



**DEPARTMENT OF NATURAL RESOURCES
COASTAL MANAGEMENT DIVISION**

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

D26

COASTAL USE PERMIT/CONSISTENCY DETERMINATION

C.U.P. No. COASTAL USE PERMIT - GENERAL PERMIT 3 (CUP-GP 3)

C.O.E. No.

**NAME AND ADDRESS: Louisiana Department of Natural Resources,
Coastal Management Division
P.O. Box 44487, Baton Rouge, LA 70804-4487**

**LOCATION: The 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:

This general permit provides for dredging for the construction of a minimal size ring levee adjacent to an existing ring levee or board road.

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 (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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**COASTAL MANAGEMENT DIVISION GENERAL PERMIT
FOR DREDGING FOR THE CONSTRUCTION OF A MINIMAL SIZE RING LEVEE
ADJACENT TO AN EXISTING RING LEVEE OR BOARD ROAD IN THE LOUISIANA COASTAL ZONE**

DESCRIPTION OF WORK

This general permit provides for dredging for the construction of a minimal size ring levee adjacent to an existing ring levee or board road.

OPERATING CONDITIONS

- 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 performed. The application must be accompanied by the \$20.00 application fee, and must state that approval under CUP-GP-3 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. This general permit is not applicable for the construction of a ring levee within the "Directional Drilling Radius"² of an existing oil and gas slip(s) or existing inactive wellsite(s) unless it is determined through the "Geologic Review"³ procedure that use of the existing slip(s) or wellsite(s) is not feasible.
- c. The proposed ring levee shall be no larger than 90,000 square feet. This would normally consist of a 300' x 300' ring levee, but other configurations are possible depending on the environmental conditions or well requirements. One side of the ring levee, at least 200' long, must consist of an existing ring levee or board road.
- d. The drilling location shall be constructed no higher than 3' above natural ground level. Fill material may be excavated from within the ring levee or else may be hauled in from an upland site.
- e. No road fill, placement of boards, or construction of waste pits outside of the ring levee is permitted.
- f. If the proposed ring levee will adjoin an existing ring levee or board road which is abandoned and required to be restored, the applicant must ensure that the existing ring levee or board road will be restored as required in the original permit. This condition will apply even if the permits are issued to two different companies or individuals.



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- g. The applicant must provide notice of whether or not the well is a producer within thirty (30) days of the completion of drilling operations. If the well is not a producer, the drilling site must be restored within ninety (90) days of abandonment. Material from the waste pit(s) shall be disposed of in accordance with Condition "i". Boards and other debris shall be disposed of offsite. Fill materials used in construction of the drill location and levees shall be returned to the borrow ditches if excavated on-site. Hauled-in fill material must be removed from the site. The site will be returned to preproject elevations and conditions to the extent practicable.
- h. If the well is a producer, the well and area shall be reduced to the smallest possible size that would allow well head service and production facilities. This reduced well pad may be permatized if needed. Restoration of the remaining part of the well pad shall take place as described above, within ninety (90) days following well completion.
- i. Contents of non-hazardous oilfield waste pits shall be removed from the site and disposed of in a lawful manner or shall be treated and disposed of on site in accordance with the Department of Natural Resources' Office of Conservation Statewide Order 29-B. If waste material is to be disposed of on site, post closure material must not exceed the following EP-toxicity limits:
- | | | | |
|----------|------------|----------|-----------|
| Arsenic | 5.0 mg/l | Mercury | 0.2 mg/l |
| Barium | 100.0 mg/l | Selenium | 1.0 mg/l |
| Cadmium | 1.0 mg/l | Silver | 5.0 mg/l |
| Chromium | 5.0 mg/l | Zinc | 50.0 mg/l |
| Lead | 5.0 mg/l | | |
- j. Work carried out under this general permit shall conform to all appropriate state and federal safety regulations.
- k. 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.
- l. If archaeological remains are uncovered during construction, the Louisiana Division of Archaeology shall be notified immediately.
- m. The applicant shall notify the CMD/DNR upon commencement of work which is authorized under this general permit.
- n. The applicant shall notify the landowner upon whose property the proposed work will occur that the applicant has been submitted and also of the results of the CMD's review.



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- o. Individual authorizations granted by the CMD under this general permit must be commenced within two (2) years from the date of issuance of the individual authorization. If work is not initiated within this two (2) 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.
- p. This general permit shall expire five (5) years from the date of issuance of the permit, or sixty (60) days after notification by the Coastal Management Division.

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

- a. Within the boundaries of any state wildlife refuges or management areas, without the written consent of the Division Chief. (Authorization requests not accompanied by such written permission shall not be processed).
- b. Within the boundaries of any national park or monument, state park or established buffer zone at a national park site.
- c. Within one mile of a known bald eagle nesting site.
- d. Within one-half mile of a known rookery area.
- e. Within the critical habitat of any endangered species.
- f. At or in close proximity to any known historic or archaeological site or within the boundaries of an historic district.
- g. Within any area subject to the jurisdiction of the State of Louisiana Natural and Scenic Stream System.
- h. Where the proposed work would adversely affect barrier islands, barrier features or cheniers.
- i. Where the proposed work would adversely affect areas determined to be unique ecological features by the Secretary of the Department of Natural Resources or his designee.



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1 THE 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.

2 "DIRECTIONAL DRILLING RADIUS" - THE MAXIMUM HORIZONTAL DISTANCE FROM A PROPOSED BOTTOMHOLE LOCATION FROM WHICH A GIVEN WELL FEASIBLY CAN BE DIRECTIONALLY DRILLED. IT IS DETERMINED BY THE FOLLOWING FORMULA: [(PROPOSED TOTAL WELL DEPTH IN FEET - SURFACE CASING DISTANCE IN FEET - 1425) X 0.57735027 + 375].

3 "GEOLOGIC REVIEW PROCESS" - A REVIEW OF THE ENGINEERING, GEOLOGICAL, LEGAL, ECONOMIC, AND ENVIRONMENTAL FACTORS RELATING TO THE NEED TO SITE A DRILLING LOCATION IN A GIVEN PLACE. THE INFORMATION IS PROVIDED TO CONSULTANTS WORKING FOR THE COASTAL MANAGEMENT DIVISION AND THE NEW ORLEANS DISTRICT CORPS OF ENGINEERS. THE TERM IS SYNONYMOUS WITH THE OBSOLETE TERM - "DIRECTIONAL DRILLING MEETING".

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

I affix my signature and issue this permit this 14th day of October, 1992.

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.