



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT, CORPS OF ENGINEERS

P. O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

April 25, 2011

United States Army
Corps of Engineers
New Orleans District
Regulatory Branch
Post Office Box 60267
New Orleans, La. 70160-0267
(225) 342-3099
Mr. James W. Little, Jr.
Project Manager
Programmatic General Permit

State of Louisiana
Department of Environmental Quality
Office of Environmental Services
Water Quality Certifications
Post Office Box 4313
Baton Rouge, La. 70821-4313
(225) 219-3225
Mr. Jamie Phillippe
Project Manager
WQC Application Number
WQC 110310-01

SOLICITATION OF PUBLIC COMMENT
FOR THE
RENEWAL OF THE PROGRAMMATIC GENERAL PERMIT
FOR USE
IN THE NEW ORLEANS DISTRICT
WITHIN THE BOUNDARIES OF THE LOUISIANA COASTAL ZONE

The U. S. Army, Corps of Engineers, New Orleans District (MVN), in coordination and cooperation with the following regulatory and resource agencies:

State of Louisiana, Department of Natural Resources, Office of Coastal Management,
State of Louisiana, Department of Environmental Quality,
Office of Environmental Services,
State of Louisiana, Department of Wildlife and Fisheries,
U. S. Environmental Protection Agency,
U. S. Department of the Interior, Fish and Wildlife Service,
U. S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service,

proposes re-issuance of the Programmatic General Permit (PGP) for use in that portion of MVN that lies within the Louisiana Coastal Zone.

A programmatic general permit is a type of general permit that authorizes projects that are also regulated by another federal, state, tribal, or local agency. In this case, the State of Louisiana, Department of Natural Resources, Office of Coastal Management is the other regulatory agency.

In development of the proposed general permit, MVN and the aforementioned agencies reviewed the existing abbreviated procedures for project authorization which include MVN regional general permits, nationwide permits and Letters of Permission, for type and scope of activity eligible for authorization. The enclosed proposed PGP consists primarily of consolidation of these activities and includes expansion of scope in some instances. MVN and the coordinating agencies anticipate a reduction in the complexity of the regulatory process for the general public while maintaining an equivalent level of protection for the aquatic environment and the public interest.

This public notice serves as the application to the State of Louisiana, Department of Natural Resources, Office of Coastal Management, that the activities proposed for authorization herein are consistent with the State's Coastal Zone Management Program. This notice also serves as the application to the Department of Environmental Quality, Office of Environmental Services, for a Water Quality Certification (WQC) in accordance with statutory authority 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 Department of Environmental Quality will make a final decision on this application within 60 days of the date of this public notice.

The comment period for the Department of the Army Permit and the Louisiana Department of Environmental Quality WQC will close on **May 24, 2011**. 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 of comment to the Corps of Engineers concerning this general permit must reference "Programmatic General Permit" and be mailed to:

Regulatory Branch
U.S. Army Corps of Engineers
Attn: CEMVN-OD-S
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Anyone wishing to review the file pertaining to this general permit may do so during regular working hours on any business day at the Regulatory Branch of this District. The location of this office is Building No. 3, Room 278, 7400 Leake Avenue, New Orleans, Louisiana 70118.

Similarly, letters concerning the Water Quality Certification must reference the "Programmatic General Permit" and the WQC Application number "WQC 110310-01" and be mailed to the Louisiana Department of Environmental Quality:

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

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.

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).

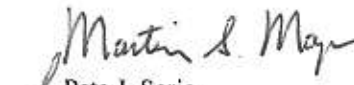
The decision whether to issue this general permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit 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 effects therefore; among those are conservation, economics, aesthetic, 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 activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to make, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and 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.

Evaluation of the probable impacts involving deposits of fill material into waters of the United States will include the application of guidelines established by the administrator of the U.S. Environmental Protection Agency.

Properties listed on the National Register of Historic Places are known to occur within the Louisiana Coastal Zone. 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.

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


Pete J. Serio
Chief, Regulatory Branch

Attachments:

1. Programmatic General Permit
2. ENG Form 1721
3. Louisiana Coastal Zone Boundary Map
4. Programmatic General Permit Questions and Answers