DNR restricts additional areas from shell dredging

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The Department of Natural Resources issued new permits containing minor concessions to shell dredgers Wednesday but refused to broaden the area it will allow to be dredged.

In fact, DNR restricted additional areas that it said had been accidentally left out of the previous permits.

The dredgers had asked DNR to change a number of restrictions contained in the permits issued last month, saying the restrictions were "unreasonable, arbitrary or capricious."

The permits were issued after the objections of fishermen and environmentalists, who say dredging has worsened Louisiana’s coastal erosion problem and damaged reefs that are important to fishing and the state’s tidelands boundaries.

The companies maintain they have done no such damage.

DNR included in the permits a number of restrictions addressing the concerns of the outdoor groups.

We feel that we have reached sensible and reasonable conclusions in the discharge of our responsibilities," DNR spokesman Simononex said in a letter to the dredgers.

The dredgers maintained in their letter to DNR that the permit prohibition against dredging within a half mile of the shoreline in several areas is not supported by any evidence.

But DNR declined to change the prohibition in the amended permits.

Simononex said the provision is "supported by recommendations of the LSU Center for Wetland Resources," which he says "possesses excellent specialized expertise."

He added, however, that there is a provision under which the department secretary can allow dredging in these areas "upon assurance that such dredging will not harm the marine environment or contribute to Louisiana’s significant coastal erosion problems."

Simononex modified two permit requirements concerning a mandatory location recording system.

The department agreed with dredgers that its earlier requirement for a "Loran-C" system was too specific and agreed to allow any similar device that is acceptable to both DNR and the Department of Wildlife and Fisheries.

DNR also modified a permit requirement that prohibited companies from moving their dredges if there is a malfunction of the recording system.

The companies said that if such a malfunction occurred during weekends or vacations it would cause costly delays of their work.

DNR agreed to supply the companies with records of numbers of several persons who can be contacted at such times.

"After reasonable efforts," the company cannot notify one of the state officials, "dredges may continue to operate," DNR said.

In such a case the company still "shall ensure that no restricted zones are entered," and must notify the department of the malfunction within one working day.

DNR declined a dredger’s request to delete a permit requirement that the companies conduct offsite restoration of shell reefs at the direction of the secretary of the Department of Wildlife and Fisheries.

"It is not and cannot be an encroachment on the lease," Simononex said.

That permit requirement reads: "As compensation for disturbance of the water bottom during dredging, the permit holder shall at its expense undertake offsite restoration when recommended by the secretary of the Louisiana Department of Wildlife and Fisheries for improvement of the marine environment.

"Such offsite restoration shall not be contained in the permit area and shall involve no more than one acre of shell reef one foot thick for every 200,000 cubic yards dredged from the permitted area."

DNR also refused to change its limitations on the number of dredges that can work in various areas at one time, but said the DNR secretary may allow additional dredges after evaluating the effects of any additional dredging upon the environment.

The department also declined to drop permit requirements that dredgers in Lake Pontchartrain be required to conduct engineering studies to see if they can lessen environmental impacts.

The dredgers will also be required to provide state wildlife and fisheries with information and assist in certain studies.

The amended permits were mailed to the dredging companies Wednesday.

Simononex said in his letter to the companies that the firms may send the permits to DNR within 10 days to prevent from lapsing, unless the firms have "specific data or contents" which have been overlooked.