

## SUGGESTED GUIDELINES

### HOW TO SUBMIT A REQUEST FOR A LETTER OF NO OBJECTION (LONO)

ANY AND ALL ACTIVITY AND/OR WORK, INCLUDING SUBSURFACE WORK, on the batture or within 1500' of the Mississippi River levee centerline (and 300' within a hurricane protection levee) require a Letter of No Objection (LONO)----

Request for a LONO should contain: a detailed description, purpose, plan, profile, elevations, topography, capacities, a reference to the levee station, a vicinity map indicating location of project, and a plan view drawing, drawn to scale of 1" = 50 feet, showing all existing and proposed facilities at the site; indicate how said requestee will access the levee, both ingress and egress; indicate any and all heavy equipment that will be utilized, what type(s) of heavy equipment, and how long will equipment be at the site; indicate any and all hauling that will be utilized for this job, including the size and weight of said trucks; indicate if it is necessary to stockpile material and if so, provide plan, profile, elevations, etc. and amount of time material is needed to be stockpiled; and any and all other information that may be deemed necessary to properly evaluate said request.

1. **Written request(s) AND ALL supporting documentation, including but not limited to, any modifications, revisions and/or deletions, are to be submitted *simultaneously* to all of these three (3) agencies:**

Written: Steve Wilson, President, Board of Commissioners, Pontchartrain Levee District, P. O. Box 426, Lutcher, LA 70071; Fed Ex Address: 2204 S. Albert Street, Lutcher, LA 70071  
Email: [msalinspld@bellsouth.net](mailto:msalinspld@bellsouth.net) and [jhendersonpld@bellsouth.net](mailto:jhendersonpld@bellsouth.net)

Written: Rhonda Braud, Coastal Protection & Restoration Authority P. O. Box 44027, Baton Rouge, LA 70804-4027  
Email: [Rhonda.Braud@la.gov](mailto:Rhonda.Braud@la.gov) and [Lauren.Dimattia@la.gov](mailto:Lauren.Dimattia@la.gov)

Written: Amy Powell, Operations Manager-Completed Works, Department of the Army, Corps of Engineers, New Orleans District, P. O. Box 60267, New Orleans, LA 70160-0267  
Email: [Amy.E.Powell@usace.army.mil](mailto:Amy.E.Powell@usace.army.mil) and [Karen.L.Oberlies@usace.army.mil](mailto:Karen.L.Oberlies@usace.army.mil)

**ANY MODIFICATION(S) OR ADDITION(S)/DELETION(S), AFTER THE INITIAL SUBMISSION FOR A LONO, NEED TO BE PROVIDED TO ALL THREE (3) AGENCIES, AS WELL.**

**ALLOW A MINIMUM OF 45-120 DAYS TO PROCESS SAID REQUEST BETWEEN THESE THREE (3) ENTITIES.** The Pontchartrain Levee District will not even consider said request until a "no objection" has been received by USACE and OCPR and delivered to the PLD. Once a "no objection" from USACE and OCPR is issued to PLD, the levee district will consider this request at its regular board meeting, held on the 3<sup>rd</sup> Monday of every month.

**\*\*AGAIN, PLD ONLY CONSIDERS LETTER OF NO OBJECTION REQUESTS ONCE A MONTH- THE 3<sup>RD</sup> MONDAY OF EVERY MONTH\*\***

2. Before final approval by the PLD at a regular or special meeting- usually on the 3<sup>rd</sup> Monday of each month, the following items MAY be required and/or received by the PLD office:
  - a) If incorporated - a copy of LA Charter and Articles of Incorporation or if incorporated in another state, approval to do business in Louisiana by appropriate state authority
  - b) Federal Tax Identification Number
  - c) Copy of occupational license - if required by Parish
  - d) To post a surety bond ranging from \$5,000 to \$5,000,000.00
  - e) You may be required to provide an Indemnity and Hold Harmless Agreement, Certificate of Insurance for general liability, auto liability and workmen's compensation and employee liability each in the amount of \$1,000,000 to \$5,000,000 with the Pontchartrain Levee District as additional named insured
  - f) **You are required to furnish this office, for review by Special Counsel for the Board, a letter from your attorney listing all of the owners and/or lessees of the property to be encompassed within the area affected by the work to be performed and/or activities conducted, listing the recordation data for the applicable deeds and/or leases; and certifying that no other landowners and/or lessees will be affected. Copies of the applicable deeds and/or leases should accompany the attorney letter.**
3. Upon the PLD receiving those items requested, and upon PLD receipt of letters of no objection from the Corps and OCPR, the request will be placed on the agenda at a regular board meeting for action. Should the request be favorable, a LONO will then be issued by the Pontchartrain Levee District, subject to the conditions and/or stipulations contained in the USACE and OCPR LONOS which will be attached and made a part of PLD's LONO.
4. A letter of no objection from the PLD is not to be interpreted in any manner which would create any liability on the Board of Commissioners of this levee district and applicant shall hold the Board of Commissioners of this levee district free and harmless from any claims resulting therefrom. ***Additionally, a letter of no objection does not remove the applicant's requirement to obtain federal, state, or local permits required by law, and authorization from property owner(s).*** Furthermore, no interpretation or comments regarding local laws, zoning, ordinances concerning property rights, etc., have been made.

INFORMATION TO POSSIBLY CONSIDER WHEN PREPARING LONO:

A. Requests generally fall under one (1) of five (5) categories namely:

- 1) **Construction Request** - This would involve instances in which an applicant proposed to erect or construct something on or adjacent to levee right of way, which does or has the potential to adversely affect a levee, or might interfere with normal maintenance of the levee. This type request will usually be completed within a fixed period of time.
- 2) **Operating Request** - This type request is appropriate for action and/or activities which usually involve some on going action or activity which does or has the potential of an adverse effect on the levee system or its maintenance. An example would be a sand hauling or other type of hauling request. This type of "no objection" and/or agreement is issued for one (1) year and must be renewed on January 1st of each year.
- 3) **Event Request** -letters of no objection are issued to provide control of proposed activities and which involve only short periods of time. Examples of such events are: foot and walk races or events, bicycle races or events, helicopter landings, picnics, movie production, charity events, hay rides, firework displays, etc. The purpose of such requests is to ensure protection of the integrity of levee system and its maintenance. (Some events may be required to be accompanied by a LONO and a Hold Harmless Agreement from the local governing authority.)
- 4) **Levee Sign Request** - A request to erect a signboard for applicant to advertise or convey information must include:
  - a) Size - cannot be larger than 3 ft. by 4 ft (3'X4');
  - b) Location - cannot be closer than 6 ft. (6') from landside levee toe;
  - c) Maintenance- all maintenance must be provided by applicant within 6 ft. of signposts
- 5) **Transport Request**- A request for equipment/facility/"vessel" transport must include:
  - 1) Hold Harmless and General liability insurance and/or Bond(s);
  - 2) detailed description, purpose, plan, profile, elevations, topography, capacities, a reference to the levee station;
  - 3) a vicinity map indicating location of project, and a plan view drawing, drawn to scale of 1" = 50 feet, showing all existing and proposed facilities at the site;
  - 4) indicate the total number of transport(s);
  - 5) indicate the exact weight, load and dimensions of each piece of equipment for said transport;
  - 6) indicate the desired date for each transport(s);
  - 7) indicate levee access both ingress and egress;
  - 8) indicate any and all heavy equipment that will be utilized, what type(s) of heavy equipment, and how long will equipment be at the site;
  - 9) indicate any and all hauling that will be utilized for this job, including the size and weight of said trucks;
  - 10) indicate any and all matting necessary for this site and give size, weight and total matting pads necessary for this site;
  - 11) indicate if it is necessary to stockpile material and if so, provide plan, profile, elevations, etc. and amount of time material is needed to be stockpiled;
  - 12) and any and all other information that may be deemed necessary to properly evaluate said request.

B. The Corps of Engineers and the State of Louisiana have established distances for certain types of work that can adversely affect the structural integrity of federal levees and structures. CFR Title 33 Section 208.10 gives the Corps' District Engineer and delegated authorities wide latitude to protect the federal projects. Title 38 Statutes of the State of Louisiana also establishes distances for certain types of work. Based on state and federal laws and regulations, standard engineering practices, hydraulic and geotechnical conditions for this region, and lessons learned from historical events or incidents, the USACE, New Orleans District has established certain requirements to be followed. Some examples are:

a. **A LONO is required for any and all activity and/or work, including subsurface work, within 1500 feet of a MR&T levee centerline and 300 feet of a hurricane protection levee centerline.** Subsurface work includes excavating/digging of any kind, including but not limited to excavating/construction/digging of a pond, swimming pool(s), drainage ditches, soil boring(s), well(s), shaft(s), pile driving(s), drilling, etc.

b. Subsurface, seismic, and demolition work have the greatest potential to cause levee failure. Levee failure during high river stages can be catastrophic! **Therefore, subsurface work within 1500' of a MR&T levee (mainline Mississippi River levee) and seismic surveys/demolition using explosives within 5000' of any MR&T project is restricted by stipulations in the permit to being conducted only when the stage of the Mississippi River is below elevation +11.0 feet NGVD on the Carrollton gage, New Orleans, Louisiana, unless a waiver is granted for higher stages. No work of any kind is allowed within 1500' of an MR&T levee when the river stage is above +15.0 feet NGVD at the Carrollton gage.** Waivers are considered on a case-by-case basis, and are dependent on the surrounding subsurface ground conditions in the vicinity of the project, the distance the project is away from the levee, and the forecasted river stages. Waivers are only considered when the river stage is forecast to exceed +11.0 feet at the Carrollton gage. Permittees are advised to monitor the river stages by calling (504) 862-2461 or checking [www.rivergages.com](http://www.rivergages.com) for daily updates and forecasts.

c. No structure(s) or other facilities and equipment may be placed any closer than (10') ten feet from the landside levee toe and (40') forty feet from riverside levee toe;

d. Ramp and aerial crossings, borrow pits and stockpiling etc. must conform to standard plans of both the LA OCPR and Corps of Engineers, New Orleans District; Pipeline crossings must be constructed according to standard plans of the Corps of Engineers, New Orleans District;

e. The work in accomplished in accordance with applicant's letter and any and all accompanying drawings, initially submitted and any and all modifications and the proposed work must not restrict the Pontchartrain Levee District's maintenance operations, or any potential flood fight activities at the levee, nor shall it obstruct or impede drainage, or create areas of standing water on the levee batture;

f. Any Letter of No Objection does NOT purport to authorize applicant's entry upon any land, public or private, including lands owned by this Board, without first securing from the owners permission to conduct such operations. This permit does not purport to waive the requirements of other governmental or sub governmental bodies, and no work should commence until all necessary permits are required;

g. LONO's are valid for ONLY one (1) year. A request for renewal of said LONO should be submitted to this office sixty (60) days prior to expiration; It is required that a copy of the permit is to be maintained on site, at all times.

**AGAIN, THESE ARE A FEW "EXAMPLES" AS THERE MAY BE OTHER REQUIREMENTS NECESSARY TO ADHERE TO SPECIFIC TO SAID LONO**

fn: lono.checklist.2012