



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
GALVESTON DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 1229  
GALVESTON TX 77553-1229

**PUBLIC ANNOUNCEMENT**

CESWG-PE-RB

26 September 2007

SUBJECT: General Permit No. 24152

TO WHOM IT MAY CONCERN: The U. S. Army Corps of Engineers, Galveston District, has developed a Regional General Permit (GP) to be used by all industries engaged in oil and gas drilling, production, and transportation activities in bays and estuaries in the Galveston District, as described below.

SPONSOR: U. S. Army Corps of Engineers, Galveston District.

WATERWAY AND LOCATIONS: Navigable Waters of the United States in bays and estuaries within the Galveston District.

BACKGROUND: The purpose of this GP is to expedite the authorization of such operations subject to the limitations and conditions described in the attached copy of the GP. This GP authorizes applicants to install, operate, and maintain structures and equipment necessary for oil and gas drilling, production, and transportation activities, including installation of typical marine barges and keyways, shell and gravel pads, production structures with attendant facilities, and pipelines. A number of special conditions are being proposed as part of this GP to limit the environmental and cultural impact of the proposed work. Proposals that do not meet all of the requirements of the special conditions will require an individual permit application. Applicants seeking authorization under this GP must submit **all** required information, as described in the attached GP, to the U. S. Army Corps of Engineers, Galveston District, P. O. Box 1229, Galveston, Texas 77553-1229.

DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS

DEPARTMENT OF THE ARMY PERMIT

Permittee GENERAL PERMIT

Permit No. 24512

Issuing Office Galveston District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** This Regional General Permit (GP) to authorize applicants to install, operate, and maintain structures and equipment necessary for oil and gas drilling, production, and transportation activities, provided the attached Special Conditions are met. Such activities include installation of typical marine barges and keyways, shell and gravel pads, production structures with attendant facilities, and pipelines.

**Project Location:** This GP is authorized for all of the bays and estuaries in the Galveston District along the Texas coast.

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on 31 December 2012. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

See attached Special Conditions 1 through 15 on pages 4 through 7 of this authorization.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

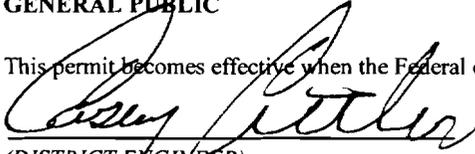
Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

\_\_\_\_\_  
(PERMITTEE)

GENERAL PUBLIC

\_\_\_\_\_  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

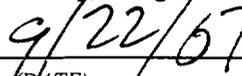


(DISTRICT ENGINEER)

CASEY CUTLER, CHIEF

POLICY ANALYSIS SECTION

FOR COLONEL DAVID C. WESTON



\_\_\_\_\_  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)

**Special Conditions for Regional General Permit 24512:**

1. The applicant must request authorization for specific works under this General Permit. The applicant must agree to conduct the work in compliance with the terms and conditions of the General Permit, and not adversely impact adjoining properties. Information required in the request includes: the name and mailing address of the company requesting authorization; the name, mailing address, and telephone number of the person acting as the point of contact for the requested authorization; and the estimated starting and completion dates of construction. All project plans must be on 8 ½ x 11 inch paper, of reproducible quality, and submitted in the fewest number of sheets necessary to adequately show the proposed activity.

2. This GP will be good for a period of 5 years from initial authorization. Each work authorized by a specific site approval is also authorized for 5 years from its approval date. The permittee shall notify the Corps, in writing, of the date that the work authorized herein commences, and provide an as-built survey of the well location in North American Datum (NAD) 83 Universal Transverse Mecader (UTM) coordinates not later than 7 days from the placement date.

3. For each specific work project under this permit, all applicants shall notify the Corps, and receive authorization, prior to initiation of work in jurisdictional areas. NOTE: Prop/wheel washing is not authorized by this oil field development permit. The notification shall include the following information and meet the following conditions:

- a. A completed and signed DA application (Form ENG 4345).
- b. A proposed schedule for rig placement and estimated time for rig removal or construction of permanent structures.
- c. A vicinity map with coordinates of the proposed rig site, plan view, cross section and access routes. Drawings will show:
  - i. A plan view of the drilling structure and any future permanent structures, and their location in relation to nearby navigation channels, pipelines, or other marine structures. The applicant shall provide project plans that include location, plan and typical profile view of each platform, proposed pipelines, and access channels, showing water depth relative to mean-low-low-water (MLLW). The applicant will provide location information in NAD 83 UTM overlaid on the National Oceanic and Atmospheric Administration (NOAA) navigation charts and show any designated Texas Parks and Wildlife (TPWD) oyster lease or reef information using geographic spatial projection coordinates presented in Environmental Research Institute (ESRI) Arc/Info coverage export file and/or Arc View shape file formats available through the Government Land Office (GLO) website (<http://www.glo.state.tx.us/gisdata/gisdata.html>).
  - ii. A cross section drawing showing dimensions of any proposed shell or gravel pad, draft of the rig once placed onsite, depth of water at MLLW datum and Mean High Tide (MHT), maximum height of derrick and/or other permanent structures. Show the amount of discharge material in cubic yards, if any. If there is fill proposed, delineate bottom surface area covered in acres, and describe the material to be discharged (shell, gravel, rock). Permanent structures, including the

shell pads, will not exceed 12,000 square feet in size. Material to be used for shell or rock pads must be clean and nonpolluting.

iii. Vicinity map, plan view, and cross section of the proposed pipeline route.

iv. The discharge of fill materials into waters of the United States in conjunction with the installation of pipelines, associated with the drilling structures, is authorized for pipelines installed by plowing, disking, jetting and horizontal directional drilling methods. The applicant must specify the method of pipeline installation proposed. Pipelines placed in the bays shall be placed at a minimum of 3 feet below the bay bottom. Pipelines placed in Federal project placement areas shall be placed at a minimum of 3 feet below the bay bottom. Pipelines crossing deep-draft project channels shall be placed at a minimum of 20 feet below the authorized project depth. However, in cases where the natural bottom of the waterway is already more than 20 feet below the authorized project depth, the pipeline will be placed at a minimum of 5 feet below the natural bay bottom. For operation and maintenance purposes, a channel with an authorized project depth greater than 25 feet below Mean Low Tide (MLT) shall be considered a deep-draft channel. The location map must show the proposed worksite; including the GLO lease number(s), coordinates, and a brief description of the proposed worksite in its present condition. The proposed project plans must include all Federal project channels, the project dimensions, the method of construction or stabilization, and amounts and types of fill material in cubic yards.

d. The applicant must supply specification sheets indicating the maximum and minimum clearance of: the drilling platform while underway; the drilling platform while ballasted down (resting on the bottom); all vessels involved in rig placement and removal; and all support vessels that will access the drilling rig during operations and maintenance procedures. These are required to demonstrate that no prop washing will be conducted for access to the site.

e. All vessels and drilling equipment involved in the oilfield development operation must maintain a minimum of 2 feet of clearance, at MLLW, between the lowest point on the vessel and the bay bottom along the access channel while underway and/or at the work sites. If the minimum 2-foot clearance cannot be achieved, the applicant is required to contact the Corps for further evaluation of the permit action. The applicant must supply specification sheets for each vessel described above.

f. Soundings must be provided of existing depths (referenced in MLLW) along the proposed access route and around the project site. Depth measurements must be provided along transects oriented perpendicular to, and spaced 100 feet apart, along the entire length of the proposed centerline of the access route. Depth Soundings must be spaced at a minimum of 20 foot intervals along the transect lines. Transect lines must extend out a minimum of 500 feet in each direction from the centerline of the proposed access route.

g. All oyster reefs and seagrass beds must be mapped within the above described 1000 foot wide access corridor. The size of each reef/bed and its distance from the centerline of the access route must be depicted on this map.

g. A list of the State Tracts affected by the proposed activity.

4. No structures or pipelines will be allowed to obstruct any navigation channels.
5. No dredging or prop-washing will be allowed for access, installation, or maintenance of the drill site or the pipeline corridor. No wells will be placed within 1,500 feet of a federal navigation channel.
6. No over water oil or gas storage platforms will be allowed under this GP.
7. There shall be no discharge of produced waters, drilling muds, drill cuttings, or any other fluids associated with the drilling process into waters of the United States.
8. The activities associated with the proposed work shall not destroy or adversely affect threatened or endangered species or their critical habitats as identified in the Endangered Species Act. All wells, associated structures and construction equipment must maintain a distance of 1,000 feet from Piping Plover (*Charadrius melodus*). Projects proposed in Aransas, Copano, St. Charles, Mesquite, San Antonio, Espiritu Santo & Matagorda Bays must be coordinated with the U.S. Fish and Wildlife Service to consider potential impacts to the federally listed, endangered whooping cranes (*Grus americana*). Oil and gas exploration activity that may affect whooping cranes is restricted from October 15 to April 15 to protect whooping cranes which winter in the Aransas National Wildlife Refuge area. All permanent structures in whooping crane habitat areas must be no greater than 15 feet in height.
9. No impact to seagrasses, oyster reefs, or other special aquatic sites, such as wetlands or mudflats, is authorized by this GP. Discharges shall not restrict or impede the movement of aquatic species indigenous to these waters. Wells, associated structures and construction equipment must maintain a distance of 500 feet from surveyed seagrass beds, or oyster reefs, and cannot be closer than 1000 feet from colonial waterbird nesting islands. The applicant must supply appropriate oyster surveys, seagrass surveys, bathymetric surveys, proton magnetometer, side-scan sonar, and any other appropriate bathymetry of the well location, the proposed pipeline corridor, and the proposed access route from the nearest main channel to drill site (surveys). These surveys must include the well site and access channels, oyster reefs, seagrass beds, existing pipelines, metallic anomalies, and potential navigation hazards. Permittees must supply the same post-construction surveys and written notice given to the Chief of Compliance, Galveston District Regulatory Branch, or the Corpus Christi Field Office, within 30 calendar days of completion of construction to ensure that the resources have not been adversely impacted.
10. The Corps will review all proposed activities for cultural resources requirements, and, when appropriate, coordinate these activities with the Texas Historical Commission (THC). If the State Tracts proposed for work under a proposed activity are included in the THC's list of Sensitive State Tracts, a marine archeological survey shall be required. If potential historic properties are located, they shall be avoided by a sufficient margin as designated by the Corps and the THC. If avoidance of the potential historic properties is not feasible, further archeological investigations shall be required. If cultural resources are discovered during construction, all work must cease, and the appropriate Corps of Engineers District Engineer and the THC shall be notified.

11. The Applicant must allow representatives from the appropriate Corps office, Coast Guard, Texas General Land Office, and Texas Railroad Commission to inspect the authorized activity to ensure that it is, or has been, accomplished in accordance with the terms and conditions of the permit.

12. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

13. When structures or work authorized by this permit are determined by the District Engineer to have become abandoned, or obstructive to navigation, or cease to be used for the purpose for which they were permitted, such structures or other work must be removed and the area cleared of all obstructions. When a well is plugged and abandoned, the casing shall be cut off a minimum of 15 feet below the mudline, the area cleared of all structures, and written notice given to the Chief of Compliance, Galveston District Regulatory Branch, or the Corpus Christi Field Office, within 30 calendar days of completion.

14. Aids to navigation will be permitted and placed in accordance with United States Coast Guard Regulation 33 C.F.R. 66.

15. This permit does not obviate the need to obtain other Federal, State or local authorizations required by law. This permit does not grant any property rights or exclusive privileges. This permit does not authorize any injury to the property or rights of others.