



**DEPARTMENT OF NATURAL RESOURCES
COASTAL MANAGEMENT DIVISION**

P.O. BOX 44487
BATON ROUGE, LOUISIANA 70804-4487
(225) 342-7591
1-800-267-4019

COASTAL USE PERMIT/CONSISTENCY DETERMINATION

Coastal Use Permit - General Permit 29 (CUP-GP-29)

Name and Address: Louisiana Department of Natural Resources
Coastal Management Division
P. O. Box 44487, Baton Rouge, LA 70804

LOCATION: 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:

Provides for the authorization of emergency repair and cleanup activities due to natural or manmade disasters.

In accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections 214.21 to 214.41, 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 the 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 to 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 of 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. The following special conditions must also be met in order for the use to meet the guidelines of the Coastal Resources Program.

- A. Should CMD deem that the following agencies may have an interest in the project, prior to issuance of authorization for individual activities under this general permit, they shall have an opportunity to review the proposed activity before work is initiated: the Louisiana Departments of Wildlife and Fisheries; Health and Hospitals; Environmental Quality; Natural Resources/Coastal Restoration Division; Culture Recreation, and Tourism; Transportation and Development; State Land Office; and the approved Parish Local Program if applicable. CMD may issue authorization for the activity after the five-day review period or after receiving notification by each of the agencies, either in writing or by telephone, that there are no objections to the proposed activity. However, the final decision for the issuance of authorization for individual activities under this General Permit, to issue approval with modifications or additional Operating Conditions, or to deny approval for the proposed work, shall be made by the Secretary of the Department of Natural Resources.
- B. Work authorized by this general permit is the minimum amount necessary to respond to emergencies such as oil or gas well blowouts, pipeline explosions or ruptures, explosions, fires, oil or hazardous materials spills, shipwrecks, and sinkings of vessels in navigation channels, storm debris removal, bridge/road repair, utility repair, and emergency housing. Authorizations would also apply to similar situations which would result in an imminent safety and/or environmental hazard, loss of property, or immediate economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process an application.
- C. Approval to perform work under this general permit does not replace normal permitting approval required under our regulations. Authorization under this general permit is a temporary approval to allow the applicant to perform work under emergency situations. After the emergency situation has been addressed, the applicant must modify the work or conduct other restorative measures that may be deemed necessary upon thorough review of the activity's compliance with the coastal use guidelines. Permit applications to maintain work initially authorized under this general permit would be processed in the normal manner to include a public notice, coastal use permit, and other approval from the United States Corps of Engineers, where applicable.
- D. If unavoidable impacts to vegetated wetlands are to occur as a result of the proposed activity, the applicant will, as part of the after-the-fact permit process, develop a compensatory mitigation plan for those impacts.
- E. The activities authorized by this general permit include, but are not limited to:**
1. Emergency placement of a drilling rig in open waters to drill a shutoff well.
 2. Emergency dredging and disposal of dredged material for movement of equipment to evacuate personnel, fight fires, shutoff blow-out wells, install and service pollution control equipment, and repair ruptured pipelines.
 3. Emergency dredging and placement of fill to collect and confine oil or hazardous materials.

4. Emergency dredging and deposition of dredged material to remove or re-float grounded, wrecked, burned out or sunken vessels blocking major navigation channels.
5. Emergency placement of fill to provide access to a location for placement of drilling rigs to drill shutoff wells.
6. Emergency replacement of utility poles.
7. Emergency refurbishment of levees and pumping of water to previously permitted levels.
8. Emergency refurbishment of bulkheads necessary to protect shorelines or property.
9. Emergency refurbishment of roads.
10. Emergency refurbishment of railroads and embankments.
11. Emergency clearing of drainage ditches.
12. Emergency replacement of pilings and other support structures.
13. Emergency removal of barges and other waterborne vessels.
14. Emergency dredging of waterways used for transportation by vessels involved in recovery efforts.
15. Emergency installation of water supply systems and wastewater treatment facilities.

F. In addition to the applicable conditions, the following conditions apply to this general permit:

1. Dredging and other activities must be the minimum necessary to meet the emergency use.
2. Restoration is required in accordance with the following:
 - (a) Restoration plans must be submitted to the Coastal Management Division.
 - (b) CMD will consult with appropriate federal, state, and local agencies prior to approval of restoration plans.
 - (c) The restoration work must begin within 30 days of approval of plans or lesser time when so specified.
 - (d) Once begun, restoration work will be diligently pursued until completed.
 - (e) Disturbed wetland areas shall be restored to as near preproject conditions as practicable.
3. In appropriate cases when it may be in the public interest to allow maintenance of structures, fills or dredged areas installed under this general permit authorization, permittees must apply for and receive a Coastal Use Permit. Requests to maintain facilities authorized under this general permit must include a completed Joint Permit Application form, letter-sized drawings illustrating the

location and scope of the work, and be mailed to CMD. If the permit application is denied, restoration will proceed in accordance with condition b., immediately above.

4. Applications for activities authorized by this general permit must be submitted within 30 days of the date the approval was granted by CMD for the emergency work under the general permit, unless a specific time extension is granted by CMD. Permit applications will be processed using regular procedures, including a public notice where applicable.
5. This general permit may be modified, suspended, or revoked by the Secretary at any time if it is found to be in the public interest to do so.
6. Approval under this general permit does not relieve permittees from obtaining emergency permits or other approvals from any required state or local agency, or the consent of the landowner.
7. Other conditions may be added to individual approvals for work under this general permit to address site specific conditions or situations.

G. Procedures to be followed in administering this general permit are as follows:

1. The initial contact may be made in person or by telephone to one of the following telephone numbers or email address.
 - (a) 1-800-267-4019 Bill Pittman, Rocky Hinds, Jim Holcombe, or Jim Rives
 - (b) 1-225-342-7591 Bill Pittman, Rocky Hinds, Jim Holcombe, or Jim Rives
 - (c) sheila.starling@la.gov Sheila Starling
2. Authorization under this general permit may be granted upon the requester providing sufficient written information as to the location, nature, and extent of the work and to establish that an emergency situation exists. Depending on the extent of the emergency, immediate verbal authorization may be granted to perform the work, however, in other cases a written request explaining the emergency, with sketches and maps, may be needed to establish that the project qualifies for approval under the provisions of the emergency general permit.
3. If verbal authorization to proceed is granted at the initial contact, the permittee must supply written documentation of the work to be done within 1 working day of the approval being granted, including necessary maps, drawings, and sketches.
4. Permittees will supply all other information necessary to establish a complete file.
5. Written approval will be granted after all necessary information has been provided.

H. Definitions

1. Emergency situations are those brought about by natural or man-made causes, such as storms, floods, fires, wrecks, explosions, spills, which would result in hazard to life, loss of property, or damage to the environment if immediate corrective action were not taken. This General Permit

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applies only to those corrective actions which are immediately required for the protection of lives, property, or the environment necessitated by the emergency situation.

2. Additional definitions are located in the Louisiana Administrative Code, Title 43§700.

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

I affix my signature and issue this permit this 12th day of May, 2006.

DEPARTMENT OF NATURAL RESOURCES



Jim Rives, Acting Administrator
Coastal Management Division

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

