

HOW TO SUBMIT REQUEST FOR A LETTER OF NO OBJECTION

The Pontchartrain Levee District has been given the authority to regulate activities on the levee system as they relate (Louisiana Statute RS 38 Chapter 4) to the maintenance and integrity of the levee structure itself. The following procedural steps are to be used as a guideline by an applicant for a **Letter of No Objection** for any activity ON the levee, ON the batture or in the vicinity of 1500' (One Thousand Five Hundred Feet) of a M R&T levee or in the vicinity of 300' (Three Hundred Feet) of a Hurricane Protection Levee which occurs within the boundaries of the Pontchartrain Levee District (PLD). The Corps of Engineers and the State of Louisiana establish distances for certain types of work that can adversely affect the structural integrity of Federal levees and structures.

PLEASE ALLOW A MINIMUM OF 45-60 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 DOTD. ONCE A "NO OBJECTION" FROM USACE AND DOTD IS OBTAINED, THE PONTCHARTRAIN LEVEE DISTRICT WILL CONSIDER THIS REQUEST AT ITS REGULAR BOARD MEETING, HELD ON THE 3RD MONDAY OF EVERY MONTH.

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

1. Submit a written application to:
Steve Wilson, President, Board of Commissioners, Pontchartrain Levee District, P. O. Box 426, Lusher, LA 70071: Fed Ex Address: 2204 S. Albert Street, Lusher, LA 70071 (msalinspld@bellsouth.net and kpochepld@bellsouth.net)
Misty Evans and Jesse McClendon, State of Louisiana, Department of Transportation and Development, 685 N. Morrison Blvd., Hammond, LA 70401 (Misty.Evans@la.gov; Sarah.Kemp@la.gov and Jesse.McClendon@la.gov)
Amy E. Powell, Operations Manager-Completed Works, Department of the Army, Corps of Engineers, New Orleans District, P. O. Box 60267, New Orleans, LA 70160-0267 (Amy.E.Powell@usace.army.mil and Karen.Oberlies@usace.army.mil)

This request should contain 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.

2. Requests generally falls into one (1) of four (4) categories namely:
 - a) **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.

- b) **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.
- c) **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 races, 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. (A firework display must be accompanied by a letter of no objection from local governing authority.)
- d) **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.

2. Before final approval by the PLD at a regular or special meeting-normally on the 3rd Monday of each month, the following items may be requested with written request or received by the PLD office before final action is taken:

- 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 \$50,000
- E) You may be required to provide an Indemnity and Hold Harmless Agreement, Certificates 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 may be required to furnish to 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. All requests are subject to the certain requirements of the Corps of Engineers or Louisiana DOTD. Some examples are:
 - A. No structure(s) or other facilities and equipment may be placed any closer than (6) six feet from the landside levee toe and (40) forty feet from riverside levee toe.
 - B. No subsurface work, such as soil borings, pile driving, seismic activities and/or demolition within 1500 feet of centerline should be conducted when the river is **above 11.0 ft NGVD at the Carrollton Gage, unless a waiver is requested and approved.**
 - C. Ramp and aerial crossings, borrow pits and stockpiling etc. must conform to standard plans of both the LA DOTD and Corps of Engineers, New Orleans District.
 - D. Pipeline crossings must be constructed according to guidelines set by policy of the Pontchartrain Levee District.
4. Upon the PLD receiving those items requested, and upon PLD receipt of letters of no objection from the Corps and LA DOTD, the request will be placed on the agenda at a regular board meeting for action. Should the request be favorable, a letter of no objection will then be issued.
5. 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 in interposing no objection thereto 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.