

DEPARTMENT OF THE ARMY GENERAL PERMIT

AUTHORIZATION NO.: (General Permit)NOD-3

EFFECTIVE DATE: DECEMBER 1, 1977

PROPOSED EXPIRATION DATE: APRIL 30, 2004

Under authorization granted by applicable sections of Parts 320 through 330 Title 33, code of Federal Regulations, and delegated authority from the Commander, U.S. Army Corps of Engineers, the District Engineer at New Orleans has determined that it is not contrary to the public interest to issue a general permit time extension for foundation pads for drilling barges and oil and gas production facilities in open water bodies and manmade oil field canals.

Specific legislation requiring Department of the Army permits for work of this nature:

- a. Section 10 or one Rivers and Harbors Act of 3 March 1899 (33 USC 403).
- b. Section 404 of the Clean Water Act (33 USC 1344).

The work must be performed in accordance with the drawings attached hereto, which are incorporated into and made a part of this permit.

The work must be performed in accordance with the applicable standard conditions of the regular Department of the Army permit (ENG Form 1721). A copy of the form is attached hereto and made a part of this general permit. All references to the permittee in the standard permit form shall be understood to refer to persons, groups, or corporations performing work under authorization of this general permit.

Additional conditions to which the work authorized by this general permit is subject follow:

- a. Work may not be performed in bayous, rivers, sloughs, creeks, and similar waterways under authority of this general permit.

b. Maximum dimensions of foundation pads which may be installed under authority of this general permit are:

Length: 250 feet.

Width: 225 feet.

Height above water bottom: 10 feet.

c. The maximum volume of any single shell pad may not exceed 10,000 cubic yards.

d. The fill material used to construct the pad must be limestone, clam shells, and/or oyster shells. Other materials may not be substituted.

e. No pad installed under authority of this general permit shall extend above elevation -8.0 feet NGVD.

f. No work may be performed within the following areas:

(1) Within 500 feet of a floodwall or levee built 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.

(2) In close proximity to a site listed on the National Register of Historic Places or at a known archeological site.

(3) Within 1 statute mile of the Delta-Breton National Wildlife Refuge or Shell Keys National Wildlife Refuge, without written approval of the refuge manager.

g. Dredging incidental to installation of a foundation pad may be performed providing the volume does not exceed 1,500 cubic yards and the dredged material is either removed from the site or spread so as not to raise water bottoms by more than 6 inches. Dredging must be performed only within 200 feet of the proposed well location.

h. No work may be performed until the applicant submits satisfactory plans for the proposed activity and receives written authorization from the District Engineer. The application must contain a map or drawing showing the location of the proposed work.

i. Material placed in pads installed under authority of this general permit shall be spread to a thickness of not more than 1 foot within 90 days of the location being vacated, including plugging and abandoning of the well (in accordance with applicable laws and regulations), and removal of support equipment and structures. Shells or stone placed under this general permit may not be removed from the water body in which they were placed.

j. Conformance with description and quantities contained herein does not necessarily guarantee authorization under this general permit. In cases when the District Engineer considers it necessary, applications will be required for individual permits.

k. This general permit may be suspended in whole or part and/or revoked at any time if it is determined that it is in the public interest to do so.

l. All required state and local authorizations, permits, or license must be obtained before work authorized by this general permit may be legally performed. Approval under this general permit does not replace nor supersede the requirement to obtain a water Quality certification from the Louisiana Department of Environmental Quality or a Coastal Use Permit from the Louisiana Department of Natural Resources.

m. Work in the coastal zone done under this general permit must be in compliance with the Coastal Management Plan of the State of Louisiana.

n. Crushed limestone may be used in place of clam or oyster shell in construction of the foundation pads provided the maximum size of the crushed limestone is not greater than 6 inches in diameter.

o. All pads installed under authority of this general permit must be in compliance with state regulations relative to underwater obstructions.

p. Work located within 1,500 feet of colonial bird nesting sites is not authorized under this general permit.

q. No activity is authorized under this general permit which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation as identified under the Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or critical habitat occurs in the vicinity of, or might be affected by, the project, and shall not begin work on the activity until notified by the District engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. Information on the location of the threatened and endangered species can be obtained from the U.S. Fish and Wildlife Service and National Marine Fisheries Service.

r. Shell pads placed in areas of oyster production or oyster seed grounds must be reviewed and approved by the Louisiana Department of Wildlife and Fisheries prior to submission of a Department of Army permit application.

s. Under authorization of this general permit, shall pads may not be installed in navigation fairways or anchorage areas in the Gulf of Mexico.

t. For construction of production facility pads (compressor barges, tank barges, etc.):

(1) Maximum dimensions of foundation pads placed for production facilities are:

Length: 250 feet

Width: 225 feet

Elevation above water bottom: 10 feet

(2) The maximum volume of shell or stone fill may not exceed 10,000 cubic yards.

(3) Foundation pads must be installed within the drilling slip portion of man-made oilfield canals. Pads must either be placed at dead ends or outside the channel section of canal systems so as to present minimum interference with navigation.

(4) Shells or stone placed under this general authority may not be removed from the canal, or other water body in which they were placed.

(5) Pads must be spread to a thickness of not more than 1 foot within 60 days of removal of production facilities.

(6) All applications for approval under this general permit must include drawings showing the locations and size of the proposed pad and facilities to be installed on it.

Applicants must also provide written evidence that the landowner has no objection to the pad being installed.

u. Additional conditions may be added to this authorization at any time if it is determined to be in the public interest to do so.

v. Individual approvals granted to applicants under this general permit are allowed 5 years from the date of the approval letter, for completion of installation of the pad.

w. Well structures, piling, etc., associated with the foundation pad are not authorized under this general permit and must be approved by other means.

x. The District Engineer may add special conditions, as needed, to individual authorizations under this general permit.