



DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT, CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

FEB 23 2005

Operations Division
Regulatory Branch

SUBJECT: (General Permit)NOD-3

PUBLIC NOTICE

TIME EXTENSION FOR GENERAL PERMIT
FOR
SHELL PADS AND PRODUCTION FACILITIES
IN OPEN WATER BODIES AND MANMADE OIL FIELD CANALS

On September 2004, this District issued a special public notice announcing consideration of a time extension to this general permit. During our review of the general permit, information was developed by our staff and others, partially in response to our public notice, which establishes that extending the general permit is in the public interest.

Accordingly, the expiration date of (General Permit)NOD-3 is extended to December 31, 2009.

We reserve the right to modify, suspend or revoke this general permit any time it is found to be in the public interest to do so. Interested parties are invited to submit written comments or suggestions for modification or improvement of the general permit to the Regulatory Branch of this District at anytime.

A copy of the general permit is attached. Additional copies are available upon written request to the Regulatory Branch of this District at the above address.

Ronald J. Ventola
Chief, Regulatory Branch

Attachments



DEPARTMENT OF THE ARMY

NEW ORLEANS DISTRICT CORPS OF ENGINEERS

P.O. BOX 60267

NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

Operations Division
Western Evaluation Section

DEPARTMENT OF THE ARMY GENERAL PERMIT

AUTHORIZATION NO.: (General Permit) NOD-3

EFFECTIVE DATE: DECEMBER 1, 1977

PROPOSED EXPIRATION DATE: DECEMBER 31, 2009

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 foundations 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 of the 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 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 to are listed as follows:

- 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 material may not be substituted.

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

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 one 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 one 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 licenses 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 completed 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 the 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 the 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 the 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 the 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.

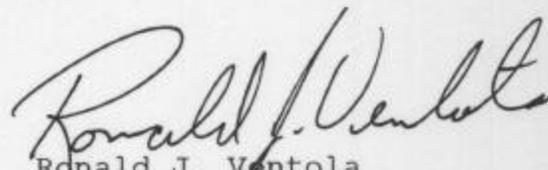
u. Additional conditions may be added to this authorization at any time if it is determined to be in the public interest to do so.

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.

BY THE AUTHORITY OF THE SECRETARY OF THE ARMY:



Ronald J. Ventola
Chief, Regulatory Branch
For
William L. Conner
Colonel, U.S. Army
District Engineer

Applica. in f _____
Name of Applicant _____
Effective Date _____
Expiration Date (if applicable) _____

(GENERAL PERMIT)

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated _____ for a permit to:

- () Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);
- () Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);
- () Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

→ (Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:

to

→ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in

→ (Here to be named the ocean, river, harbor, or waterway concerned.)

at

→ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (no drawings give file number or other definite identification marks);

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit, and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of the permit which may result in the modification, suspension or revocation of this permit in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

LMNOD-S (GENERAL PERMIT) 100000

~~That the permittee shall notify the District Engineer at the time of commencement of the work authorized by this permit, and shall keep the District Engineer advised of the progress of the work and its completion.~~

~~That if the work authorized herein is not started on or before _____ day(s) _____ month _____ year from the date of issuance of this permit unless otherwise specified and is not completed within _____ day(s) _____ month _____ year from the date of issuance of this permit unless such an extension is specifically provided or specifically extended, then this permit is hereby null and void.~~

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

~~That if and when the permittee desires to abandon the activity authorized herein, it shall notify the District Engineer by which the permit was transferred to the permittee in writing, and shall be responsible for the removal of the structure or work authorized by this permit to the satisfaction of the District Engineer.~~

~~That if the recording of this permit is required by the State of _____, the permittee shall be responsible for the recording of this permit in the public records of the State of _____, and shall be responsible for the payment of the recording fee.~~

u. That there shall be no unreasonable interference with navigation by the existence or use of the work authorized herein.

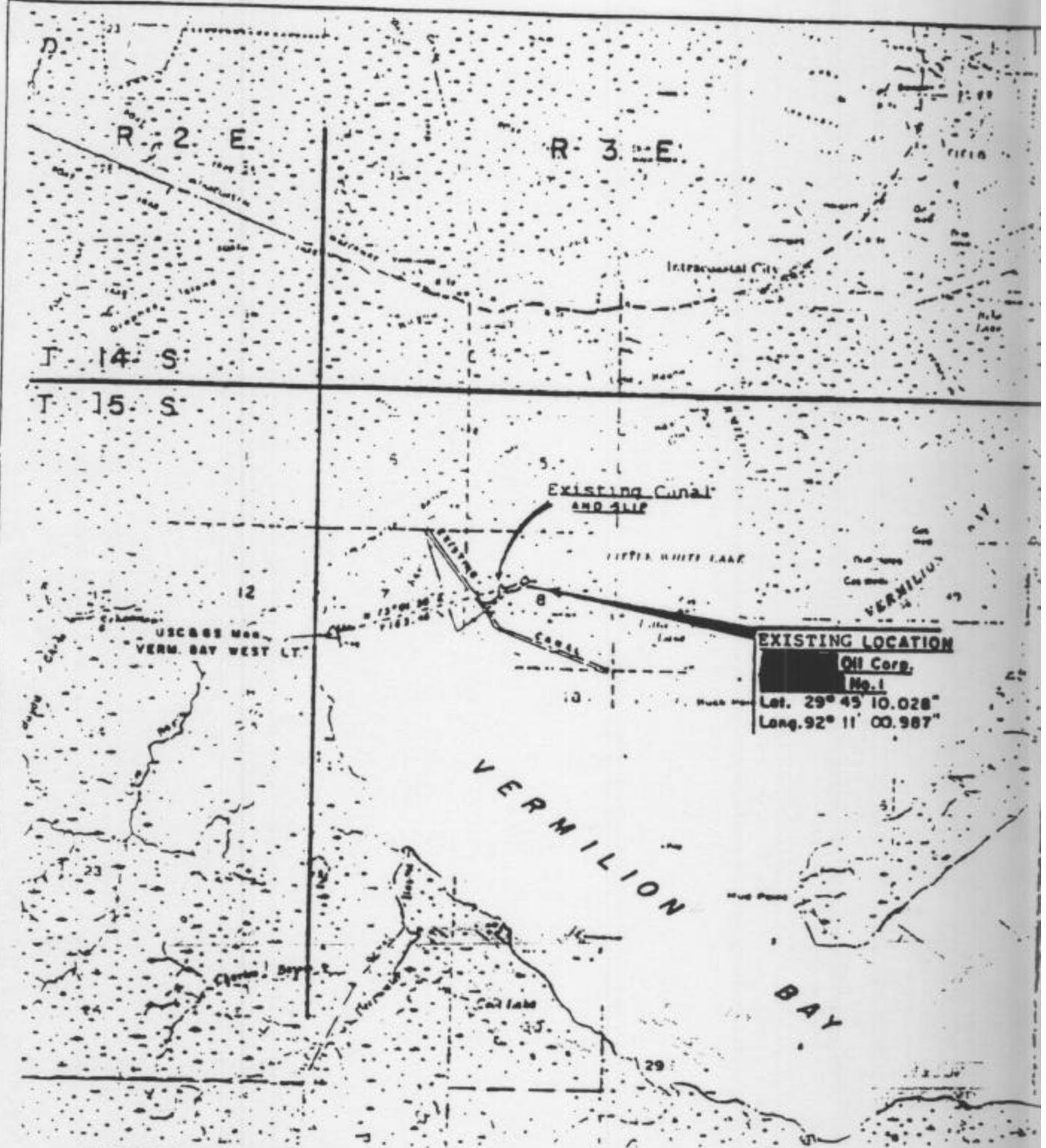
~~That the permittee shall be responsible for the removal of the structure or work authorized by this permit to the satisfaction of the District Engineer, and shall be responsible for the payment of the removal fee.~~

The following Special Conditions will be applicable when appropriate

~~STRUCTURES FOR SMALL BOATS That the permittee shall be responsible for the removal of the structure or work authorized by this permit to the satisfaction of the District Engineer, and shall be responsible for the payment of the removal fee.~~

~~DISCHARGE OF DREDGED MATERIAL INTO OPEN WATERS That the permittee shall place a copy of this permit in a conspicuous place on the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.~~

~~ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and to such time and extent as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former condition. It is the permittee's duty to comply with the direction of the Secretary of the Army or his authorized representative. The Secretary or his designee may require the permittee to restore the waterway to its former condition by contract or otherwise, and receive the cost thereof from the permittee.~~



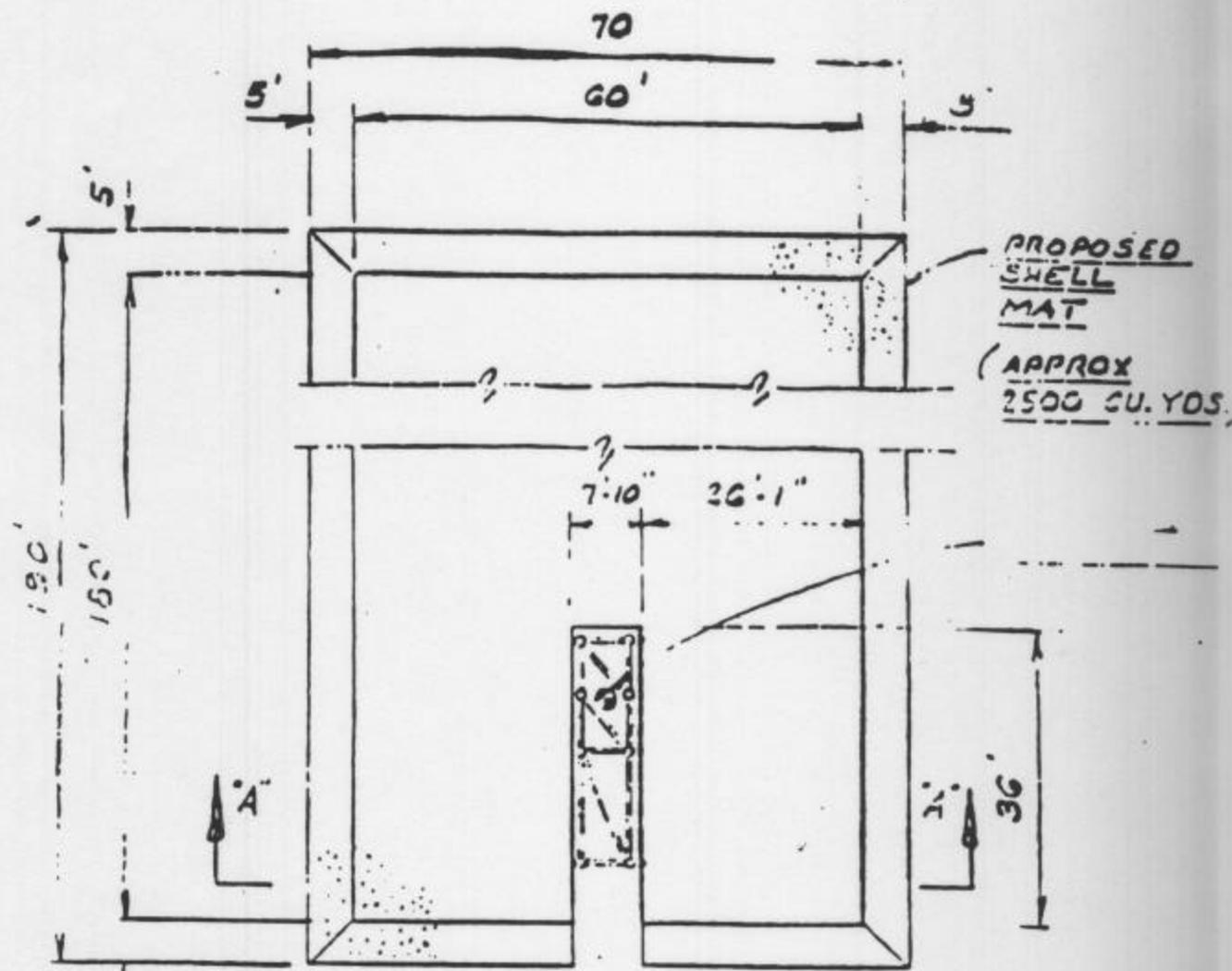
VICINITY MAP

REPRODUCED FROM
USGS CHENIERE AU TIGRE & ABBEVILLE QUADRANGLE



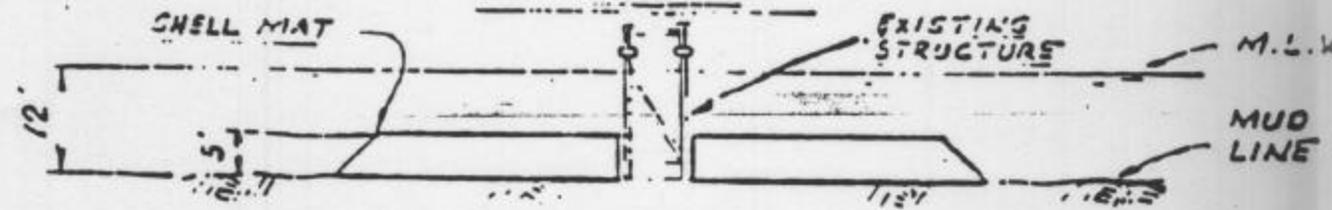
SHEET

EXISTING MINERAL DEVELOPMENT
POINT AREA
 VERMILION PARISH, LOUISIANA
 APPLICATION BY [REDACTED] OIL CORP. LOUISIANA

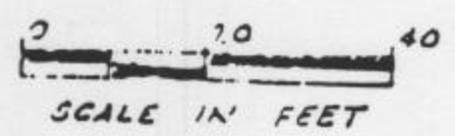


PROPOSED
SHELL
MAT
(APPROX
2500 CU. YDS.)

PLAN

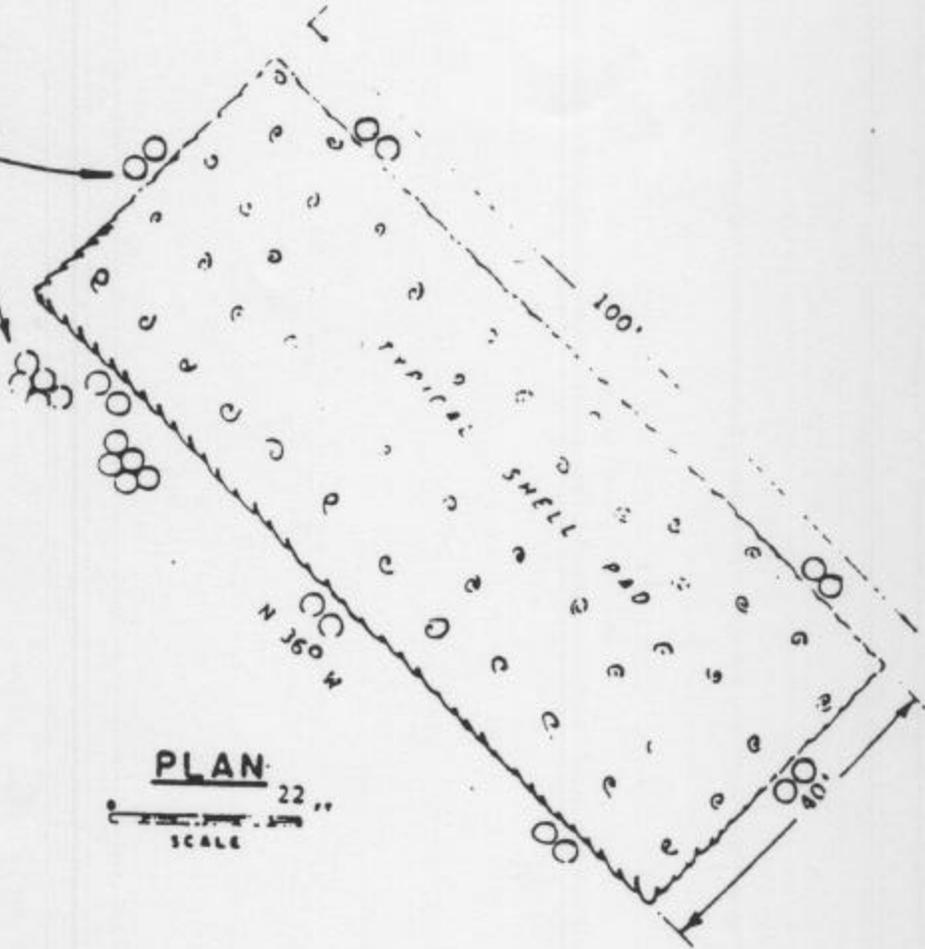


SECTION "A-A"



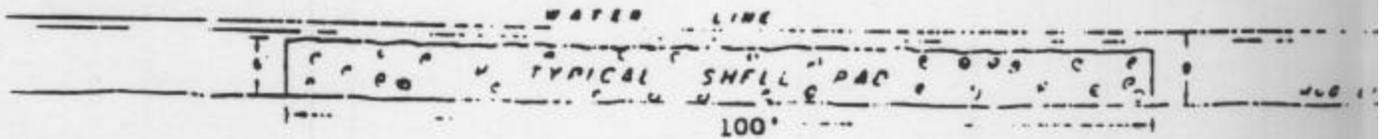
(GENERAL PERMIT) NOD-

PROTECTIVE
PILINGS



PLAN

22"
SCALE



NOTE

900 cu yds shell installed

PROFILE

12"
VERT SCALE

11' 22"
HOR SCALE

TYPICAL SHELL PAD

WITH PROTECTIVE PILINGS

EXISTING MINERAL DEVELOPMENT

POINT AREA

VERMILION PARISH, LOUISIANA