



DEPARTMENT OF NATURAL RESOURCES
COASTAL MANAGEMENT DIVISION

P. O. BOX 44487
BATON ROUGE, LOUISIANA 70804-4487
(504) 342-7591

06

COASTAL USE PERMIT/CONSISTENCY DETERMINATION

C.U.P. No. CUP-GP-1

C.O.E. No.

NAME AND ADDRESS: DEPT. OF NATURAL RESOURCES, Coastal Management Division, P.O. Box 44487, Baton Rouge, LA 70804-4487.

LOCATION: LOUISIANA COASTAL ZONE: In the parishes of Assumption, Calcasieu, Cameron, Iberia, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, and Vermilion.

PROJECT DESCRIPTION: The installation and maintenance of pipelines* in spoil banks of manmade oil and gas field canals, in oil and gas field canal crossings, and along the berms (between the road and borrow ditches) of board roads.

*Pipelines are defined under this authorization as: Flowlines, pipelines, and gathering lines 6.625" or less in outside diameter. Under this general permit, pipelines, flowlines, gathering lines, or disposal lines which carry sulphur, caustics, or other hazardous or toxic substances are not authorized.

In accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections 213.1 to 213.21, the State and Local Coastal Resources Management Act of 1978, as amended, the permittee agrees to:

1. Carry out or perform the use in accordance with the plans and specifications approved by Department of Natural Resources.
2. Comply with any permit conditions imposed by the Department of Natural Resources.
3. Adjust, alter, or remove any structure or other physical evidence of the permitted use if, in the opinion of the Department of Natural Resources, it proves to be beyond the scope of the use as approved or is abandoned.
4. Provide, if required by the Department of Natural Resources, an acceptable surety bond in an appropriate amount to ensure adjustment, alteration, or removal should the Department of Natural Resources determine it necessary.
5. Hold and save the State of Louisiana, the local government, the department, and their officers and employees harmless from any damage to persons or property which might result from the use, including the work, activity, or structure permitted.
6. Certify that the use has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved by the Department of Natural Resources. The Department of Natural Resources may, when appropriate, require such certification be given by a registered professional engineer.
7. All terms of the permit shall be subject to all applicable federal and state laws and regulations.
8. This permit, or a copy thereof, shall be available for inspection at the site of work at all times during operations.
9. The applicant will notify the Coastal Management Division of the date on which initiation of the permitted activity described under the "Coastal Use Description" began. The applicant shall notify the Coastal Management Division by mailing the enclosed green initiation card on the date of initiation of the coastal use.
10. Unless specified elsewhere in this permit, this permit authorizes the initiation of the coastal use described under "Coastal Use Description" for two years from the date of the signature of the Secretary or his designee. If the coastal use is not initiated within this two year period, then this permit will expire and the applicant will be required to submit a new application. Initiation of the coastal use, for purposes of this permit, means the actual physical beginning of the use or activity for which the permit is required. Initiation does not include preparatory activities, such as movement of equipment onto the coastal use site, expenditure of funds, contracting out of work, or performing activities which by themselves do not require a permit. In addition, the permittee must, in good faith and with due diligence, reasonably progress toward completion of the project once the coastal use has been initiated.
11. This Coastal Use Permit authorizes periodic maintenance, but such maintenance activities must be conducted pursuant to the specifications and conditions of this permit.
12. The following special conditions must also be met in order for the use to meet the guidelines of the Coastal Resources Program:

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- a. A standard Coastal Management Permit Application (ENG FORM 4345) form must be completed and submitted to the Department of Natural Resources, Coastal Management Division (CMD), along with drawings describing the location and character of work proposed for general permit approval, before work may be initiated. Specific work plans and plats shall include but not be limited to showing the action to occur; the access routes to reach work sites; length of pipeline* involved; amount, location, and dimensions of any dredge and spoil placement activity; and equipment and technique to be used. The application must be accompanied by the \$20,00 application fee and must state that approval under CUP-GP-1 is requested¹. If the proposed work is determined not to be within the general permit criteria, applicants shall be advised that the application shall be treated as an individual application.
- b. The applicant shall also submit specific work plans and plats of the planned activity to the Louisiana Department of Wildlife and Fisheries (LDWF), Habitat Conservation Division.
- c. No work is authorized under this general permit until final written approval of specific work plans and plats is given by CMD.
- d. Work carried out under this general permit shall conform to all appropriate state and federal safety regulations.
- e. The applicant must agree to make every reasonable effort to perform the construction and work operations authorized by the general permit so as to minimize any adverse impact on fish, wildlife, and natural environmental values.
- f. If archaeological remains are uncovered during construction, work shall cease and the Louisiana Division of Archaeology shall be notified immediately.
- g. This general permit does not authorize any dredging, prop-washing or wheel washing for access to the proposed work site(s).
- h. Installation of pipelines* which carry salt water are authorized under this general permit; however, salt water must be disposed of in an approved manner and the applicant must obtain the necessary permit(s) issued by the Office of Water Resources of the Department of Environmental Quality for the disposal of salt water. Authorization to proceed under this general permit is not effective until such a permit(s) is obtained.

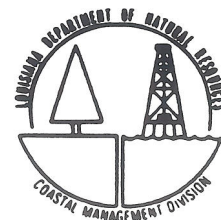


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- i. A minimum quantity, not more than a total of 125 cubic yards of shell or other suitable erosion resistant material (rock, gobi-mat, rip-rap or other CMD approved material) may be placed on oil and gas field canal banks at the location(s) of pipeline* crossings. Bulkheads may not be substituted.
- j. In oyster producing areas, jetting shall be allowed only with prior written approval of the LDWF.
- k. If oyster leases are located within 1/2 mile of the proposed work, this general permit does not apply unless the application is accompanied by a letter of no objection from the LDWF. If this letter is not included when the application is submitted, the application shall be treated as an individual Coastal Use Permit.
- l. The applicant shall provide notification of the proposed activity to any oyster lease holder who may be affected by the activity prior to commencement. Copies of notification letters sent to the oyster lease holder(s) shall be provided to the CMD prior to commencement of the activity.
- m. The applicant shall notify the CMD upon commencement of work which is authorized under this general permit. The applicant shall notify the CMD by mailing the enclosed green initiation card on the date of initiation of the coastal use.
- n. The applicant shall notify the landowner(s) upon whose property the proposed work shall occur that the application has been submitted and also of the results of the CMD's review. Copies of notification letters sent to the landowner(s) shall be provided to the CMD prior to commencement of the activity.
- o. If installation of pipelines* which are authorized by this general permit is to replace an existing pipeline*, the old pipeline* must be removed to an approved offsite disposal location or pipe storage yard and the pipeline* trench completely backfilled, even if use of the spoil bank material is required.
- p. Pipelines* shall be removed within 90 days of abandonment of the herein permitted use. This condition does not preclude the necessity of obtaining a separate Coastal Use Permit, should one be required, for such removal activities.
- q. All segments of abandoned pipelines* which are to be removed by this general permit must be removed to an approved offsite disposal location or pipe storage yard.



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- r. Segments of other abandoned pipelines* which may be encountered during removal of pipelines* authorized by this general permit must also be removed from the site and disposed at an approved disposal site or pipe storage yard.
- s. As-built drawings shall be submitted within 90 days of completion of this project to the Louisiana Department of Natural Resources, Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804 and to the Louisiana Department of Natural Resources, Coastal Management Division, P.O. Box 44487, Baton Rouge, LA 70804-4487.
- t. That the applicant shall insure that all sanitary sewage and/or related domestic wastes generated during the subject project activity and at the site, thereafter, as may become necessary shall receive the equivalent of secondary treatment (30 mg/l BOD₅; 30 mg/l TSS) with disinfection prior to discharge into any of the streams or adjacent waters of the area or, in the case of total containment, shall be disposed of in approved sewerage and sewage treatment facilities, as is required by the State Sanitary Code. Such opinions as may be served by those comments offered herein shall not be construed to suffice as any more formal approval(s) which may be required of possible sanitary details (i.e. provisions) scheduled to be associated with the subject activity. Such shall generally require that appropriate plans and specifications be submitted to the Department of Health and Hospitals for purpose of review and approval prior to any utilization of such provisions.
- u. Individual authorizations granted by the CMD under this general permit must be commenced within two years from the date of issuance of the individual authorization. If work is not initiated within this two year period, then the individual authorization will expire and the applicant will be required to submit a new application. Initiation of work, for purposes of this permit, means the actual physical beginning of the use or activity for which the permit is required. Initiation does not include preparatory activities, such as movement of equipment onto the coastal use site, expenditure of funds, contracting out of work, or performing activities which by themselves do not require a permit. In addition, the permittee must, in good faith and with due diligence, reasonably progress toward completion of the project once the coastal use has been initiated.
- v. This general permit shall expire five (5) years from the date of issuance of the permit, or 60 days after notification by the CMD.

*Pipelines are defined under this authorization as: flowlines and gathering lines 6.625" or less in outside diameter. Under this general permit, pipelines, flowlines, gathering lines or disposal lines which carry sulphur, caustics or other hazardous or toxic substances are not authorized.

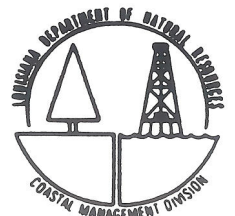


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This General Permit Authorization Does NOT Apply in the Following Situations:

- a. In areas where impacts to submerged grasses may occur.
- b. In areas where impacts to oyster seed grounds, oyster seed reservations or public oyster harvesting areas may occur.
- c. Within the boundaries of any state wildlife refuge or management area without the written consent of the Division Chief. Authorization requests not accompanied by such written permission shall not be processed.
- d. Within the boundaries of any national park or monument, national wildlife refuge, state park or established buffer zone at a national park site.
- e. Within one mile of a known bald eagle nesting site.
- f. Within one-half mile of a known rookery area.
- g. Within the critical habitat of any endangered species.
- h. At or in close proximity to any known historic or archaeological site or within the boundaries of an historic district.
- i. Within any area subject to the jurisdiction of the State of Louisiana Natural and Scenic Stream System.
- j. On barrier islands, barrier features or cheniers.
- k. Within or near areas determined to be unique ecological features by the Secretary of the Department of Natural Resources or his designee.
- l. Within 1,000 feet of an established navigation channel or fairway.



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m. Within 1,000 feet of a levee or other flood control facility constructed or maintained with Federal funds, or owned and operated by agencies of state and local governments without written consent of the appropriate agency or governing body. Authorization requests not accompanied by such written permission shall not be processed.

¹THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES HAS DETERMINED THAT FULL INDIVIDUAL PERMIT PROCESSING BY THE COASTAL MANAGEMENT DIVISION IS IN THE PUBLIC INTEREST IN ORDER TO DETERMINE WHETHER PROPOSED ACTIVITIES QUALIFY FOR AUTHORIZATION UNDER THIS GENERAL PERMIT. THIS INDIVIDUAL PERMIT PROCESSING WILL CONSIST OF REVIEW OF EACH AUTHORIZATION REQUEST BY THE STAFF OF THE COASTAL MANAGEMENT DIVISION. THEREFORE, PURSUANT TO THE RULES AND PROCEDURES FOR COASTAL USE PERMITS PART III C(4) AN APPLICATION FEE WILL BE ASSESSED ACTIVITIES PROPOSED FOR AUTHORIZATION UNDER THIS GENERAL PERMIT.

By accepting this permit the applicant agrees to its terms and conditions.

I affix my signature and issue this permit this 7th day of June, 19 96.

DEPARTMENT OF NATURAL RESOURCES

Terry W. Howey
TERRY W. HOWEY, DIRECTOR
Coastal Management Division



This agreement becomes binding when signed by the Director of the Coastal Management Division, Department of Natural Resources.