS, BATON ROUGE, LOUISIANA 70804  
ALL INFORMATION SHOWN AND SYMBOLS IS AVAILABLE FOR REUSE

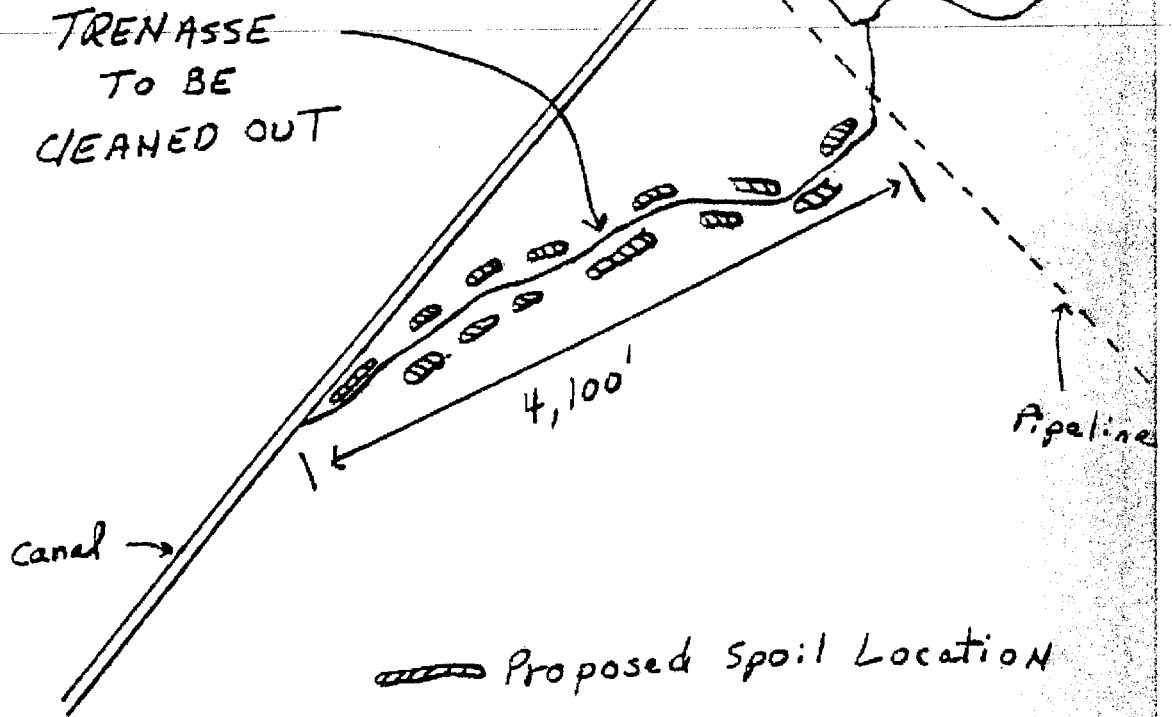


Information shown in purple and outlined in orange  
is available under 24105 of Louisiana statute

**ROAD CLASSIFICATION**  
 Secondary highway, all weather: Light-duty road, all weather  
 hard surface  
 Improved bituminous  
 Unimproved road, 14ft or less  
 width  
 State Road

**BAYOU SORREL, LA.**  
 FEDERAL CENTER  
 140075 - 49115, 75

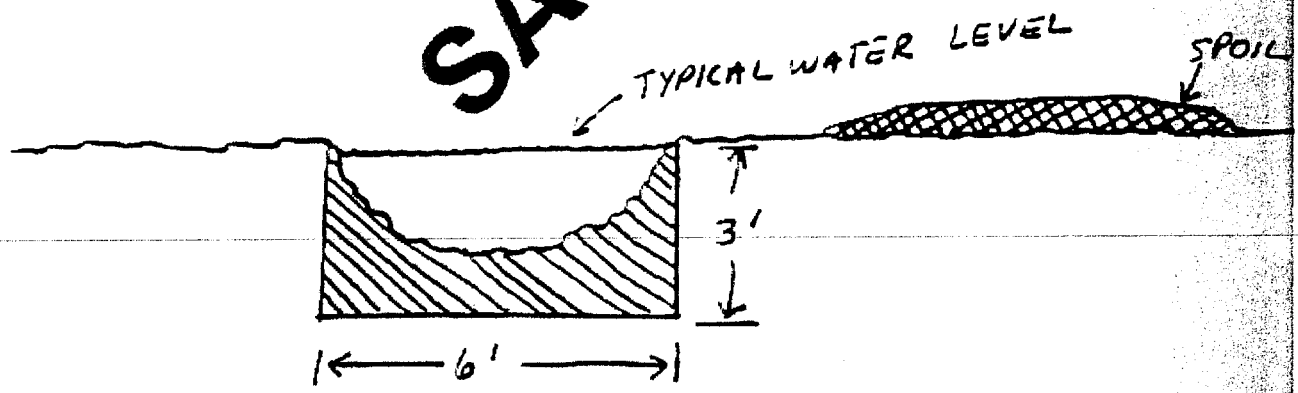
# SAMPLE





CROSS SECTION  
TYPICAL

NOD-2

SAMPLE



-  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 PLACED ON ALTERNATE SIDES OF THE DITCH.