



**DEPARTMENT OF NATURAL RESOURCES  
COASTAL MANAGEMENT DIVISION**

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

D33

**COASTAL USE PERMIT/CONSISTENCY DETERMINATION**

**C.U.P. No. COASTAL USE PERMIT - GENERAL PERMIT 6 (REVISED) (CUP-GP 6 Revised)**

**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 the installation, replacement, maintenance, and removal of up to 10,000 linear feet of pipeline in vegetated wetlands, spoil banks, and open water areas.

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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COASTAL MANAGEMENT DIVISION GENERAL PERMIT  
FOR THE INSTALLATION, REPLACEMENT, MAINTENANCE AND REMOVAL OF  
PIPELINES IN THE LOUISIANA COASTAL ZONE

DESCRIPTION OF WORK

THIS GENERAL PERMIT PROVIDES FOR THE INSTALLATION, REPLACEMENT, MAINTENANCE, AND REMOVAL OF UP TO 10,000 LINEAR FEET OF PIPELINE IN VEGETATED WETLANDS, SPOIL BANKS, AND OPEN WATER AREAS.

I. General Conditions

- A. The Secretary of the Department of Natural Resources has determined that full individual permit processing by the Coastal Management Division (CMD) 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 by the staff of CMD of each authorization request. Therefore, pursuant to the Rules and Procedures for Coastal Use Permits, L.A.C. Title 43, Part I, Chapter 7, Section 723.C.3.a., an application fee will be assessed for activities proposed for authorization under this General Permit and, if appropriate, a processing fee will be assessed for activities approved under this General Permit.
- B. A standard Coastal Use Permit (CUP) Application Form (ENG FORM 4345) shall be completed and submitted to CMD along with drawings depicting the location and character of work proposed for approval under this General Permit. The applicant shall submit eight (8) application sets (form and plats) to CMD. The application shall be accompanied by the \$20.00 application fee or the application fee in effect at the time of application submittal. If the proposed work is determined not to meet the criteria of this General Permit, the applicant shall be advised by letter within five (5) calendar days of receipt of the complete application that the application shall be processed as an individual CUP. If the proposed work is determined to meet the criteria of this General Permit, the applicant shall be advised by letter within five (5) calendar days of receipt of the complete application that the application shall be considered for approval under this General Permit.
- C. Should it be deemed necessary in the public interest, the Secretary shall deny authorization to perform work under this General Permit and require the applicant to obtain an individual CUP for the proposed activity.



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- D. CUP applications for proposed work which meet the criteria of this General Permit shall be sent, with notification stating that the proposed work is being considered for approval under the authority of this General Permit, to the following State agencies for review and comment: the Louisiana Department of Environmental Quality, Office of Water Resources (DEQ); the Louisiana Department of Wildlife and Fisheries, Environmental Branch (DWF); the Louisiana Department of Culture, Recreation and Tourism; the Louisiana Department of Transportation and Development; the Louisiana Division of Administration, State Land Office; and the Louisiana Department of Health and Hospitals. Those State agencies shall have five (5) calendar days from the date of that notification to comment. State agency concurrences may be provided to CMD by telephone. Statements of nonconcurrence may be provided initially by telephone, but shall be followed by written objection, within fifteen (15) days of that notification, with an information copy sent to the applicant, and shall include the reasons for the State agency's nonconcurrence. Lack of comment by these State agencies within the 5-day period shall be considered as no objection or no position. After receipt of comments from the State agencies, or after fifteen (15) days from the date of the above-referenced letter to the applicant, a decision will be made to issue approval under the authority of this General Permit, to issue approval with modifications or additional Operating Conditions, or to deny approval for the proposed work. If a decision is made to issue approval under the authority of this General Permit, or to issue approval with modifications or additional Operating Conditions, that approval shall be granted to the applicant in writing within ten (10) calendar days of the end of the agency comment period.
- E. The applicant and CMD shall negotiate, in consultation with the owner(s) of land on which the permitted activity is proposed to occur, and those other natural resource agencies deemed appropriate by CMD, a compensatory mitigation plan, and the applicant shall implement that plan. That plan shall fulfill the requirements of R.S. 49:214.41 and those rules and regulations adopted thereunder. The compensatory mitigation plan shall be developed prior to the issuance of approval under this General Permit, and the requirement to implement that plan by the permittee shall become a condition of approval for work under this General Permit. The expiration of the term of this General Permit, or the revocation or expiration of approval to perform work under the authority of this General Permit, shall not absolve the permittee, its transferees, or assignees from the obligation and responsibility of implementing and maintaining the compensatory mitigation plan.



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- F. Approval for work under the authority of this General Permit shall expire if the work is not initiated within two (2) years from the date of issuance of the written approval, provided that the two-year term to initiate work is not extended in accordance with the Rules and Procedures for Coastal Use Permits, L.A.C. Title 43, Part I, Chapter 7, Section 723.D., or the rules and procedures in effect at the time of application submittal. Initiation of work shall not include preparatory activities, such as movement of equipment onto the site, expenditure of funds, execution of contractual agreements relating to the work, or performing activities which, by themselves do not require a CUP. In addition, the permittee shall, in good faith and with due diligence, reasonably progress toward completion of the project once the work has been initiated. If the work approved under the authority of this General Permit is not completed within five (5) years from the date of issuance of the written approval, the approval shall expire, and a new CUP application shall be required for further work.
- G. The permittee shall notify CMD of commencement of work which is authorized under this General Permit. The applicant shall notify CMD by mailing the green initiation card, provided with the written approval, within three (3) days of the date of initiation of the authorized work.
- H. The term of this General Permit shall be five (5) years from the date of issuance, except as provided for in the Rules and Procedures for Coastal Use Permits, L.A.C. Title 43, Part I, Chapter 7, Section 723.E.3.b.
- I. Approval of work under this General Permit shall not relieve the applicant of the responsibility of obtaining other lawfully required local, state and federal permits, (e.g., DEQ, U.S. Army Corps of Engineers, etc.) before commencing work.
- J. The permittee shall allow CMD representatives to make periodic, unannounced work site inspections to ensure that the activity is being performed in accordance with the conditions of this General Permit.
- K. Work carried out under this General Permit shall conform to all appropriate state and federal safety regulations.
- L. Approval for specific work authorization under this General Permit shall not be transferred to another party without written approval from CMD.
- M. Work carried out under the authority of this General Permit shall be performed in full compliance with the rules and regulations of the Department of Natural Resources which exist at the time of approval for that work.



## II. Definitions

As used in this General Permit, the following terms shall have the meaning ascribed to them below:

- A. "Pipelines" shall refer to lines 13 inches or less in outside diameter which carry oil, gas, and salt water. Lines which carry sulphur, caustics, or other hazardous or toxic substances shall not be authorized by this General Permit.
- B. "Wetlands" means an open water area or an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, but specifically excluding fastlands and lands more than five feet above mean sea level which occur within the designated coastal zone of the state. Wetlands generally include swamps, marshes, bogs, and similar areas.

## III. Operating Conditions

- A. No dredging or propeller washing, including that required for access, is authorized by this General Permit, except as provided for in Operating Conditions C., D., E., and F. for pipeline burial.
- B. Pipeline routes shall be located in non-wetland areas and existing disturbed corridors (e.g., spoil banks) wherever feasible and practicable, unless the Secretary determines that such location would have significant adverse impacts to contiguous wetlands.
- C. In wetlands and on spoil banks, pipelines shall be laid on the surface of the ground, buried to a depth of no less than three feet below the existing ground surface, or placed on pipe bents, except as may be otherwise provided by the Secretary. If other pipelines are encountered along the installation route, the pipeline being installed shall be buried below the encountered pipeline(s) if necessary to meet the minimum burial depth requirement of three feet.



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- D. In open water areas, pipelines shall be buried (trenched, jetted or directionally bored) to a minimum of three feet below the mudline, except as may be otherwise provided by the Secretary. If other pipelines are encountered along the installation route, the pipeline being installed shall be buried below the encountered pipeline(s) if necessary to meet the minimum burial depth requirement of three feet. Pipeline trenches shall be backfilled to within six inches of pre-project bottom contours upon completion of pipeline installation. Pipeline burial in such locations shall comply with Operating Conditions E. and F. Where it is determined to be necessary by the Secretary, an appropriate quantity of suitable erosion resistant material (rock, gobimat, or other material approved by CMD) shall be placed on each canal bank, natural bank, or shoreline at the location(s) of pipeline crossings. Such shoreline stabilization shall be maintained for the life of the project.
- E. Trenches dredged for the burial of pipelines shall be restricted to the minimum width required for safe working conditions; however, the top width of trenches shall not exceed six feet. Material dredged from the trenches shall be temporarily stockpiled adjacent to trenches. Stockpiled material shall be clearly marked, and the markers shall be maintained, to minimize any possible hazard to navigation. Trenches shall be backfilled upon successful testing of the pipeline; however, all trenches shall be backfilled within thirty (30) days of dredging.
- F. If replacement of an existing pipeline is authorized under this General Permit, that portion of the old pipeline to be replaced shall be removed, unless it is determined by the Secretary that leaving the pipeline in place would be in the public interest, provided that letter(s) of no objection to leaving the pipeline in place is received from:
- (1) DWF for areas:
    - (a) within one quarter mile of an oyster lease, oyster seed ground, oyster seed reservation or public oyster harvesting area;
    - (b) within the boundaries of a DWF owned or managed wildlife refuge or wildlife management area; or
    - (c) within an area designated as a natural and scenic river in accordance with the provisions of R.S. 56:1840 et seq., and,
  - (2) the Louisiana Department of Culture, Recreation and Tourism for areas within:
    - (a) any State Park, State Recreational Area or State Commemorative Area; or,
    - (b) any known historic or archaeological site or within the boundaries of an historic district.



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- G. Pipelines installed under the authority of this General Permit shall be removed within one hundred and twenty (120) days of abandonment unless it is determined by the Secretary that leaving the pipeline in place would be in the public interest, provided that the permittee first provides a letter(s) of no objection to leaving the pipeline in place from:
- (1) DWF for areas:
    - (a) within one quarter mile of an oyster lease, oyster seed ground, oyster seed reservation or public oyster harvesting area;
    - (b) within the boundaries of a DWF owned or managed wildlife refuge or wildlife management area; or
    - (c) within an area designated as a natural and scenic river in accordance with the provisions of R.S. 56:1840 et seq., and,
  - (2) the Louisiana Department of Culture, Recreation and Tourism for areas within:
    - (a) any State Park, State Recreational Area or State Commemorative Area; or,
    - (b) any known historic or archaeological site or within the boundaries of an historic district.
- H. All pipelines removed under the authority of this General Permit shall be disposed of in accordance with applicable federal and state regulations and guidelines, and the pipeline trench shall be completely backfilled in accordance with Operating Condition E.
- I. All pipelines removed under the authority of this General Permit shall be purged at the time of removal in accordance with applicable federal and state regulations and guidelines.
- J. As-built drawings shall be submitted to the Pipeline Division, Office of Conservation, Louisiana Department of Natural Resources (P.O. Box 94275, Baton Rouge, LA 70804) and to CMD (P.O. Box 44487, Baton Rouge, LA 70804-4487) within thirty (30) days of completion of the work authorized under this General Permit.
- K. Work under the authority of this General Permit shall not be approved in the following areas, unless the applicant first provides a letter of no objection from DWF:
- (1) Within one-quarter mile of an oyster lease, oyster seed ground, oyster seed reservation or public oyster harvesting area; or



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- (2) Within the boundaries of a DWF owned or managed wildlife refuge or wildlife management area; or
  - (3) Within an area designated as a natural and scenic river in accordance with the provisions of R.S. 56:1840 et seq.
- L. Work under the authority of this General Permit shall not be approved in the following areas, unless the applicant first provides a letter of no objection from the Louisiana Department of Culture, Recreation and Tourism:
- (1) Any State Park, State Recreational Area or State Commemorative Area; or
  - (2) Any known historic or archaeological site or within the boundaries of an historic district.
- M. If archaeological remains are encountered during activities authorized under this General Permit, work shall cease and the applicant shall immediately notify the Division of Archaeology, Louisiana Department of Culture, Recreation, and Tourism (P.O. Box 44247, Baton Rouge, LA 70804) and CMD (P.O. Box 44487, Baton Rouge, LA 70804-4487; 504/342-7591). Work may not resume until written approval is obtained from CMD.
- N. 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 BOD<sub>5</sub>; 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 opinion 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.
- O. The applicant shall notify the landowner(s), upon whose property the proposed work shall occur, of the fact that the application will be submitted and also of the results of the CMD's review. Copies of notification letters sent to the landowner(s) shall be provided to CMD with the CUP application.



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

- A. Within one mile of a known bald eagle nesting site.
- B. Within one-half mile of a known rookery area.
- C. Within the critical habitat of any endangered species.
- D. On barrier islands, barrier features or cheniers.
- E. Within 100 feet of an area determined to be a unique ecological feature by the Secretary of the Department of Natural Resources.
- F. Within 1,000 feet of an established navigation channel or fairway.
- G. Within 1,000 feet of a levee or other flood control facility constructed, owned, operated, or maintained by federal, state or local governments, or with federal, state, or local government funds, without written consent of each appropriate agency or governing body. Authorization requests not accompanied by such written permission shall be processed as requests for an individual CUP.
- H. Within Special Significance Areas designated pursuant to R.S. 49:214.41(F) and those rules and regulations adopted thereunder, where applicable.
- I. Within the boundaries of any national park or monument, national wildlife refuge or established buffer zone at a national park site.

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

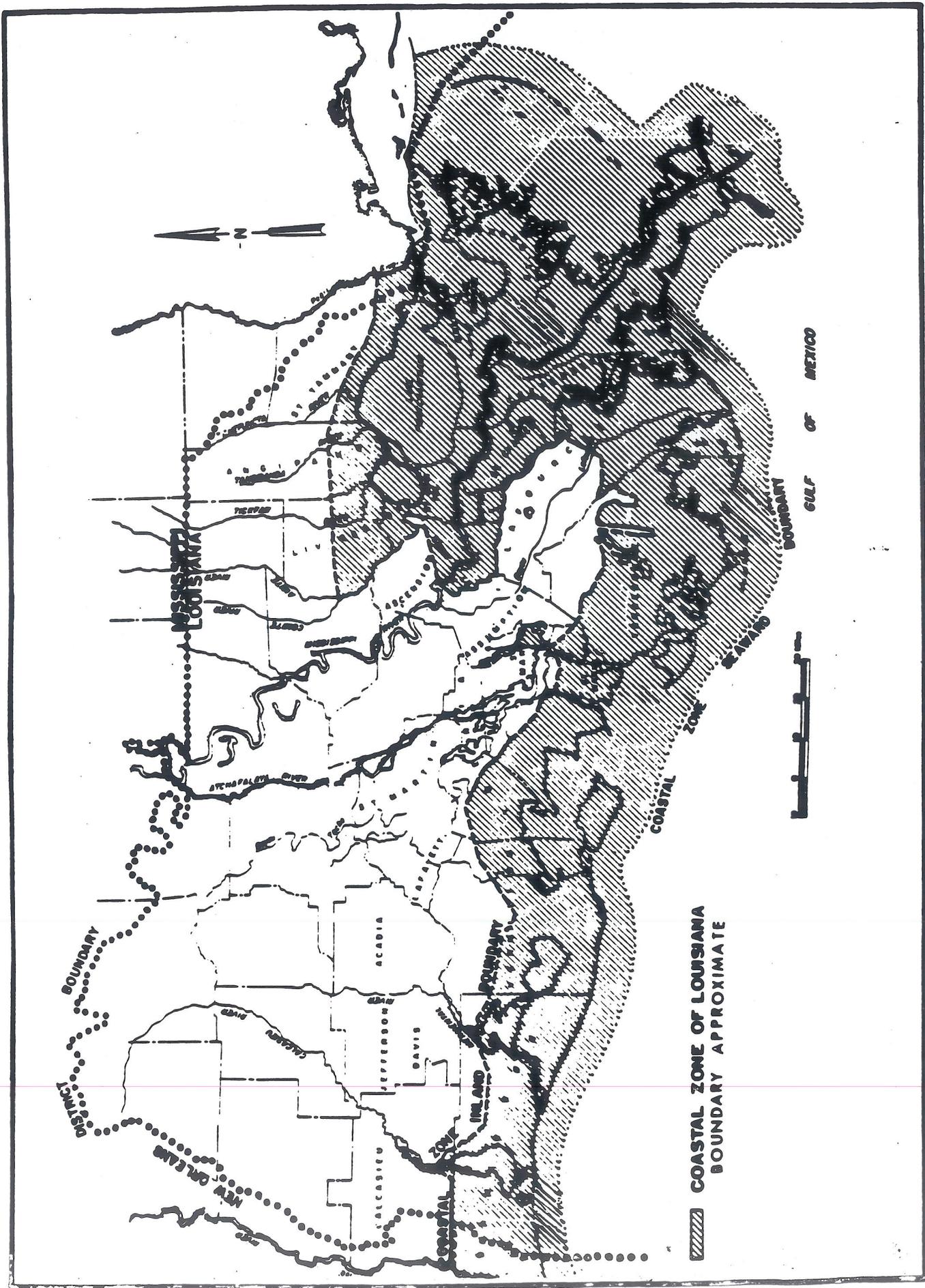
I affix my signature and issue this permit this 2nd day of February, 1994.

DEPARTMENT OF NATURAL RESOURCES

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



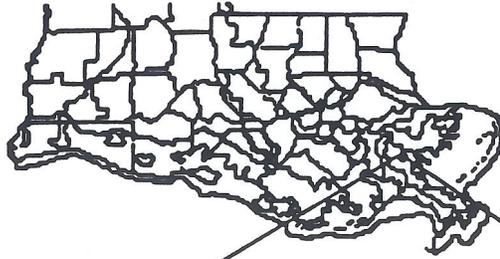
This agreement becomes binding when signed by the Director of the Coastal Management Division, Department of Natural Resources.



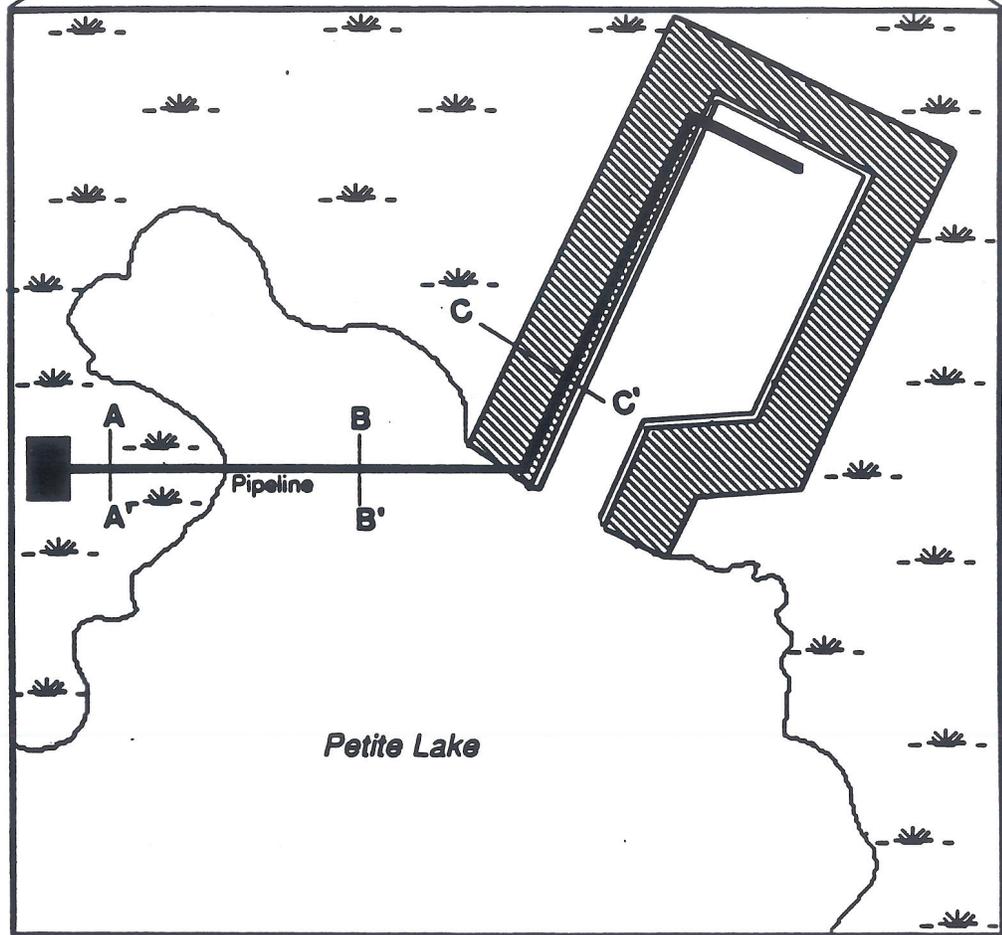

**COASTAL ZONE OF LOUISIANA  
BOUNDARY APPROXIMATE**

GULF OF MEXICO





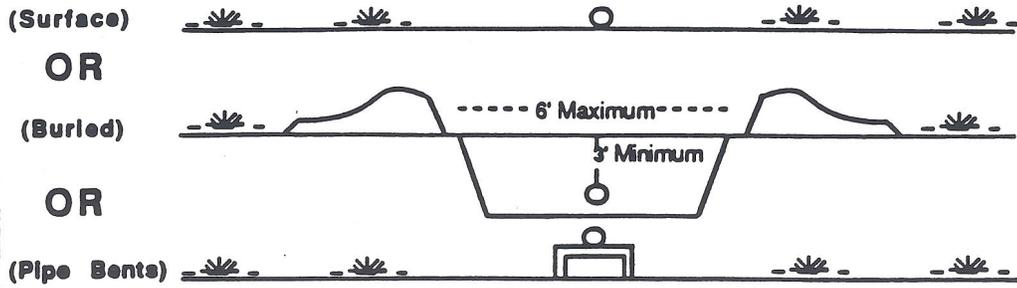
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89° 48'00"



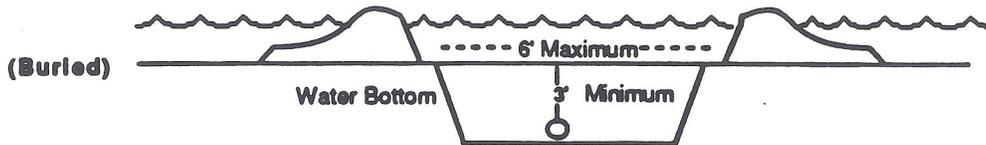
Vicinity Map  
Plan View  
(example)

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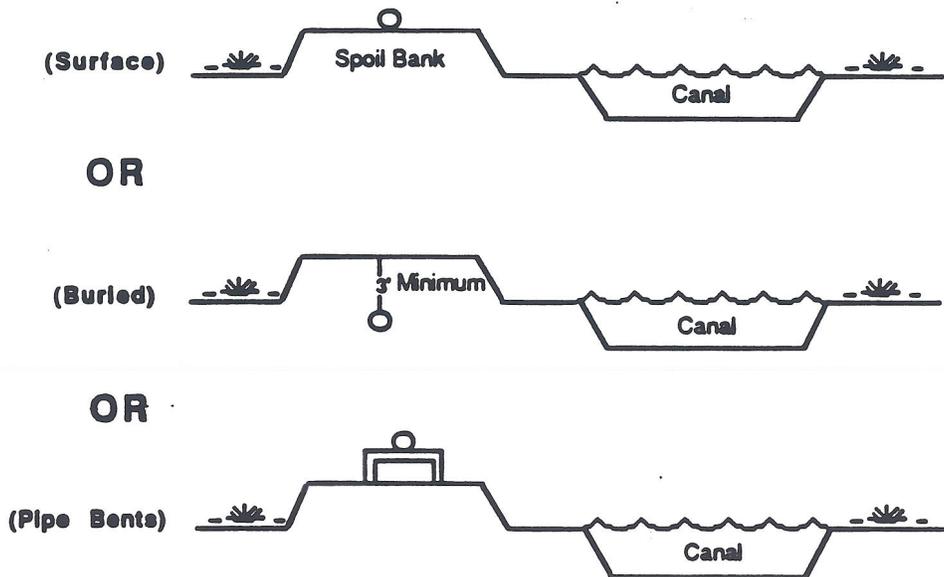
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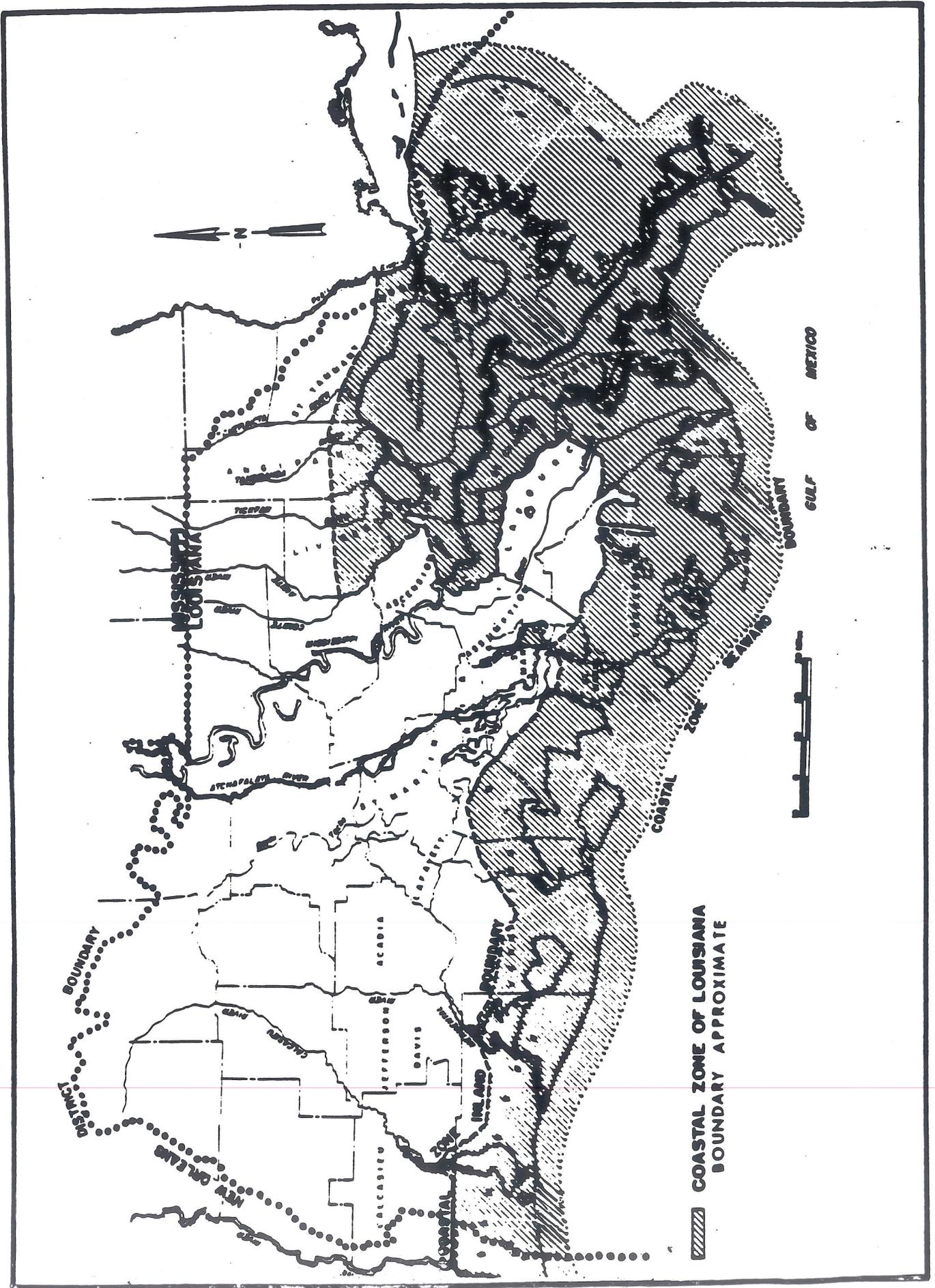


## B---B' (Open Water)



## C---C' (Spoil Bank)

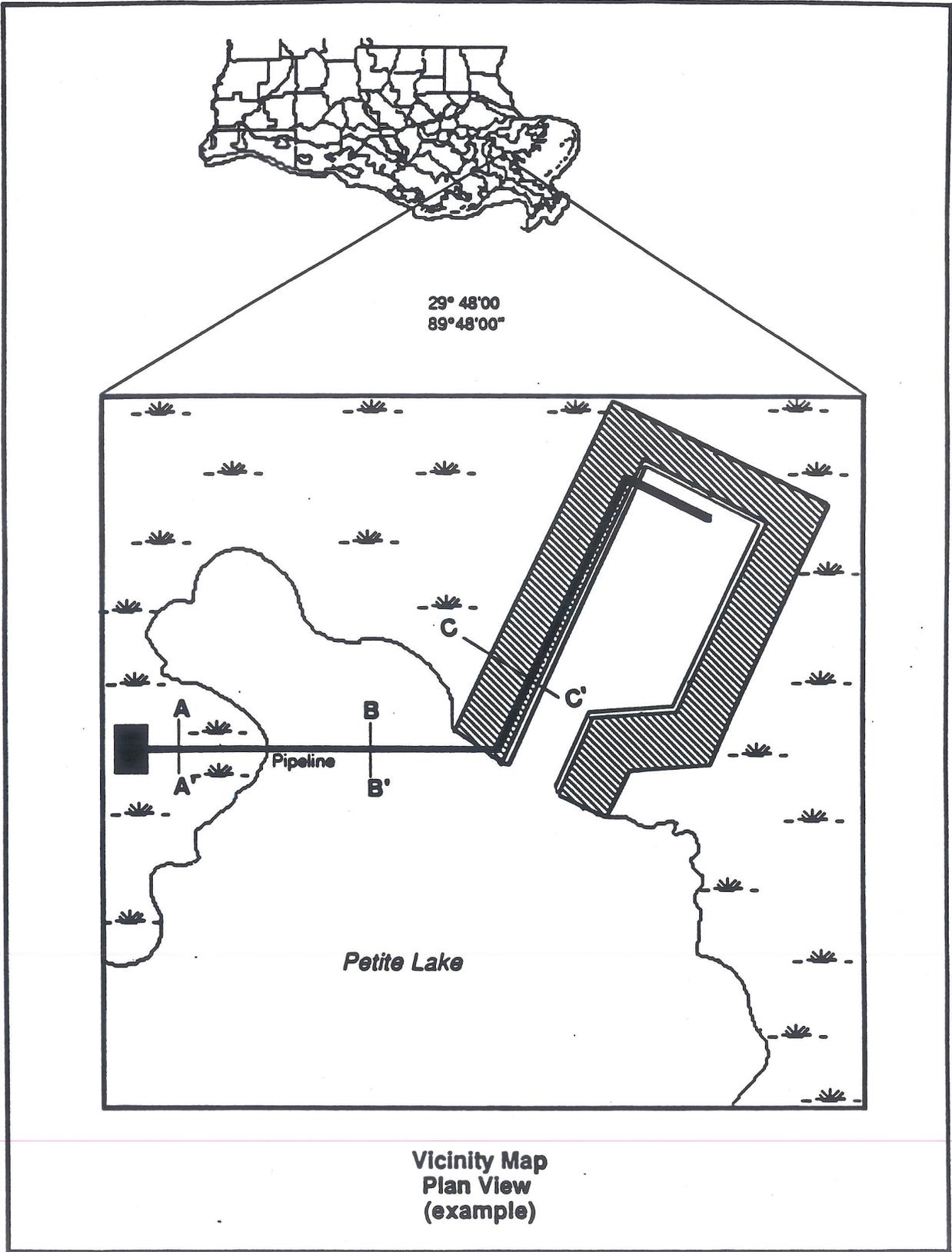




 COASTAL ZONE OF LOUISIANA  
 BOUNDARY APPROXIMATE



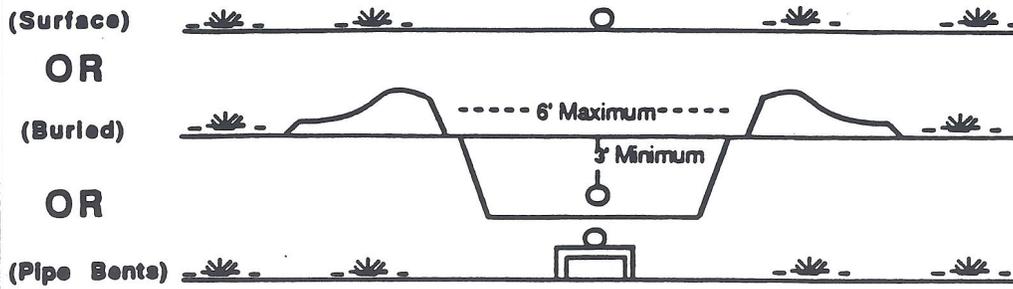
NEW ORLEANS  
 DISTRICT BOUNDARY  
 CALIFORNIA  
 ARIZONA  
 MISSISSIPPI  
 MISSISSIPPI RIVER  
 ATCHAFALAYA RIVER  
 LAKE CHARLES  
 BATON ROUGE  
 COASTAL BOUNDARY  
 GULF OF MEXICO  
 BOUNDARY



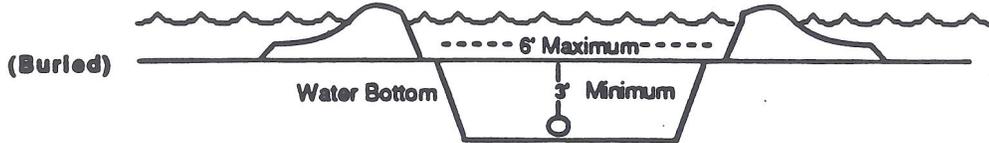
Vicinity Map  
Plan View  
(example)

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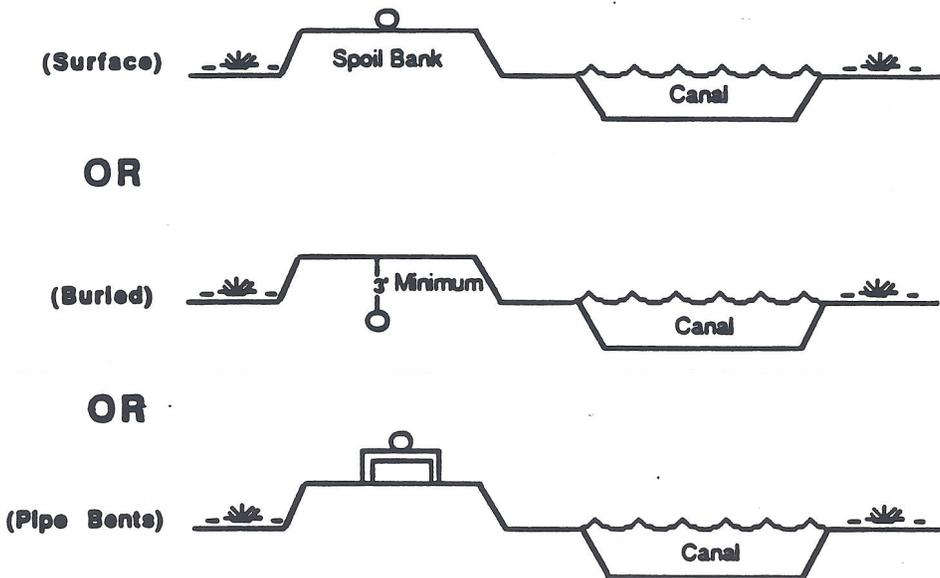
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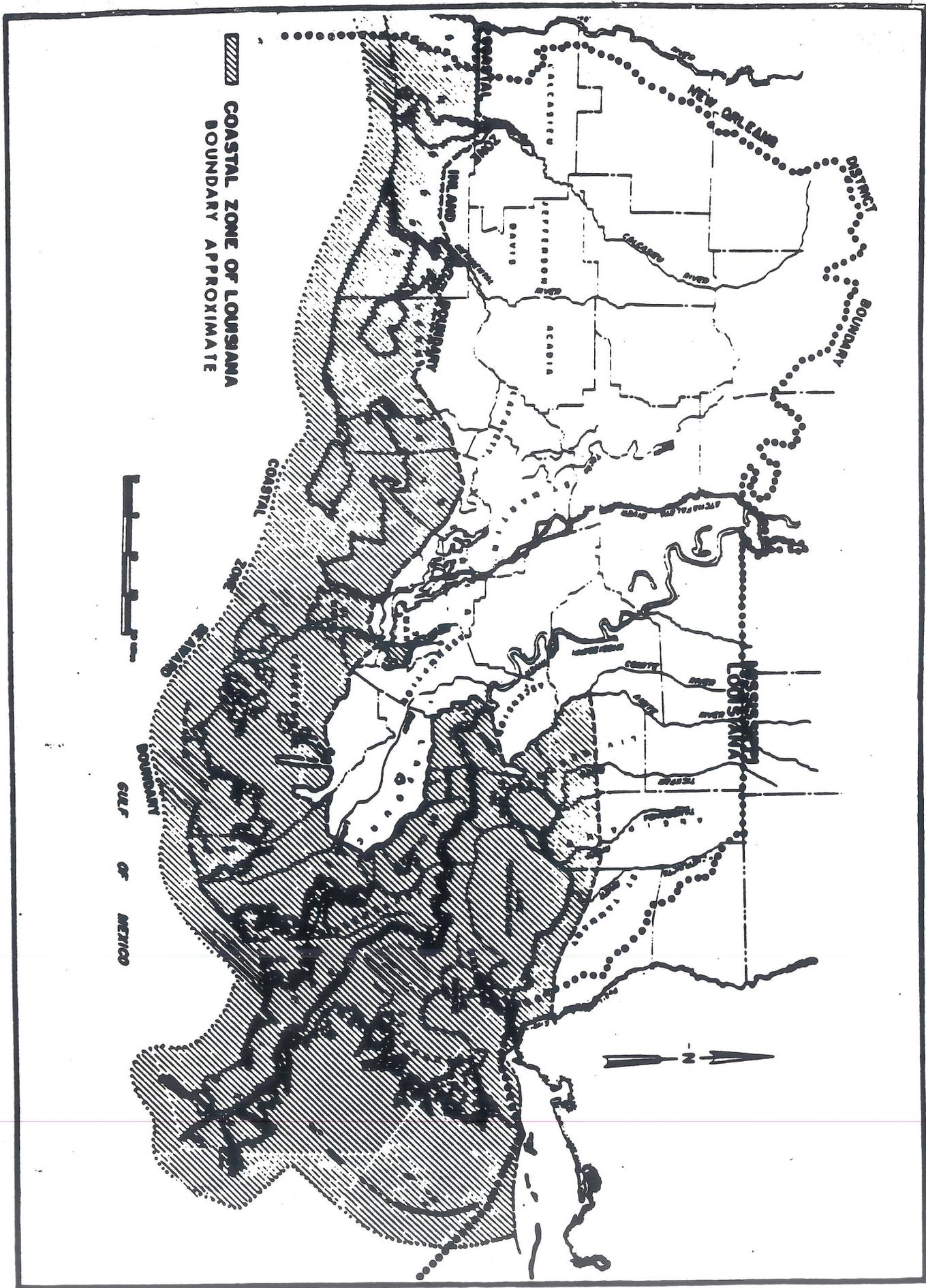


## B---B' (Open Water)



## C---C' (Spoil Bank)



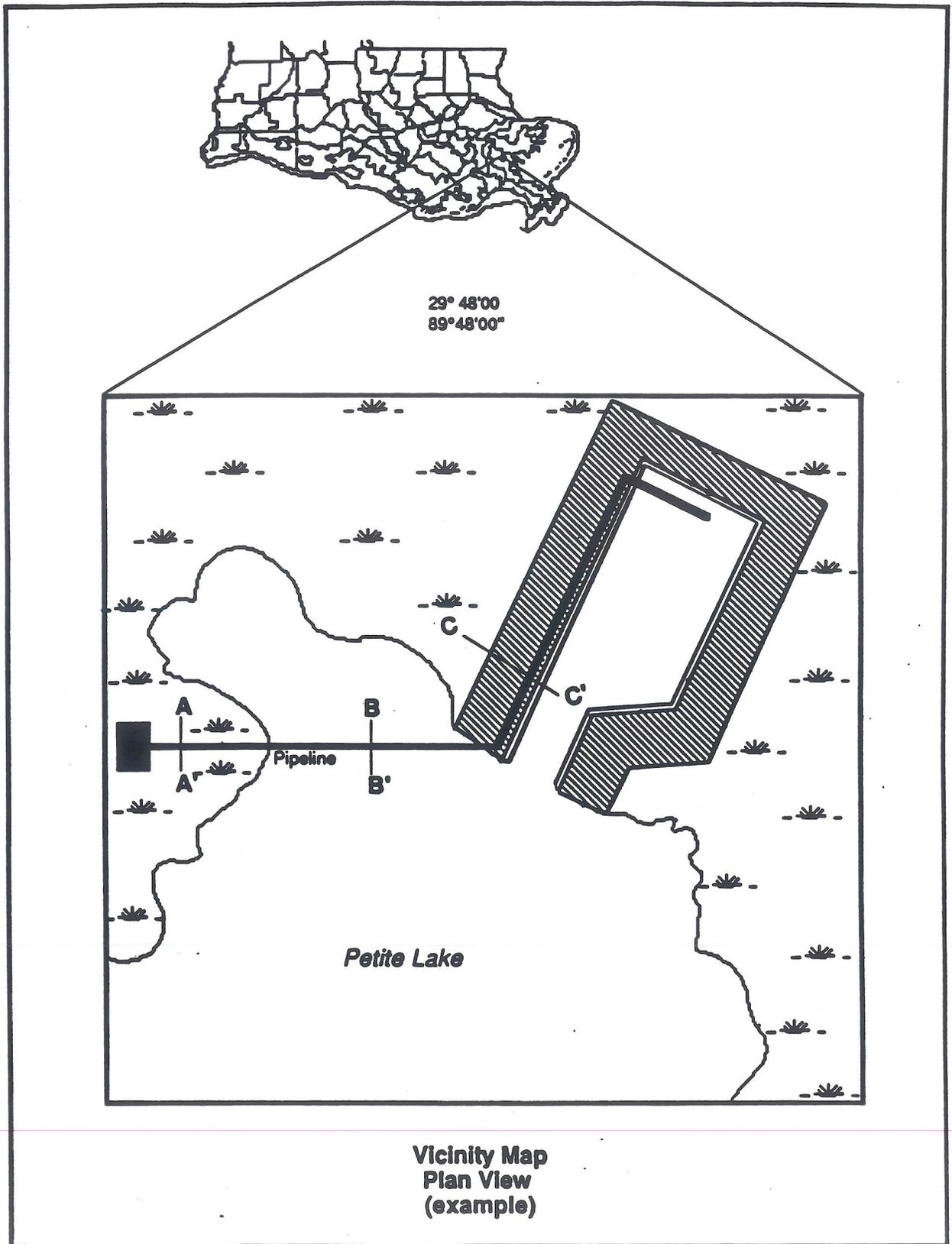


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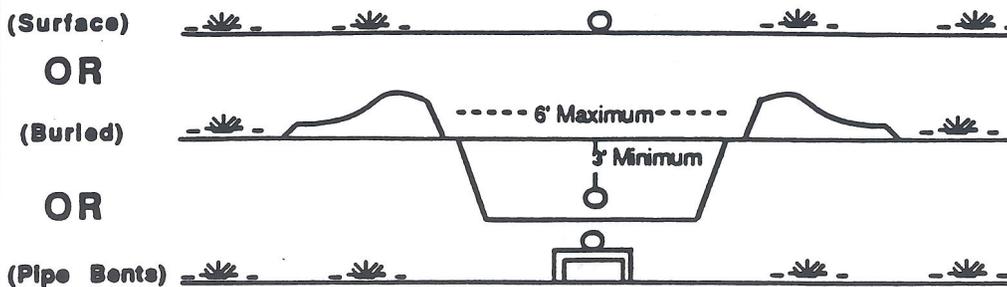




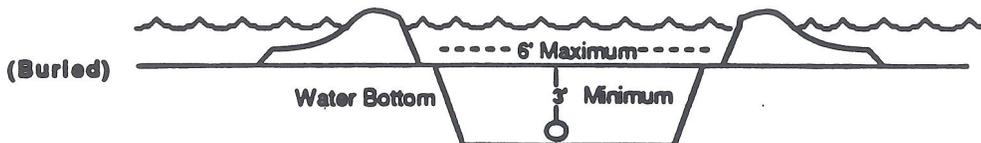
Vicinity Map  
Plan View  
(example)

# Typical Cross Sections (No Scale)

## A---A' (Marsh)



## B---B' (Open Water)



## C---C' (Spoil Bank)

