



DEPARTMENT OF NATURAL RESOURCES
COASTAL MANAGEMENT DIVISION

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

COASTAL USE PERMIT/CONSISTENCY DETERMINATION

C.U.P. No. GP 4

C.O.E. No.

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

LOCATION: LOUISIANA COASTAL ZONE.

PROJECT DESCRIPTION: Removal of abandoned pipelines*.

*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-4 is requested. 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. This general permit does not authorize any dredging, prop-washing or wheel washing for access to the proposed work site(s).
- e. This general permit allows for minimum dredging along pipeline* routes to facilitate removal of abandoned pipelines*. Any resulting trench must be backfilled using material dredged during pipeline* removal. Maximum trench size shall be restricted to a six (6) foot width.
- f. In open water areas, pipeline* removal may be facilitated by jetting. In oyster producing areas, jetting shall be allowed only with prior written approval of the LDWF.
- g. To the maximum extent practicable, bottom contours of waterbodies affected by pipeline* removal shall be restored to within 6" of preproject conditions.
- h. 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.
- i. 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 of at an approved disposal site or pipe storage yard.



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- j. A plan for preventing discharge of pipeline* residues (i.e. - oil, pipe scale, etc.) into coastal waters shall accompany the application. Any such residues encountered during removal of abandoned pipelines* shall be disposed of at a Louisiana Department of Environmental Quality (LDEQ) approved disposal site.
- 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 authorization request shall be treated as an application for 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. Work carried out under this general permit shall conform to all appropriate state and federal safety regulations.
- n. 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.
- o. If archaeological remains are uncovered during construction, work shall cease and the Louisiana Division of Archeology shall be notified immediately.
- p. 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.
- q. 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 landowners(s) shall be provided to the CMD prior to commencement of the activity.
- r. All logs and stumps unearthed during dredging shall be buried beneath the bottom of the waterway or removed to a disposal site on land.



- s. 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 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 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.
- t. Individual authorization 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.
- u. 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 follows: flowlines, pipelines and gathering lines 6.625" or less outside diameter. Removal of pipelines, flowlines, gathering lines or disposal lines which carry sulphur, caustics or other hazardous or toxic substances is not authorized by this general permit.

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.



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- c. Within the boundaries of any state wildlife refuge or management area without the written consent of the appropriate LDWF Division Chief. An authorization request not accompanied by such written permission shall be processed as an application for an individual Coastal Use Permit.
- 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.
- 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. An authorization request not accompanied by such written permission shall be processed as an application for an individual Coastal Use Permit.

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) BOTH AN APPLICATION AND PERMIT 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 23rd day of May, 19 90.

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.